



COMMONWEALTH OF AUSTRALIA

Official Committee Hansard

**HOUSE OF  
REPRESENTATIVES**

STANDING COMMITTEE ON COMMUNICATIONS,  
TRANSPORT AND THE ARTS

**Reference: Managing fatigue in transport**

THURSDAY, 16 SEPTEMBER 1999

KEMPSEY

BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES

## **INTERNET**

The Proof and Official Hansard transcripts of Senate committee hearings, some House of Representatives committee hearings and some joint committee hearings are available on the Internet. Some House of Representatives committees and some joint committees make available only Official Hansard transcripts.

The Internet address is: **<http://www.aph.gov.au/hansard>**

To search the parliamentary database, go to: **<http://search.aph.gov.au>**

**HOUSE OF REPRESENTATIVES**  
**STANDING COMMITTEE ON COMMUNICATIONS, TRANSPORT AND THE**  
**ARTS**

**Thursday, 16 September 1999**

**Members:** Mr Neville (*Chair*), Mr Gibbons, Mr Hardgrave, Mr Hollis, Mr Jull, Mr Lindsay, Mr McArthur, Mr Mossfield, Mr Murphy and Mr St Clair

**Members in attendance:** Mr Hollis, Mr Lindsay, Mr McArthur, Mr Neville and Mr St Clair

**Terms of reference for the inquiry:**

- . Causes of, and contributing factors to, fatigue.
- . Consequences of fatigue in air, sea, road and rail transport.
- . Initiatives in transport addressing the causes and effects of fatigue.
- . Ways to achieving greater responsibility by individuals, companies, and governments to reduce the problems related to fatigue in transport.

**WITNESSES**

<b>DUNKLEY, Mrs Mary, Secretary, Royal Volunteer Coastal Patrol . . . . .</b>	<b>308</b>
<b>HINCHCLIFFE, Mr Peter, Committee member, Kempsey Shire Council Local Rescue Subcommittee, and Station Commander, New South Wales Fire Brigade</b>	<b>308</b>
<b>JAMES, Mr Leslie William, Operations Manager Brisbane, McCafferty's Coaches .</b>	<b>290</b>
<b>LAWRENCE, Mr Paul James, Member, North Coast Trucking Social Club . . . . .</b>	<b>332</b>
<b>MOY, Mr Donald George, Rescue Officer and Deputy Controller, State Emergency Services . . . . .</b>	<b>308</b>
<b>MOY, Mr Donald George, Member, North Coast Social Trucking Social Club . . . .</b>	<b>332</b>
<b>NORBERRY, Mr Richard James, Member, North Coast Trucking Social Club . . .</b>	<b>332</b>

<b>NUNN, Inspector Ronald, Duty Officer, New South Wales Police Service . . . . .</b>	<b>308</b>
<b>SIMPKINS, Mr Allan Henry, Station Officer, Ambulance Service of New South Wales . . . . .</b>	<b>308</b>
<b>SNAPE, Mr Leslie Owen, Vice-President, North Coast Trucking Social Club . . . . .</b>	<b>332</b>
<b>WATMAN, Mr Philip Sydney, Manager of Nursing and Patient Services, Mid North Coast Area Health Service . . . . .</b>	<b>308</b>
<b>WILLIAMSON, Mr Rex William, Owner and Manager, Williamson Brothers, Kempsey . . . . .</b>	<b>352</b>

**Committee met at 8.44 a.m.**

**CHAIR**—I declare open this public meeting of the House of Representatives Standing Committee on Communications, Transport and the Arts inquiry into managing fatigue in transport.

I welcome everyone here today to this public hearing and the roundtable discussion at Kempsey later. In opening the proceedings, I would like to emphasise that in addressing the terms of reference the committee has not prejudged the issues nor is there any element of witch-hunt involved. Members want to hear a full range of views and consider initiatives which have been or could be developed for the better management of fatigue in transport. Managing fatigue is a very important issue in the workplace and it has ramifications for all of us.

Under the terms of reference the committee has been asked to inquire into and report on managing fatigue in transport by focusing on four areas: the causes of and contributing factors to fatigue; the consequences of fatigue on air, sea, road and rail transport; initiatives in transport addressing the causes and effects of fatigue; and ways of achieving greater responsibility by individuals, companies and governments to reduce the problem related to fatigue in transport.

Kempsey is on the front-line of efforts to combat driver fatigue. Being situated almost midway between Sydney and Brisbane on the busy Pacific Highway, driver fatigue is an important community issue. Witnesses and participants in today's program include companies and individuals involved in road transport, namely McCafferty's Coaches, Williamson Brothers Removals and Storage and a local truck driver. In addition, we have representatives from Kempsey's various emergency services. I would like to thank all of those who have generously given of their time to come here to assist the committee with its inquiry today. It promises to be an interesting and informative exercise. I am pleased that so many people from so many walks of life have made themselves available. To ensure that you are protected by parliamentary privilege I ask that all the questions and answers be directed through the chair.

**JAMES, Mr Leslie William, Operations Manager Brisbane, McCafferty's Coaches**

**CHAIR**—I would like to welcome you as the first witness today. Before proceeding, I have to caution you that evidence you give today will not be taken on oath but committee hearings are legal proceedings of the parliament and warrant the same respect as that of the House itself. Any false or misleading evidence is a serious matter and may be regarded as a contempt of the parliament.

I think probably the best way to start this would be for you, first, to give us an overview statement of your submission and, second, to walk us through these notes on fatigue management. Would you give us first the overview statement? We may ask you a few questions on that and then I will get you to walk us through these notes.

**Mr James**—Fatigue of drivers in the heavy vehicle industry has been often researched with a number of possible causes. It is well documented. Namely, it is excessive driving and work hours, unrealistic schedules, inappropriate rosters, inadequate time off and broken sleep patterns. While these matters are acknowledged, anecdotal evidence seems to indicate that there are other fatigue issues relating to the long-distance coach sector of the heavy vehicle industry, with some issues pertaining particularly to this company. The issue that has been identified through evidence to date as most contributing to fatigue of McCafferty's drivers is that of stress.

I will tell you a little about McCafferty's operation. McCafferty's Coaches primarily operate long distance coach services, servicing all mainland Australia except for Western Australia. The company operates 115 coaches and employs over 300 drivers, based at various venues around the country. McCafferty's currently use both single driver and two driver systems, so we are able to objectively and subjectively look at the pros and cons of each system.

Single driver operation involves a single driver taking a service to a given sector and handing over to another driver at the completion of his sector. The first driver will then go to accommodation and will be scheduled to do another sector after having his break of 10 hours or more. Two driver operation involves two drivers sharing driving duties, with the non-driver or off-duty driver making use of a bunk in the coach. While the period of two-up driving can be up to 40 hours, McCafferty's generally restrict the period to 20 hours, after which the drivers usually go to an accommodation venue for a time period before completing more work.

Nearly all of our operation in Queensland is single driver operation. Until a couple of years ago two-up driving was not permitted in Queensland and McCafferty's established an infrastructure of depots, drivers and accommodation to suit single driver operation. This infrastructure still exists. Single driver operation is also utilised between Melbourne and Sydney, with drivers being accommodated in Goulburn and Sydney.

The amount of work being done each week by McCafferty's drivers certainly varies, with our peak time being in school holidays. On an average, however, drivers on single driver operation work for 45 to 52 hours per week. Approximately 20 per cent of that time is non-driving work, that is, pre-trip checks, loading, waiting time, et cetera. Drivers on two driver

operations work an average of 50 to 55 hours a week, of which approximately 40 per cent is non-driving, that is, off-duty time, loading, pre-departure checks, et cetera.

The drivers' work is controlled by roster. Drivers in some venues work a rolling roster, while drivers in Toowoomba and Brisbane work according to a weekly roster compiled to meet demand. Time between shifts, time off duty, et cetera, is controlled via the roster, that is, McCafferty's have a policy of a minimum of 10 hours between shifts. Other than occasional charters, the drivers work in a very structure environment, following a scheduled timetabled services, each of which has set start and finish times and set breaks at designated venues, usually a roadhouse. The timetables are set, with regular driver input, to be readily achievable in normal circumstances. One aspect of the long distance coach industry is that, due to popular times and/or length of services, a high proportion of driving occurs at night.

I have a bit here on driver feedback. Drivers regularly provide feedback as to what makes them fatigued. These comments are, of course, direct observations and not as a result of any research. The issues that seem to be of concern are as follows, and they are not in any order of priority. There is the poor quality of sleep, while in the bunk of the coach, caused by rowdy passengers, crying babies et cetera. And there is stress caused by: time away from home; quality of time while at home; pressure from passengers who are concerned about missed connections, missed meetings, et cetera, if the service is delayed due to road works, road conditions, traffic, accidents blocking highways, breakdowns et cetera; and pressure from within—most drivers take a lot of pride in running on time and, if they get delayed, a lot of the drivers put pressure on themselves to make up for the lost time.

There is stress caused by the worry of being out of legal hours if delayed by an accident, weather et cetera while trying to get to advertised meal stops; and by drivers being upset that conforming with legal driving hours causes, in their eyes, a longer working day than necessary. This feedback is from Queensland based drivers. Previously they were able to do 5½ hours driving without a break and our infrastructure was set up around this. A journey that they could do legally in, say, 5¼ hours now takes at least half an hour longer because of the requirement to have compulsory half-hour breaks after five hours of driving.

There is also stress caused by drivers overcommitting themselves financially and wanting to work more hours; by having to comply with different driving hours and regulations in different states; by some coaches performing poorly; by delays by police or RTA inspectors, usually of 20 to 30 minutes, causing potential for drivers to be out of hours; by demands from passengers, some of whom can be very demanding, wanting special treatment; and by drivers complying with speed limits due to driver management and/or speed limiters on coaches regularly being abused over CB radios by truckies, who choose to ignore the prevailing speed limit, for slowing them up—this particularly occurs on the Pacific and Hume highways at night. There is also difficulty in regulating temperature at night, particularly in winter. Drivers set the temperature so that they remain alert, and passengers complain they are freezing, so the drivers adjust the temperature to keep the sleeping passengers comfortable, which then results in the drivers feeling drowsy.

There are some company comments and strategies on the above driver comments. On the first—rowdy passengers causing poor quality of sleep—the comment is that this is difficult to suppress even with different design of bunk areas. Any mention by the company of

overcoming this by reverting to a single driver operation is usually howled down by drivers currently doing two driver operations. If you look at the first two points on stress, points 2 (a) and (b), they are related. Drivers on single driver operations complain that, while they get ample time away from driving—over 24 hours in some instances, at an intermediate point, waiting for their coach—they spend too much time away from home. For example, from Melbourne to Sydney and return has drivers on a single driver operation away from home for four days, whereas two driver operation has them away for two days.

The other issue is that when a driver on a two driver operation gets home, let us say at 7 a.m. after a shift, he is generally feeling quite fresh because he has been sharing driving duties. Thus, when he gets home he generally participates in normal family and domestic duties. This is in marked contrast to drivers on single driver operations who would have been driving all night and when they get home all they want to do is sleep. McCafferty's are not able to come up with a solution to this, other than to continue to work with the drivers to arrive at a satisfactory rostering outcome that gives reasonable home time. The method of operation becomes both a commercial and practical decision. For example, for our operation it is not practical to offer a single driver system between Alice Springs and Adelaide, so a practical decision has been made to operate that sector on a two-up driver basis, even though it is considerably more expensive.

A side issue here perhaps are some of the reasons McCafferty's drivers involved in two driver or two-up prefer that system, despite some research claims as to its unsuitability. Some of these reasons are: get home quicker—less time away from home; cooperate with a driving partner to decide who will drive first on a run, thus alleviating the need for both drivers to sleep before departure; security in the knowledge that a second driver is available to assist if problems arrive, for example, unruly passengers, flat tyres, first driver becoming ill, or first driver running out of hours because of unavoidable delays.

On points 2(c), (d), (k) and (l), McCafferty's have approached these issues from a different angle. These issues involve the need for some form of stress management, and are issues that will not go away. McCafferty's have taken the step of involving the psychology department at the local university in Toowoomba to develop a screening process to weed out potential drivers who may be severely affected by the issues raised, and to develop stress management techniques for current and new drivers to utilise, given the specifics of the stress causing issues. The university has only just become involved and we await the results of their research and associated recommendations with interest.

Queensland Transport and McCafferty's are working together on a fatigue management pilot scheme to address issues 2(e) and (f). Currently, the framework of legal driving hours has been expanded to allow, firstly, drivers to travel to an appropriate meal break venue for themselves and passengers where, because of remoteness of circumstances, no suitable venue is achievable in five hours driving. For example, on a night run from Townsville to Mount Isa, the only place open at night is at Hughenden, five hours 20 minutes from Townsville. Instead of the driver having to take a 30-minute break on the side of the road, a logical variation in driving hours has been given to allow the necessary extra travelling time. Secondly, it will allow drivers to travel up to 5½ hours in designated circumstances to avoid a compulsory meal stop for the sake of 15 minutes driving. For example, a driver travelling from Townsville to Cairns is allowed to complete the journey, which takes five hours and 15



minutes. This allows him to effectively get an extra hour off at home each day, as he does a return run from Cairns to Townsville each day. Passengers much prefer the arrangement as well.

Negotiations are continuing to allow legal variation in hours for drivers that cannot reach a designated meal rest stop because of unavoidable delays of the type previously mentioned. It is envisaged that, should the Queensland pilot be successful, application will be made to operate on a national basis utilising proven driving hours/time management strategies.

This company has negotiated with drivers on a very attractive enterprise bargaining agreement, whereby drivers get a very good hourly rate. This has somewhat reduced the incidence of drivers continually wanting to work more hours to meet financial commitments. This agreement also gives drivers six weeks leave each year, which drivers are encouraged to take in two periods. From the company perspective there are some other fatigue related issues that do not have an obvious or immediate solution.

On the age of drivers, before the advent of the Disability Discrimination Act this company had a policy of compulsory retirement of drivers at age 60. This is no longer possible under the act, but it is of concern that it is older drivers who show the most obvious signs of fatigue. While these individuals do pass a compulsory medical check in order to keep their driver authorisation, they do not cope with the everyday stresses as well as their younger work mates. By the nature of this company's operation, no alternative line of duties is available to be offered to these drivers.

On educating drivers to accept responsibility for their own actions and management of off-duty time, McCafferty's feel that much of fatigue management is the attitude of each individual driver. Thus we are endeavouring to educate each and every driver to accept responsibility for what they do during their off-duty time so that they turn up for work in a fit mental and physical state. This extends towards making a commitment to improving levels of personal fitness.

While fatigue in transport is of concern to all, I feel there are issues very unique to the long distance sector. These unique issues, most of them passenger related, need to be acknowledged by regulatory and enforcement authorities when making and administering policy such as on unnecessary roadside checks of drivers' log books and licences et cetera. Drivers have no problem with these being checked, but perhaps the authorities could give consideration to doing this at scheduled and advertised meal stops. The drivers are expected to look after their passengers as well as drive, so anything that makes the job less stressful would be helpful.

**CHAIR**—You have touched on a lot of the things not in the terms of driver feedback. They include time away from home, quality of life at home, pressures of not making connections, venues you need 5¼ or 5½ hours to get to and also delays caused by the police and RTA main roads type people. It might be something that we would comment on in our reports. Pulling coaches up on the highway and holding them up means that they are not relieving the stress problem but are actually adding to it.

**Mr McARTHUR**—You say that in your enterprise agreement payment of your drivers is based on an annual salary or a weekly rate or an hourly rate.

**Mr James**—It is an hourly rate paid weekly.

**Mr McARTHUR**—You say that has not encouraged them to work overtime. How did you reach that outcome?

**Mr James**—It is well above the award. By doing this the drivers do not have to work the hours to get overtime rates because it is all built into the structure in the EBA.

**Mr McARTHUR**—On your figures they end up working that 45 to 52 hours at whatever the hourly rate figure is. Are they not encouraged to work overtime?

**Mr James**—It is not that they are not encouraged to work overtime. They do not have to because, in a two-up situation, while the drivers are in the bunk they are still being paid.

**Mr McARTHUR**—Are you saying that you are paying your drivers a sufficient annualised salary so that they are not looking for that bit of extra overtime which induces stress?

**Mr James**—Yes, that is correct.

**Mr McARTHUR**—There are two other matters in which I was interested. With the drowsiness in the coach with the different temperatures, has the company done anything about the driver's cabin being at a lower temperature than the temperature of the passenger area?

**Mr James**—Yes. The ADRs do not state that there has to be a cabin around the driver. The drivers are in the same area as the passengers. They are in the same compartment.

**Mr McARTHUR**—Have you done anything about confining the driver to a different air temperature to provide a more alert environment?

**Mr James**—No at this point in time.

**Mr McARTHUR**—Have you had a look at it?

**Mr James**—We are looking at it but we have not done anything at this point in time. It is a very difficult situation to alter the driver's temperature as regards to the rest of the coach.

**Mr McARTHUR**—How significant is that whole argument at, say, two o'clock in the morning when the passengers want to have a more comfortable temperature? Is that a big issue amongst the drivers?

**Mr James**—Most drivers open the window.

**Mr McARTHUR**—The other one was the abuse by truck drivers. Your drivers are obeying legal speed limits. Could you expand on that position? With the CB do they get abused in the immediate vicinity or do they get a message along the line?

**Mr James**—No, they get abused in the immediate vicinity. For instance, if our drivers over-rev or overspeed going down a hill, it is registered on the computer on board the coach. When it comes back to Brisbane, Adelaide or wherever, that computer is downloaded, and we have a report that the driver has over-revved or oversped. He gets a letter from the company pointing that out to him. So the guys naturally touch the brakes when going down hill. A truck driver will be on his tail and see the brake lights come on. He has to back off because he cannot pass him. Then the driver gets abused for doing so.

**Mr McARTHUR**—What are you doing with the trucking industry? Are you making them aware of this?

**Mr James**—We have made complaints.

**Mr McARTHUR**—And what response have you had from them?

**Mr James**—None yet.

**Mr McARTHUR**—How much stress does that cause? Is that an occurrence that happens on the Hume Highway between Melbourne and Sydney quite often?

**Mr James**—I would say so, according to drivers' reports.

**Mr McARTHUR**—On the one hand, your drivers are very concerned that your management will be upset with them, if they do go over the limit. On the other hand, they have a stress induced factor by truckies continually abusing them over CB radio, so they have two forms of stress.

**Mr James**—I am saying the drivers are aware that they will receive a letter. It is not a letter of warning or anything such like that. It is just indicating to them that, to accommodate our accreditation in New South Wales, we have to let our drivers know that they are doing something wrong, and not to do so would be a failure on our part.

**Mr St CLAIR**—We also hear from professional drivers and companies in the trucking industry who also have their vehicles monitored by computer. Is it the cowboys again that are creating the problem or is it the major company drivers?

**Mr James**—I do not think I could answer that question because I am not aware of who it is. I know where it is. I am sorry I could not follow that up.

**Mr St CLAIR**—We do hear from those and, as you know, there are a lot of trucks that are in the same boat as the coaches.

**Mr James**—Yes.

**Mr St CLAIR**—We notice in some motor vehicles now that you have separate air conditioning controls for either side of the front of a car. Has that technology yet come into coaches?

**Mr James**—No, it has not. But it is a good thought. I will make a note of that myself.

**Mr St CLAIR**—Some of the newer vehicles have separate controls for either side.

**Mr LINDSAY**—You were telling me last night you have been driving for many years. Can you just tell the committee how many years?

**Mr James**—I drove coaches for 27 years.

**Mr LINDSAY**—Can you compare and contrast your experience in driving some time ago to driving now? Did you suffer the same kind of stress that you are seeing in your drivers now? If not, why not?

**Mr James**—No. The drivers of those days did not suffer the same stress as they do now. Our coaches were not road speed limited. We did not have the policing of the enforcement agencies that we do now. Log books were definitely in and we had to fill those out. But we would not get pulled up on the side of the road. They would pull us up and talk to us at a meal stop and that seems to have gone out the window. That is why I mention it in my report there.

**Mr LINDSAY**—Are you saying that commonsense has been overtaken by bureaucracy?

**Mr James**—Yes, I would anticipate this is probably some of the problem.

**Mr LINDSAY**—You have listed other issues in your opening statement in relation to things like drivers overcommitting themselves financially. I do not know how a company would respond to that. That would be very difficult.

**Mr James**—It was very difficult. As we all know, some individuals tend to overcommit themselves by depending on their overtime rates. Bringing in the EBA has made it a lot more attractive for the drivers and it is working.

**Mr LINDSAY**—In relation to passengers who are upsetting the drivers, do you have very specific policies on how drivers can manage customers who are being unreasonable?

**Mr James**—Yes, we have. I cannot quote it at present, but we do have a drivers' manual out, and in that drivers' manual it explains to the drivers how disruptive passengers should be handled.

**Mr LINDSAY**—And you would back your drivers, if they abided by that manual?

**Mr James**—Yes, we do.

**Mr LINDSAY**—In relation to fatigue of drivers, would you support some kind of a system where there would be random fatigue tests of your drivers? There is technology available now that allows you to assess the fatigue of the driver. I understand that you might want to think about that, but would that be a way of further ensuring safety in relation to the coach drivers?

**Mr James**—Could you explain what methods are used?

**Mr LINDSAY**—There are some computer simulation programs that are available that can be done simply across a desk. It is very quick and the system can tell you if the driver is fatigued.

**Mr James**—I have given Meg Crooks a copy of a document that was written by a professor in Townsville in 1990, I think it was, and I believe they did that with drivers at a point in Rockhampton, I believe. So that has been done.

**Mr LINDSAY**—Do you see a greater problem in Australia with fatigue in the heavy vehicle industry rather than the coach industry? Would you say the coach industry is by and large very safe in relation to fatigue issues?

**Mr James**—I would say the coach industry is very safe as far as fatigue goes. There is a vast difference between coach driving and truck driving. If the truck driver gets tired, he can pull over to the side of the road and have a sleep. The coach driver cannot do that.

**Mr LINDSAY**—Do your drivers report back to you about private drivers who they think are fatigued?

**Mr James**—No, not really.

**Mr LINDSAY**—Not an issue.

**Mr James**—Not an issue. You are referring to car drivers?

**Mr LINDSAY**—Yes.

**Mr James**—No.

**Mr LINDSAY**—Thank you.

**Mr HOLLIS**—If I want a job as a bus driver with McCafferty's and I come to you for an interview, what do I have to go through? Do I go through a training test? Do I have to produce my licence or what? Do I have to have a clean police record for driving or what?

**Mr James**—Initially, you will fill out an application form, of course. Then you will be put with one of our senior drivers who will take you for a test drive of some two hours, and after that, if he comes back with a favourable report, you will then be put on as a casual person for the time being. You will then be surveyed on a trip maybe to Toowoomba and Rockhampton. You would probably get two surveys to Rockhampton and, if that senior

driver is still happy with you, we will then put you behind the wheel and let you do your driving. You must have authorisation, of course, on your current licence and a clean driving record for a number of years.

**Mr HOLLIS**—You have something like 300 buses. You do not have a specific training program as such. It is very much on the job with another senior driver supervising and them reporting back.

**Mr James**—Yes, that is what we do.

**Mr HOLLIS**—Do you do any psychological tests to see if people are okay to drive?

**Mr James**—We are just coming into that now. You may have read in the report that we are getting a gentleman up.

**Mr HOLLIS**—If I am going to come up to the depot at Toowoomba or Brisbane to take a coach load of people down the coast to Sydney or wherever, is there any form of testing? Do you test the drivers before they are put in charge of that bus for alcohol, drugs or anything. Is there any form of test done?

**Mr James**—We have not done that up to this date. We have the authority to do it, but we have not found it necessary at this point in time.

**Mr HOLLIS**—I would imagine it would not be hard to detect a person who was affected by alcohol, but what keeps coming to us is that it is more difficult to detect someone who is affected by some form of stimulant or a drug, or even someone who is tired. It is very hard. There is no test to detect that.

**Mr James**—That is true.

**Mr HOLLIS**—You would look at some form of testing?

**Mr James**—Yes, if there was one available, yes, we would certainly look at it.

**Mr HOLLIS**—Do you talk to the other bus companies about these issues? Is there an Australian association of bus operators?

**Mr James**—I am an executive of the Bus and Coach Association of Queensland. Yes, we have in-depth meetings at times.

**Mr HOLLIS**—Do these issues ever come up?

**Mr James**—Unfortunately, there is not a lot of long distance people around. Most of the association members are local operators who operate in their own area and do not do long distance stuff.

**Mr HOLLIS**—Are you familiar with sleep apnoea?

**Mr James**—Yes, I am.

**Mr HOLLIS**—We had some evidence and videos given to us in Melbourne or somewhere about the test. Some of the people have put to us that everyone who is involved in driving should have a test for this. It has been put to us that it does affect some people—not everyone—but the figures range as high as 20 per cent of the population that it affects. There are methods, such as air blowing in while you are sleeping. Have you people looked at that at all? Would you be interested in testing your drivers, or offering your drivers the opportunity to be tested by this?

**Mr James**—Yes. McCafferty's are very aware of that situation. Approximately two years ago, one of our drivers did suffer from sleep apnoea and it was brought to our attention. We approached the driver and he went under medical supervision into the hospital. Yes, we are aware of that.

**Mr HOLLIS**—What was the result of that?

**Mr James**—He is okay now. He does not drive any more, not long distance.

**Mr HOLLIS**—He does not drive?

**Mr James**—No.

**CHAIR**—Does he still work for you?

**Mr James**—No.

**Mr HOLLIS**—That might be a discouragement to people to be tested for it.

**Mr James**—No, he left of his own accord.

**CHAIR**—You would have been prepared to keep him?

**Mr James**—Yes, but we probably would have kept him on local runs.

**CHAIR**—Ferrying stuff?

**Mr James**—Yes, not long distance.

**Mr HOLLIS**—It was put to us yesterday in Armidale that one of the big requirements in Australia is to have uniform laws. One would hope it would not be the same driver who would drive from Brisbane to Adelaide, but that during that journey there would probably be all sorts of different rules, speed restrictions and various different things. What do you think? Do you agree with that we should have the same laws or universal laws across Australia?

**Mr James**—National driving hours came out two years ago for every state and territory in Australia, except New South Wales I believe. It is the only one that has changed. In New

South Wales you are allowed 11 hours. In Queensland you are allowed 12, and that does make a difference to the driver.

**Mr HOLLIS**—It is not only major things. There are a lot of minor things. Even if you are driving in Victoria, there are small things that are different from New South Wales or Queensland.

**Mr James**—Yes.

**Mr HOLLIS**—That must be very confusing for the drivers if they have to remember that if they are driving in New South Wales, there are various things they can do, whereas in Queensland they might get away with it.

**Mr James**—I hear what you are saying. A professional driver would average 100,000 miles a year. He adapts himself very quickly to the changing laws in each state.

**Mr HOLLIS**—That is if he is aware of them.

**Mr James**—If he is a professional driver, he should be aware of them, yes.

**CHAIR**—Do you brief them on those sorts of things?

**Mr James**—Yes.

**Mr St CLAIR**—This is the first time I have heard raised during this whole inquiry about the change of compulsory retirement age for drivers, and I do not think that we have any evidence before this committee. Could you expand on that a bit and just talk to us about where you see that going? Other than peer pressure and testing results, how does a driver actually get to the point where he decides to retire from driving before the fatigue part sets in? How do you balance that?

**Mr James**—This is an individual thing again. At one stage McCafferty's did have a retirement age of 60 for drivers. Since the discrimination act has come in, we cannot do that any more. We cannot have it on the application form; we cannot have it anywhere, because it is discriminating against that driver.

**Mr St CLAIR**—Obviously, if you have someone in their very senior years still behind the wheel of a vehicle, we are going to have trouble. Where is the point at which the company intervenes, or does the company intervene? Has it been something that you have never had to deal with?

**Mr James**—We have not had to deal with it at this stage. There is only one driver who has retired and he is the only one of that age, but it can happen and it will happen. We will have to do something about it when the time arrives.

**Mr St CLAIR**—Yes.



**CHAIR**—Would you leave that driver on long-haul stuff or would you perhaps put him on short stuff?

**Mr James**—This is our problem. We do not have much short-haul stuff. Most of our stuff is long distance.

**Mr St CLAIR**—Are you then going to discriminate against him because you are going to say, ‘You are too old to drive long distance. So we are going to put you on short distance’, and he says, ‘Hang on. I want to go to Perth’?

**Mr James**—Yes.

**CHAIR**—It makes it difficult.

**Mr James**—Absolutely.

**CHAIR**—There are a couple of areas that we have not looked at. Have you done any work with Professor Dawson in Adelaide?

**Mr James**—No, I have not. I do not think the company has.

**CHAIR**—Are you aware of his computer program to do with rostering? By feeding your rosters into a computer program, you can find a fatigue line where the drivers may be fatigued.

**Mr James**—No, I have not.

**CHAIR**—Based on this 45 to 52 hours, you would have a lot of drivers in that field. Professor Drew Dawson is at the Queen Elizabeth Hospital in Adelaide. I thought I would touch on that point. You are also coach builders, aren't you?

**Mr James**—Yes, we have just started in that field.

**CHAIR**—Are you aware of Professor Wlodarski's work into sensor technology, sensing the build-up of gases? Professor Wlodarski is doing a lot of work in sensor technology and it may be of help to your company to interact with him on vehicle design. He is working on things that identify an excessive build-up of carbon dioxide, for example, in the cabin of a vehicle.

**Mr James**—Yes, I was reading about that.

**CHAIR**—The other thing is that your company is participating in phase 2 of the fatigue management program of Queensland Transport.

**Mr James**—Yes, I am given to understand we are.

**CHAIR**—Can you tell us what going into that second phase involves?

**Mr James**—Fatigue management is not allowed on the Pacific Highway where the New England Highway and the Pacific Highway meet. The New South Wales transport authority will not allow us to use fatigue management on that road.

**CHAIR**—Why?

**Mr HOLLIS**—Why?

**Mr James**—We have asked the question and we have not got an answer.

**Mr HOLLIS**—It is Hexham, isn't it?

**Mr James**—You cannot use fatigue management on coaches or dangerous goods on the Pacific Highway between Hexham and the Queensland border.

**CHAIR**—What particular aspect of the fatigue management program would differ from the RTA or New South Wales regulations? To say that they will not let you use it, some things are self-evident. It is a management program. Surely, they would endorse lots of the things that are in that program. What are the areas that they will not endorse or that they are uncomfortable with that lead them to not allow you to use the overall program? Do you know where they are?

**Mr James**—It is only on the Pacific Highway.

**CHAIR**—Yes, but what specific items or what specific controls within that program don't they like?

**Mr James**—It is not the controls in the program, I do not think. It is the condition of the road.

**CHAIR**—I see.

**Mr James**—They are claiming that it is a dangerous practice to do that on the Pacific Highway.

**CHAIR**—What is dangerous? The speed, or what?

**Mr James**—No, the road itself creates a problem. I do not know why, but this is what has been stated.

**Mr McARTHUR**—What do you mean by the fatigue management program in that section? Can you define what the driver would understand to be that program?

**Mr James**—The driver?

**Mr McARTHUR**—I am just unclear as to what the fatigue management program means.

**CHAIR**—It is the one we were briefed on in Brisbane.

**Mr James**—Fatigue management is where a driver does not have to use a log book. He can drive a certain number of hours, as long as he does not drive more than 12 hours in 24.

**Mr McARTHUR**—We just had an adverse comment by one of the truck drivers that that was a method for the bosses to get more work out of the drivers. That was the way it was put to us.

**Mr James**—They cannot drive any more hours.

**Mr McARTHUR**—It was put to us that, instead of driving 12 hours, they could drive 14 because they understood the fatigue management program.

**Mr James**—You can work 2 hours, but you cannot drive any more than 12 hours.

**CHAIR**—Going on what Mr McArthur said, is the span of 12—which might be suitable for a truck driver—inappropriate for a bus driver, but it may not be for a transport driver in view of the fact that they are carrying passengers and have ongoing duties all the time in the coach which perhaps a truck driver may not have?

**Mr James**—No, I do not think so. This relates back to allowing a driver, if he gets held up by an accident or by weather, to drive that extra 15 minutes or half an hour to get to a meal stop. That is where fatigue management would come in very well.

**CHAIR**—Yes. Do you find difficulty with New South Wales authorities when you get to the border? Some of the truck companies have said that they just do not get any cooperation at all from New South Wales.

**Mr HOLLIS**—You are under parliamentary privilege.

**CHAIR**—You are under parliamentary privilege.

**Mr James**—We had a situation two weeks ago where one of our coaches was pulled up on the side of the road. It was then taken to their depot, put over a pit, and was held up for 50 minutes with passengers on board while these guys inspected the coach.

**CHAIR**—Why?

**Mr James**—I cannot answer that. I do not know why.

**CHAIR**—Did the company object?

**Mr James**—Yes, we did, strongly. It has not happened since.

**Mr McARTHUR**—Did you object to the government or the minister?

**Mr James**—I believe it went to the minister.

**Mr McARTHUR**—Have you had a response?

**Mr James**—I do not know. I did not do it. I doubt it, but things like that happen. That in turn held up three other coach departures from Brisbane.

**CHAIR**—Are you implementing a phase 2 program in Queensland?

**Mr James**—No.

**CHAIR**—You are not?

**Mr James**—No. It is no good implementing it in Queensland, because in Queensland we have infrastructure to do stage driving, not two-up. So we do not really require it there.

**CHAIR**—So if you cannot use it over the border, you virtually cannot use it at all.

**Mr James**—No, it does not work.

**CHAIR**—Have you spoken to the Queensland transport minister about bringing that up at the ministerial council?

**Mr James**—I believe they have written to the New South Wales minister.

**CHAIR**—The Queensland minister?

**Mr James**—Yes, the Queensland people are on our side. They are looking at it and talking to New South Wales.

**CHAIR**—I ask the next question somewhat reluctantly. I do not want you to think it is a loaded question. I say it against the background that you do 26 million kilometres a year. You have been involved in two of the more horrific accidents of recent years.

**Mr James**—That is correct.

**CHAIR**—What is the company's perspective on those in terms of fatigue? I am not asking you to rehash the coronial inquiries, but what effect have those accidents had on, in particular, fatigue management and driver management in your company on the one hand, and in terms of other safety devices on the other? What has been the effect on the company in terms of its own practices or refining its own practices?

**Mr James**—You will find in the report that I read a moment ago that the company is doing everything in its power at this point in time to eliminate any chance of driver fatigue. We are doing our best. Driver fatigue involves a lot of self-control on the part of the driver. The company can do so much but drivers have to monitor their own lifestyle, I believe, to ensure that they do come to work fresh.

**Mr McARTHUR**—Just to get a relationship to the airline industry in the same area, the airline industry say to their pilots 'No alcohol consumption prior to departure'. They have rigorous physical testing every year and a very great awareness of the impact of a major air

disaster on the airline. Do you see a similarity between your company and the two major airlines in Australia in the safety aspect and concern for a major crash?

**Mr James**—Anybody holding a national heavy vehicle licence has zero limit for alcohol and drugs.

**Mr McARTHUR**—I am just interested in a comparison with the aviation industry along the lines of the chairman's question. What policies have changed and do you think you are getting closer to the airline industry in saying, 'If we have a major crash, that is very detrimental to our company and our whole operation'?

**Mr James**—Yes, I think you will find that is all in our driver's manual. I am sorry I did not bring one.

**Mr McARTHUR**—What are you doing about it, though; what has really happened? That is the thrust of the chairman's question and I am interested.

**Mr James**—It is in the driver's manual that they are not allowed to go near alcohol and drugs whilst driving and in charge of a vehicle.

**Mr HOLLIS**—What about before driving?

**Mr James**—Before driving? No.

**Mr HOLLIS**—How long, five hours?

**Mr James**—They have to show a zero limit.

**Mr HOLLIS**—But you do not test them before they start.

**Mr James**—It was always eight hours.

**CHAIR**—Do you breathalyse?

**Mr James**—We have a breathalyser, but we do not use it.

**Mr HOLLIS**—How do you know that I have not been on the booze four hours before I drive, if I front up to take the coach and you do not put me on the breathalyser? If you put me on the breathalyser, it would indicate that.

**Mr James**—It is a difficult question and it is a difficult thing to implement because we have drivers who go from Brisbane to Sydney. How do they get tested in Sydney before they start driving?

**Mr HOLLIS**—The police run around with these breathalysers all over the place. Surely you have a depot in Sydney with a breathalyser. You have one breathalyser in your depot in Brisbane. There is no great hassle. The only cost would be changing the mouthpiece each time.

**Mr James**—That is right. No, it is not the cost. I hear what you are saying.

**Mr HOLLIS**—I suspect the difficulty would be that the drivers would object. But it could be made part of their conditions of work, as it is in many jobs: they would have to go on the breathalyser before taking the coach out and return a negative reading and they would be aware of that. If they thought it was an infringement of their civil liberties, they would not bother taking the job.

**Mr James**—Of course.

**CHAIR**—As part of your management program, periodically the computer could just throw up a name at random and that person, regardless of which depot they were at—

**Mr James**—He would have to be tested.

**CHAIR**—Yes, even if it was only the manual breathalyser system—an indicative thing. In asking these questions, you were the first, were you not, to put seatbelts in coaches?

**Mr James**—Yes, we were.

**CHAIR**—What has been the effect of that?

**Mr James**—Passenger wise?

**CHAIR**—Yes.

**Mr James**—You have to understand firstly that the driver is not responsible to ensure that seatbelts are worn.

**CHAIR**—It is not like an airline?

**Mr James**—No. The drivers do tell our passengers that seatbelts are there for their use and to please use them.

**CHAIR**—Have you had incidents where they have worked?

**Mr James**—That I could not tell you. We believe so. Tenterfield was one.

**CHAIR**—Yes, that is where the two people were killed.

**Mr James**—Yes, and one of our drivers.

**Mr McARTHUR**—On the seatbelt issue, why is it not compulsory to use the seatbelt? What is the difference?

**Mr James**—That is the law.

**Mr McARTHUR**—In a bus? But in a vehicle it is compulsory.

**Mr James**—That is right.

**Mr McARTHUR**—Yes, but why is there a difference?

**Mr James**—You would have to ask the people who make the law. I do not know.

**Mr McARTHUR**—Have you put a recommendation to the bus industry that seatbelts be compulsory, if they are available?

**Mr James**—Yes, but who is going to enforce it? Who is going to be held responsible?

**CHAIR**—The hostesses enforce that on the plane; they check it.

**Mr James**—It is very difficult for a driver to enforce that.

**Mr McARTHUR**—It is similar to motor cars, though: how do you enforce it in motor cars?

**Mr James**—Yes, but there are only four passengers; you have 50 on a coach.

**Mr McARTHUR**—In the motor car, it is a matter of the law. If you have not got it on, you get—

**Mr James**—That is true.

**Mr McARTHUR**—Why couldn't you have it on a coach, so that the passengers were liable if they were seen not to have seatbelts on? It seems a pretty straightforward proposition.

**Mr James**—Firstly, law enforcement officers cannot see whether a passenger has a seat belt on in a coach unless they pull the coach up and walk into it.

**CHAIR**—It is not as easy.

**Mr James**—It is not as easy, no.

**CHAIR**—Mr James, your evidence has been very interesting and I thank you for the frankness of it. I trust that, if we have any future questions, we can come back to you. We may well come back to you because McCafferty's is one of the major long-haul companies; you have a very good record of coach design and the like. As we get towards our report, we may need some further advice. You will receive a draft of the *Hansard* record of today's proceedings. On behalf of my colleagues, I thank you for your attendance.

[9.38 a.m.]

**DUNKLEY, Mrs Mary, Secretary, Royal Volunteer Coastal Patrol**

**HINCHCLIFFE, Mr Peter, Committee member, Kempsey Shire Council Local Rescue Subcommittee, and Station Commander, New South Wales Fire Brigade**

**MOY, Mr Donald George, Rescue Officer and Deputy Controller, State Emergency Services**

**NUNN, Inspector Ronald, Duty Officer, New South Wales Police Service**

**SIMPKINS, Mr Allan Henry, Station Officer, Ambulance Service of New South Wales**

**WATMAN, Mr Philip Sydney, Manager of Nursing and Patient Services, Mid North Coast Area Health Service**

**CHAIR**—In welcoming the members of Kempsey and district emergency services groups to the table, I have to caution all witnesses that, while they will not be under oath in these proceedings, committee hearings are legal proceedings of the federal parliament and they warrant the same respect as the House of Representatives itself. Any false or misleading evidence is regarded as a contempt of the parliament. I propose to take a statement from Mr Simpkins. We may ask a few questions on that and we will then comprehensively involve all of you.

That is not to say we may not ask one or two of your questions central to what he is saying, but we will use this next period to hear his statement and to test that statement, and then we will open it up to all of you. The committee may ask you at some time to comment on it in this next segment. Also, I would like you to direct your questions and answers through the Chair because if you do not you are not covered by parliamentary privilege, and we will be dealing with some sensitive matters.

To commence proceedings I will ask Mr Simpkins to give us an overview of his submission, and then we will take some questions on that. Then we may expand that. If not, we will break for morning tea and get more comprehensively into everyone else's evidence thereafter.

**Mr Simpkins**—Thank you, Mr Chairman. On behalf of the Kempsey Emergency Services Committee I would like to welcome you and your committee here today. We thank you for that. We are blessed with some lovely weather and hope you will enjoy your stay with us.

What we would like to present basically is a quick overview of our report that we presented to the committee. Our report concerns basically the end stage of fatigue and how that affects us as State Emergency Service workers who attend these accidents. What we are asking is that your committee be very diligent in trying to reduce fatigue to stop us at that end stage having to save these people.



As you can see, Kempsey has many aspects to its location. We also have some cultural considerations that we must take into account. Kempsey has a long history and was first settled many years ago for its timber, mainly, and the community has arisen from that industry. We have many industries in the area which require the movement of large transport vehicles in and out of our location. The population is about 28,000 and you have seen, as you flew in yesterday, quite a good overview of our landscape.

Our threats in Kempsey are manifold, be they from the air, rail, sea or the road. Your committee is well aware of the dangers and, as you have seen, we have had classic examples of those. The combat agencies, or the ones that actually go out into the field and attack these incidents, are the police, the fire brigade, the New South Wales ambulance service, the Rural Fire Service, the State Emergency Service, the Royal Volunteer Coastal Patrol, and Kempsey Hospital.

One thing that we overlooked yesterday was aeromedical services. We have helicopters that come into Kempsey and retrieve people from accident sites and fly them off to base hospitals, as well as the air ambulance service and the Royal Flying Doctor Service. We have an active local rescue subcommittee which is very pro-active in Kempsey, and we look at our threats and try to deal with those. Kempsey Shire Council is very pro-active and supports us very well.

In our report you have key statistics about how road trauma is increasing in the state of New South Wales. I do not think at this point in time it is worth going over those because committee members would have read those, and if need be we will come back to those. Our committee came up with a statement that was very apt at the time. It was that by reducing fatigue, more Australians would be kept alive to arrive home to the waiting arms of their loved ones, and two scenarios that we will talk about are classic examples of that not happening.

The two examples that the committee will look at, and we will have a site inspection later on, are two motor vehicle accidents. The first one involved two young gentlemen who started off from Kiama on the south coast, near the electorate of Colin Hollis. They were moving to Queensland to start a new life. They had left Kiama about 6 p.m. the night before and decided that they would drive straight through by sharing the driving. However, at about 6 a.m. both the driver and the passenger fell asleep and the motor vehicle collided with a power pole.

The emergency service people from Kempsey responded to that accident site which was just north of the Clybucca accident—where we are going out to look at the memorial later today. That brought down live power lines which complicated the rescue of those gentlemen from that motor vehicle. At first it was believed that the driver was killed on impact, but later he woke up. He was still asleep at the wheel some 10 to 15 minutes after the incident, and that just indicates how fatigued that gentleman was.

The impact actually moved the power pole out of the ground and brought the power lines down. The gentleman sustained a fractured femur, the large thigh bone for those who are not into physiology or anatomy. He was transported subsequently to Kempsey Hospital and then transferred by helicopter to Newcastle for specialised treatment.

Both the driver and the passenger were well aware of fatigue but obviously were not diligent enough to deal with it. That created traffic problems due to the closure of the Pacific Highway. It meant also that our local dairy farmers could not milk their cows because they had no power. And a very life threatening hazard was created for the rescuers because the live power lines were lying very close to the motor vehicle accident. That is a very good example. These fatigue related accidents are happening all the time, and that is why we would like the community to be diligent in that regard.

The second incident that we would like to bring to the committee's attention is a result of a number of factors building up to an incident. It involved a family who were moving from Sydney. They were supposed to depart at 8 a.m. but unfortunately the removalist did not arrive until 8 p.m. The family then decided to head north as far as they could through the night. There was a husband, a wife, a mother-in-law and two little children. They had hoped to let the children sleep through the night so that they would not be fatigued from the travel.

They departed Sydney at about 8 p.m. Their intention was to drive via the New England Highway because they believed the Pacific Highway was too dangerous. The wife drove the vehicle in the initial stage from Sydney. However, she got confused at the roundabout at Beresfield where the Pacific Highway and the New England Highway commence and she took the wrong route. When the husband realised the mistake they were at Bulahdelah. The family thought about turning around and going back to Beresfield and back up the New England Highway, but at 3.30 a.m. they considered that they would lose 1½ hours and so decided to continue on.

They changed drivers and the husband drove the vehicle. By about 4.30 a.m. they were feeling quite fatigued so they went into Port Macquarie and tried three motels. They were told they were either too late or too early to gain accommodation. After three attempts they decided they would not be able to secure any accommodation and so the adults decided to each drive for no more than 40 minutes and continue up the highway.

At approximately 6.06 a.m. the emergency services in Kempsey responded to a motor vehicle accident where a car had collided with a truck. On our arrival we found that the driver and the rear seat passenger, the mother-in-law, were killed outright, and that the husband and the two children, who were asleep in the vehicle, were moderately to severely injured. That motor vehicle accident was quite devastating and affected the emergency service workers who were there because of the injuries that had occurred to both the mother-in-law and to the wife, but also as a result of seeing the children injured.

As you saw quite well demonstrated yesterday, we have quite a lot of emergency service equipment and the people in this community are very caring and well educated in their roles in response to rescues. To see that in these two fatalities there was nothing they could do to help these two people survive was very overwhelming. Some of our emergency workers were actually overcome and had physical symptoms from that accident. They were vomiting and crying. It is not unusual for that to happen because of the effect that that has on the emergency service workers.

It was probably the quietest I have seen a motor vehicle accident for many years. Usually you hear the sound of the motors and the rescue equipment going toing and froing, but the scene was very quiet. All emergency services and personnel on the scene were badly affected by the trauma of what they were seeing and how they were dealing with it, remembering that we had two quite small children and their mother and grandmother had just been taken away from them. I believe that the coroner still has not made any conclusion about who was at fault at this motor vehicle accident. The semitrailer driver did leave Brisbane the night before but I do not think there is any blame being apportioned to anyone at the moment. It is one of those situations where there are not many witnesses because the husband and the two children were asleep at the time and both the females were killed. It might take some time to work out if they can apportion any blame.

What I would like to indicate to the committee is that the people who actually go out in the field to these incidents are affected greatly. Another indication is that we have very few left of the emergency services workers from the SES who were involved with the Clybucca bus smash. What they had seen and witnessed in that episode they just wanted to walk away from. They did not want any more involvement in that. We have staff who are still undergoing counselling for the trauma that they have seen in those episodes and that will be ongoing for many years, so we do have to be diligent in what we do.

**CHAIR**—Do you have any other incidents?

**Mr Simpkins**—We do not have them documented here, but, yes, we can bring other cases to the committee and I believe Inspector Nunn has some that he will enlighten the committee about. We thought those two were classic fatigue related incidents.

**CHAIR**—We talked yesterday briefly about the effects of fatigue on yourselves. You have a unique situation where quite a few of your key personnel are volunteers. They are on call. By the nature of their occupation they have got to work as well and they cannot always schedule their lives to be at optimum performance level. If you get an accident at 4 o'clock or half past four in the afternoon, where someone has possibly been working since 7.30 or 8 o'clock that day then obviously they are not going to be at peak performance. You were saying that there is an adrenaline rush when people get out there and you told us last night that when people get out there they are pretty much alert. But where does the fatigue angle actually affect yourselves? You drive vehicles. You handle sensitive equipment and you are part of transport, perhaps not to the same extent as the people we were talking about. What is your general impression of the effect of fatigue on voluntary workers?

**Mr Simpkins**—It does affect voluntary workers a lot. There are two prongs that we would probably look at. The professional people—myself, the police inspector and Peter—take an overview of the situation to look after our troops in those circumstances. We have entrenched a good debriefing process both at the scene and later. After we have done our work we will debrief about the situation, then we will always move back to our local stations and talk to our staff about it. I would like to speak about my industry alone—the ambulance industry. We are very short staffed and that is very well documented. The ambulance officer picks you up today. It will be the same one that will pick you up tonight. It will be the same one that will pick you up the next morning. That is an industry based thing. At this stage, basically it is up to the individual officer to put his hand up to tell us that things are getting

enough. It depends on the workload through the night and how many cases he might have to do.

**CHAIR**—Are the ambulance staff all full-timers?

**Mr Simpkins**—They are full-timers.

**CHAIR**—You do not have any volunteers?

**Mr Simpkins**—There are nine of us here in Kempsey.

**CHAIR**—I just want to probe this part.

**Mr HOLLIS**—We are quite interested in the psychological impact on you people. As the chairman says, you are at the coalface at these accidents. Also I was interested in what you were saying there about the professionals on duty. We had evidence of a case in Tasmania, where they say that the ambulance officer who received the call was so fatigued that they sent the ambulance to the wrong town. You have got nine ambulance officers here. Do they work shift work? Is someone there on duty all the time?

**Mr Simpkins**—We work until midnight and then three officers take a vehicle home and we ring them at home.

**CHAIR**—Two shift and stand-bys.

**Mr Simpkins**—That is correct.

**Mr HOLLIS**—Do the accidents that happen here—I am not talking about local town accidents; I am talking about major incidents along the highway—usually happen in the evening, late afternoon or early in the morning? Is there a percentage?

**Mr Simpkins**—I would say that most of the ones that have occurred are just about the daylight hours—after 4 a.m. running through to the daylight hours.

**Mr HOLLIS**—Can you put that down on the time of driving, say, from Sydney to here?

**Mr Simpkins**—With the increase in the road conditions being better to the south, what is happening is the large trauma accidents that were happening around the Taree area are now moving further north into our area.

**CHAIR**—Would you say that again?

**Mr Simpkins**—The roads are being repaired. They are in better condition to the south of here.

**Mr HOLLIS**—Bulahdelah is being bypassed.

**Mr Simpkins**—So our traditional fatigue related area from the Sydney people coming off is moving up in our area now.

**CHAIR**—And it is moving down from the Gold Coast so that you might have a new flashpoint.

**Mr Simpkins**—That is correct.

**CHAIR**—Do you know where that is or where you estimate it would be? I suppose it will vary as the roadworks goes on.

**Mr Simpkins**—At the moment accidents are happening north of Kempsey from the northern aspects of Frederickton, which is our little village to the north, and then between here and Macksville. That is where most of those fatigue related accidents are happening.

**Mr LINDSAY**—I was interested in your overview comment about factors building up to an incident. Early this morning we heard Les James from McCafferty's indicate that in his early driving experience he did not suffer stress, life was pretty pleasant and was not a problem but these days drivers suffer stress for all sorts of reasons. He also indicated he felt that part of this reason was more and more regulation, the loss of common sense in the industry or whatever. You find if you talk to business people that they say that life does not get easier. They work longer and longer hours. Someone will remember 20 years ago when they were home at 5 o'clock and had the weekend off. People do not do that any more. I guess where I am coming from is that our community, in moving forward through the years, seems to be going backwards. Do you have any evidence that—we are looking at the wider, bigger picture now—as we tend to get a better lifestyle we actually get a worse lifestyle? Do you agree with that?

**Mr Simpkins**—I have no evidence; you could go either way with that. The only thing from my industry I could suggest is that in the late 1970s and early 1980s that was probably our peak period of fatigue related motor vehicle accidents. In the last 10 years or so it has decreased quite well and we would like to get it down even further. But, given the importance of the increase in skills of ambulance officers over the 10 years, and what we ask the people to do and the hours they put in, I could comment that it is more stressful for ambulance officers these days.

**Mr LINDSAY**—Do you think we are getting over regulated? That is a general question, I am sorry.

**Mr Simpkins**—Not from my own industry because we are only at the end stage. We are not in that policing type area. We are just there to help the people move on.

**CHAIR**—Moving back to the people on the highway rather than yourselves, as ambulance officers you are probably the first people that come face-to-face with the victims of accidents. I am not talking about fatal accidents but serious motor accidents. Is it your perception, given your experience over the year, that people are taking more risks or less risks? Are they more fatigued? Do they make statements that, 'I shouldn't have done that

because I was too tired, I lost it'? What sort of gut reaction do you get from the face-to-face comments when you are dealing with people?

**Mr Simpkins**—I think the increase in the safety of motor vehicles and the increase in roads have lent to the idea that we can drive from Sydney to Brisbane now. We do not need to have rest stops. We can just drive through. That comes back more and more times when we arrive at motor vehicle accidents and hear these stories of fatigue related accidents. People just jump in a car and think can just drive these distances without any stops. People are aware of it but they do not do anything about it.

**Mr McARTHUR**—What would you do if you were a legislator making that observation? What would you suggest governments or public authorities try and make the public aware and overcome this major problem? People have this superhuman approach that they can get from Sydney to Brisbane.

**Mr Simpkins**—There are a number of ways that you can do that. I believe public education is the way to go. We need to put information into schools. We have seen changes in legislation. I refer to seatbelts. I still constantly have to think about grabbing hold of that seat belt to put it on and at times I still think it is a bit of a nuisance. Look at our young kids coming through school. It is second nature for them to just whack that seatbelt on. We have to start much earlier with our education. I think probably us old dinosaurs won't accept that education. I think we need to start much younger. You have a good area of education with local emergency services. They need to be supported with publications that we can hand out because we are constantly doing publicity and promotional stuff in our communities and in other communities. We could be supported with that.

**Mr McARTHUR**—What would your line be? Here are the consequences of driver fatigue?

**Mr Simpkins**—Most certainly that is what we do, but we do not have any literature anywhere to support that fact. No one prints much, even state authorities, to give this information out. We do a lot of displays around the community. We could be doing that and informing. We do that, but people these days have a quick look, and then want to go. If you give them a brochure they will take it home and read it. Later they will come back to you and say, 'That was good information'. My colleague Peter is quite active in the role of the prevention of fires. He can give you more information of people coming back after they have got his brochures and saying, 'I think that was good information'.

**Mr McARTHUR**—What about your brochure? How would you run it?

**Mr Simpkins**—With probably that classic scenario of the motor vehicle accident scene on the front page, then good accurate information about rest stops, and what will happen if you do not have these periods. It would give some statistics about how many fatigue related accidents are still occurring. I do not have any statistics—but I imagine the committee would have—about how many fatigue related accidents we have.

**Mr McARTHUR**—But you have made an observation that the fatigue is now happening further north of Kempsey from Sydney, so you have some reasonable evidence, as you see it,

on a day-to-day basis. Surely you are in a better position than most people to observe fatigue related accidents, even if you can not back it up with scientific evidence.

**Mr Simpkins**—Most certainly, but we are all constrained by budgets. If we are talking public relations material, getting hold of this material is quite difficult.

**Mr McARTHUR**—Would it matter what you put in it?

**Mr Simpkins**—I would run the serious type motor vehicle accident on the front as a grab, so you get people's information, then give them good reliable information about taking fatigue related stops and when to drive. Do not start your trips early in the morning, start them through the day. Break your periods up rather than drive from Sydney to Brisbane straight. Why not have an overnight stay in Kempsey? Give them good accurate information.

**Mr St CLAIR**—Do you have Driver Reviver operations here and are they 24 hours? What is the story?

**Mr Simpkins**—Yes, we do. We have them operating just down the road in the local park.

**CHAIR**—What times of year?

**Mr Simpkins**—Mainly on the public holidays and in the school holidays.

**CHAIR**—The whole holidays?.

**Mr Simpkins**—Yes. The local Lions Club undertake those and they are quite well supported.

**Mr St CLAIR**—Are they 24 hours a day?

**Mr Simpkins**—Yes, during those periods, but just the holiday periods and the peak public holidays.

**Mr McARTHUR**—What do the drivers say to you when they come and talk to these driver revivers?

**Mr Simpkins**—I do not go to those, so I am not aware of the comments.

**Mr McARTHUR**—What is the feedback? Are they saying they are good and that they are working?

**Mr Simpkins**—They certainly work very well. I have used them myself and they are quite good to go to. I would recommend that they be supported and kept going in that function.

**Mr St CLAIR**—Have you any view on the type of driver that jumps in the car from working all day in Sydney, never driving his car normally during the week, who then wants

to drive even to this area? Do you feel there should be any change to regulations, for example, for caravan drivers or for people who tow caravans? Do you think there should be a separate licensing? It has been raised with us before in evidence. Just before we reconvened here, a large truck horn went off down the highway. I looked down and sure enough there was a caravan driver in front of a large semi. Do you have any comments at all?

**Mr Simpkins**—I have not witnessed too many caravan accidents in our local area here. We mainly get a lot of truck roll overs and that type but not involving many caravans.

**CHAIR**—This might be an appropriate time for us to break for morning tea. When we come back we will involve all of you. We will give you a chance to make a short opening statement and then we would like to interact on a round table basis.

**Proceedings suspended from 10.06 a.m. to 10.30 a.m.**

**CHAIR**—We will resume the hearing and move into a more interactive mode, but still address your answers through the chair, please, from the point of view of having parliamentary privilege attached to what you say. I would like to kick off with some talk on this education angle. I would like to explore with you a little bit more Driver Reviver and truck pull-off areas, and the quality of truck stop type service stations. They are things we looked at on the New England Highway and I would like to hear your views on those as well.

I would be interested to hear what your views are on an education program. We had some people tell us that those shock ads only work for a while and then people say, 'There is that shock ad again.' There is one they use in Queensland. It is a big poster with a terrible wreck of a car with just two words on it: dead tired. I must admit that I always notice that one. During the break someone said, 'Perhaps it is not the truck drivers we should be so concerned about, it is the average motorist.' That gets down to the matter of public education. Could I hear your views on that? Would you like to open on that, Allan?

**Mr Simpkins**—Yes. I think that public education is very important in these areas.

**CHAIR**—Let us be a bit more specific. Where do you think it is more effective?

**Mr Simpkins**—Probably the media is our best way of going, using radio, TV and print media. There should be a continuation of that. We should not just have a program; it has to be ongoing and we have to be committed about it for it to work. Like I said earlier, we have to get it in the schools so we can have a mind change in these young people coming through. There has to be more awareness of it for that to happen.

**CHAIR**—I missed one thing. Did any of you want to make an opening statement before we get into this? Please feel free if you would like to talk for two or three minutes on some aspect of your police or fire service. Forgive me, I jumped the gun there a little bit.

**Insp. Nunn**—I am concerned, as a police officer, about the aspect of heavy vehicles. There is no doubt heavy vehicles need to be looked at fairly critically by the police. Having



said that, I have to say that we do have a fair amount of control. We have a very active highway patrol in the northern police region. We also have the Safe-T-Cam system with the Roads and Traffic Authority, and there is a certain amount of control that is kept over heavy vehicles.

There are also things used like the RTA's truckalyser; there are weights and people. There is a lot of emphasis and there is a lot of supervision. What we do not have is a lot of supervision in respect of fatigue on cars. I mentioned some things before. I had a triple fatality at Glen Innes in 1997. A young fellow in a vehicle with his family drove from Wollongong in the late afternoon of one day. At six o'clock in the morning he had a head-on collision about 10 kilometres south of Glen Innes. He killed himself and two other people.

One that occurred up here, not in my time, was near Macksville. A girl travelling from Victoria was arrested and charged by police at Nowra with driving at a speed dangerous to the public. Some hours later she drove off the road between Macksville and Nambucca Heads and was killed. Obviously she was fatigued and speeding, and she had driven a huge distance from Victoria to there. How many other times does this happen? People do it continually and get away with it. We do not have any control over that. That is where this public education thing should come in.

I will go as far as to say that driving and road safety should be a curricular subject in schools for senior years, years 11 and 12 perhaps. They should not be able to proceed to go for a driver's licence until they have done that course. Then obviously the media would be important. Police should be going into schools, talking to kids about this sort of thing and telling them about the dangers of long hours behind the wheel and the dangers of speeding and drink driving, et cetera.

In respect of speed, in the last six months there have been five or six instances in this area at Kempsey and Port Macquarie local court where car drivers have been placed before the court for driving at speeds in excess of 160 kilometres per hour on this highway, which is far in excess of what it should be. I do not really know what the answer is. I do not think there is one answer to this problem. The answers that we do come up with are going to have to come from the driving community, parliament, the police, emergency services, and educators. It is going to have to come from a very broad spectrum of people.

I think, too, that a lot of the attitudes of Australian people are definitely at fault in this. People do not care. As they improve the roads, the expectations of people increase. They think, 'Oh yeah, I can drive from Sydney to Brisbane in one hit without any trouble at all.' Maybe they can if they are refreshed or they are fresh when they commence the driving, but they certainly cannot if they have been at work all day and then decide to drive to the Gold Coast overnight. Those are the sorts of things that I see as the major problems with fatigue on the roads.

**Mr St CLAIR**—I would like to ask a couple of things, probably of Inspector Nunn. I am not sure whether the ambos might like to comment. We have taken evidence, particularly in Armidale, on the question of a lot of unexplained accidents. A lot of emergency services have said to us, 'We just don't know how this happened.' Have you had any experience or

have you come across or do you have any thoughts on what role suicide plays in these accidents?

**Insp. Nunn**—I have heard this mentioned on a number of occasions. I do not really know. I do not think I have ever handled an accident where that may have been an issue, but I know of instances where there has been a head-on collision between a car and a semitrailer and it has been quite suggestive of that. It is possible, but I do not have any real hard data on that.

**Mr Simpkins**—I am not aware of any incidents.

**Mr Hinchcliffe**—I have been to at least one accident involving a car and a semitrailer where it was strongly suggested that, after a domestic argument, that did happen. But you can never prove it because there are only suggestions of it and because there is no other reason. The truckie will tell you, 'They just swerved across in front of me.'

**Mr St CLAIR**—I have not been involved in accidents but when driving heavy vehicles, which I did, I have had cars pull out, aim at me and, for whatever reason, go back on their own side. That is during the day. At night-time I can understand a few drifts up, but that was during the day.

**Mr Watman**—We have had two instances in the Kempsey shire that were directly related to suicide. In the post-care of the patients when they came in, we had to end up getting psychiatric help for them because they admitted the reason for the accident.

**CHAIR**—They actually admitted it?

**Mr St CLAIR**—Into another vehicle or what?

**Mr Watman**—Into a bridge. In actual fact, getting a little bit on to what Allan was saying before about the incidences moving north in Kempsey, it is true. There were two very bad black spots in Kempsey: one was south here on the highway and one was north, just before Frederickton. There was a notorious little bridge that used to have quite a dog leg in it. That bridge was the site of the two incidents that I am talking about, where these people headed for the corner. That was a number of years back. One was based on a domestic thing. It was a wife and the husband had been playing around, and she thought that was it. She did that on her way to work one day. So there have been two that I am aware of.

**CHAIR**—I would be interested to hear from you, Mrs Dunkley, whether there are any parallel incidents on the water. I suppose the one you have got to watch on the water is the alcohol. I am talking now on fatigue. How does fatigue manifest itself, say, in a small boat or even a cruiser? What do you see sometimes in an accident or a rescue where it has been caused through lack of attention?

**Mrs Dunkley**—We have had one. It has not been proven that it was actually fatigue. Unfortunately on the land they can stop and have a rest but when they get out to sea they leave a destination with an aim of going, say, from Port to Trial Bay, which is normally a seven-hour trip. The sea conditions can change, as can the weather. Everything can change

and that trip can change from seven hours to maybe 24 or 36 hours. Then fatigue does come into the thing, but there is no way out of it. They are out there and caught in that situation.

We did have a gentleman who was on a yacht. There were only two on board. One was the only one that could handle the boat, the other one was just a passenger. He did, after about 24 hours of being out at sea, get hit in the head with the boom and he was seriously injured. The other fellow could not handle a boat and we ended up having to guide him up to Coffs Harbour, where the police then came out and rescued him. But as I said, nothing can prove that, because he was tired, he was not alert to the boom coming around. It could have just been a freak accident, but it could have been that he was not alert because of the time he had been out at sea.

With regard to alcohol, yachties are out there on a pleasure trip and I dare say alcohol is being had as they are going along. But there is no law saying they cannot do this, like you have on the road. With boats that go out for pleasure trips during the day, waterways make it that they are not allowed to have alcohol out there. But the sea does not have rules like you have on the road.

**CHAIR**—I know round the major waterways of Queensland—Gold Coast, Sunshine Coast, Moreton Bay and Brisbane—the breathalyser on the water now is quite a regular event.

**Mrs Dunkley**—It is for the small traffic that are out, yes, and we do have it here. The waterways are very strict on that sort of thing because they can monitor just the boats that are out in those small recreational areas. But they do not monitor the boats that are actually going up and down the coast because most of the time they are 15 or 20 miles out to sea and waterways do not go out that far out. These sorts of people are not monitored as far as that goes.

**Mr McARTHUR**—Mr Moy, in private conversation you suggested that cruise control was quite a problem for the private motorist and that the improved comfort of the modern vehicle helped to create an environment for quite serious injury. Would you care to comment on that and also on how the emergency services have handled some of these quite horrific accidents in this Kempsey area.

**Mr Moy**—The first question relates to cruise controls. You come from a situation in the old days where you had to actually drive vehicles and you were personally kept alert by the actions you had to take and the conditions of the old road. The roads now are virtually like that TV ad—a straight road in front of you. They are all treed up the sides. If you do come to somewhere where you have a view, you have noise barriers up. You are virtually put into a vision tunnel. In the old days when you got tired the foot started to lift a bit because you relaxed. These days they just reach over, set their cruise controls at 100 kilometres, nod off and the car then crashes at 100 kilometres because it is driving itself. They are only steering it.

These types of things in trucks and cars—it is both—add to fatigue because of the lack of something to occupy the mind other than just staring straight in front of you. I have had a fair bit to do with this myself, driving both heavy vehicles and cars on long distances. I

know that, in the old days, I could drive from here to Sydney and I would not even get fatigued. Nowadays I do. I do not put it down to my age. I put it down to the fact that it is very bloody boring out there. That is how it has got. All the corners we used to have to negotiate are gone, as are the hills and the mountains. You just sit there and virtually drive through a tunnel where there is nothing.

On the rescue side of it, we do have to go to the ones that do crash at these high speeds. As Allan said in his opening statement, we are not getting the crashes we used to because road conditions are better. But when we do get them they are usually fairly horrific because of the speed they have happened at. Again, coming back to cruise controls and things like that, they are locked on and they do not unlock themselves; you have to do that.

**CHAIR**—It is funny you raise that because I have often wondered about the Pacific and Bruce Highways: there are so many towns being bypassed now that there is nothing to break the monotony cycle. Childers, which is in my electorate, is on the Bruce Highway. It has this lovely avenue of leopard trees. In fact, the highway traffic has to go down the main street. A lot of people pull up there. It is a circuit breaker: you have to slow down to 60, you have to go through the town, you see the shops and you see the trees. I just wonder sometimes if we should have a few strategic towns left on the highway. I suppose the experts will argue that you can always turn off three or four kilometres and go into the town if you want to, but it is the immediacy of having to drive through a town that breaks it up a bit.

**Mr Moy**—Yes.

**Mr HOLLIS**—Just to follow up what Mr Moy was saying, it was interesting when we were in Armidale yesterday that someone put to us that many of the accidents there happened on very good stretches of road. Where it is difficult, like coming down hills, people actually have to drive and have to be concerned and so accidents are not happening. That is exactly what you were saying. So where you would expect accidents to happen they are not happening, and the good stretches of road are often where they are happening. From my memory of this area, the area north of Frederickton is all flat yet someone was saying that was where a lot of the accidents were happening.

**Mr Moy**—That is right. It seems to be the general way they are going now. They are happening where you think they should not happen and they are not happening where you think they should. What it comes down to is that the drivers are physically alert because they have to do something. But once they get out of the town or the village that they have gone through or get away from a mountain, they come to the good road, sit back, relax, hit the button and sit up there. In no time at all, Noddy takes over and he is a terrible driver.

**Mr McARTHUR**—What would you be saying about cruise control? Would you care to make a comment from a broader policy point of view?

**Mr Moy**—They have their good points in a way, I suppose.

**Mr HOLLIS**—They would save you a lot of money if you were getting booked for speeding, speaking from a personal experience.

**Mr Moy**—I personally can say yes and no to that one. I have had cruise control set at a certain speed on a very large vehicle and have been pulled over and booked twice now. There is no way I was doing what the speed was said to be, yet they cannot prove that I was speeding and I cannot prove to them that I was not, so I am in the gun. Cruise controls are good in that way—you set them up and they keep the speed—but the truck cannot see a corner coming and, unless you kill the speed control and drive the truck through the corner, it will not take the corner. As hard as you like to try and drive it, it's gone.

**Mr HOLLIS**—This raises an interesting question, given what we are talking about, and I think that Allan Simpkins mentioned this before. Do you think at periods of our life we should go for retraining in driving? People at my age have had a licence since we were 18. We get it and we never have any tests again. More and more professions say you have to go and do another test or be re-accredited throughout your life.

Given the different driving conditions—either better or worse—and the different response now to driving, do you think that at times there should be retesting of driving? The only time you are retested now is if you lose your licence and you have to go back to get it and I think that, if you are over 70, you have to be tested every so often.

**Insp. Nunn**—From memory—and I do not know whether it has been altered—at over 85 you have to be tested.

**Mr HOLLIS**—So you could get a driver's licence at 18 or 17, go through until you are 84 years and 11 months, and never be retested?

**Insp. Nunn**—You have to have medical examinations, I think, from 80 and also from 85 onwards. Do not quote me on this as they may have amended that. It used to be that at 80 you started doing medicals and then from 85 you had to do an actual driving test.

**Mr Moy**—I can add to that. I hold local and long-distance coach driver's certificates. Because I hold those, from 50 I have to have a medical—one is every 12 months and for dangerous goods it is every three years. I also hold an MC, which is the multicomination for road trains. With that I have to go every three years, I think it is, for a medical. I also believe—as you mentioned, Mr Hollis—that when you are on the road all day, every day, driving for a living, you do see a lot of the people that we refer to as casual drivers.

**Mr HOLLIS**—Sunday drivers.

**Mr Moy**—Yes. They drive from home to work and then they go out on the road in among the workers who do it all day and they really do not understand the road rules, so I think there should be a re-accreditation. I do not know about Allan, but we are probably re-accredited every three years for first aid and for everything we do with rescue.

With the driver's licence, as you say, you can get someone who got their licence at 18, 19, 40 or something like that and are still driving today without a retest. The road rules have changed so dramatically but a lot of drivers have not been updated. You have only have to see some country people when they come to a town where there is a roundabout: they are totally confused and they have not got a clue how to handle it or who to give way to. Nine

out of 10 people at a roundabout still want to give way to the right, even though the person on the right is 100 yards from the roundabout.

There is a lot of education to be done on the new road rules. They introduce things all the time and you do not find out about them until you are pulled up and told about it a lot of the time. They say, 'You just did such and such,' but it is not advertised well enough and people are not educated about it. I think there is a lot of education to be done on road rules and on driving practices.

**Mr HOLLIS**—Inspector Nunn, is it the case that you cannot stop people if they are tired while driving? I know police can stop them if they are impaired by alcohol. What would happen if a police officer on the road on patrol were to stop or to pull someone up—in a random check on their lights or whatever—and saw that person was very tired? The officer cannot order them to stop or to go to the next roundabout, can they?

**Insp. Nunn**—There is a power under the traffic act to make a reasonable direction for the safe and controlled flow of traffic. I have never seen this used. My main MO is that, if I pull a person up on a country road, I always ask them, 'Where have you driven from?' If they say it is a long distance, I will just say to them, 'I would advise you to go and pull up in the next town. Go and have a cup of tea or something and walk around.'

If a person were obviously nodding off when you pulled them up, you could give that reasonable direction. If the circumstances were sufficiently aggravated, you could probably give them an infringement notice for negligent driving or something like that.

**Mr HOLLIS**—When people are directed, you are more or less directing them to take a reviver stop but it would be impossible to follow that up to see if they were.

**Insp. Nunn**—Not unless you were in that area consistently on a beat or if you sat there and watched them, but, of course, you would not do that.

**CHAIR**—What would you say to the idea—we talked about this at a previous hearing in regard to truck drivers, and I recognise there are problems with this in country areas—that in booze buses you have a testing device for fatigue?

We saw one of these in Adelaide. It is very similar to a 'mouse', only it is a thing about the size of a golf ball; it is a roller ball. You have a screen in front of it and you have to keep the cursor on a moving object and they can duplicate various reactions that you should have in a car. Once that has been tested for a period of time, you get a score. If you are below a certain score, it is pretty obvious you are fatigued. I wonder if there should be something like that installed in all police booze buses.

You would not make it a draconian thing where you issued a fine, but the police officer would issue you with a caution that you were not to drive for, say, three or six hours. I wonder if that could be extended so that when a police officer pulled someone up who looked obviously fatigued they could issue a cautionary notice, 'You are not to drive this vehicle for three hours or six hours. Go and have a rest somewhere, even if it is under a tree. Go and have a coffee or walk around the town, but don't drive this car for the next

three hours. If you do and you are caught, a fairly heavy infringement will occur.' What would you say to something like that?

**Insp. Nunn**—I would say it would be an excellent idea. They do hold random breath testing exercises in these country towns very frequently. If that sort of technology, with legislative backing, could be given to us, it would be a great weapon when you do random breath testing, particularly on a stretch of highway and especially through Kempsey or Port Macquarie. Down near what they call the doughnut at Port Macquarie there is a Driver Reviver immediately north of that and there is a Driver Reviver just down here in the park. If that was done at places like that, I think it would be an excellent idea. It would break the fatigue cycle.

**CHAIR**—If people knew they could get pulled up for fatigue, it would be just like the RBT—there is a psychological check on yourself when you are drinking, and there would be a psychological check on yourself not to drive or to get to bed a bit earlier the night before because you are going to be on the road for seven or eight or 12 hours the next day.

**Insp. Nunn**—Yes—and to share driving. Perhaps the emphasis would be not so much on penalty but more of on an appeal to people's commonsense through advertisements and the media and so forth.

**CHAIR**—It is a cautionary notice.

**Insp. Nunn**—The penalty is the ogre in the background.

**Mr McARTHUR**—A number of accidents happened from Sydney to Brisbane during the Expo. In private conversation it has been suggested that the panel would anticipate a number of accidents for people coming from Brisbane to Sydney for the Olympic Games. Would you care to make any positive comment on how you might handle that predicted problem in view of your experience with the Brisbane Expo?

**Insp. Nunn**—One definite and very effective device would be the one just suggested by the Chairman—to have stops at various locations along the highway, and changing the locations frequently, where people are pulled up, breathalysed and tested on this device.

**Mr McARTHUR**—What about this immediate position of the Olympic Games just 12 months ahead? You people are saying to us that it is predictable that there will be people stretching the limit from Brisbane to Sydney. What action can we take to help this immediate problem?

**Insp. Nunn**—I would suggest that, for a start, we do that: we stop cars on the road at random breath testing stations, ostensibly for that reason, talk to them, and if they are obviously fatigued we direct them to stay off the road until they are refreshed or until they have another driver. The other thing would be through a very intensive public education program, which, as I suggested before, would not place the emphasis on penalty but on commonsense and people's better judgment.

**Mr McARTHUR**—What do the other members of the panel think, because you are going to be dealing with the problem?

**Mr Hinchcliffe**—I would agree. There are two things, though, that I have to understand. One is advertising and one is education. To my mind, they are both totally remote. We have to advertise so that the old dinosaurs amongst us get the message. Our accidents predominantly happen in busy traffic periods, which are the school holidays, public holidays and things like that, so the more volume you put on the roads, naturally the more accidents we are going to have, or the possibility of more accidents.

You can shock treat people, like the advertisement that you may have seen in your states, certainly it was on in New South Wales, where a chap is driving a truck down the road, they show a Volkswagon kombivan with the driver going to sleep and after a few seconds he goes into the side of the vehicle, the poor old truckie gets out and he is devastated. To my mind, that affects people for a very short period of time, the same as horrific accidents do. Even in your own community, how long does it take the community to forget that five people died—and they were locals—in an accident? A week? Until it has gone out of the local paper? They do not change their habits. So that, to me, is advertising. It is education we have to get—

**Mr McARTHUR**—Except that the evidence in Victoria from the TAC ads was that there was quite a big community impact from the horrific ads in that Victorian program.

**Mr Hinchcliffe**—Did it cut the accidents?

**Mr McARTHUR**—I would have to say what Mr Hollis was saying yesterday: if you look at the number of accidents in Victoria, they have dropped from about 1,100 fatalities to about 450.

**Mr Hinchcliffe**—Okay, so it might work.

**Mr HOLLIS**—Everyone thinks it will not happen to them.

**Mr Hinchcliffe**—Exactly, that is the problem.

**Mr HOLLIS**—Members of your family would be involved in an accident and you would say it was a terrible tragedy for the family, but you would not think it was going to happen to you personally.

**Mr Hinchcliffe**—That is right. It is always the neighbour or someone else.

**Mr HOLLIS**—Yes, someone you know.

**Mr Hinchcliffe**—I have been a firefighter for 33 years and I have been going to motor vehicle accidents for a long time, with probably just over 100 deaths. The biggest impact, I believe, has been the police. When we have holiday periods we get north region or someone, they bring the police officers out of the city and put them on our roads. I think the presence of police has been one of the biggest impacts. We are not going to as many accidents as we



did. We are not going to as many truck accidents as we did. I believe the truckies have really cleaned their act up. We used to go to truck accidents quite regularly here and we go to them very irregularly now, so the trucking industry is a lot better.

**Mr McARTHUR**—What do you put that down to?

**Mr Hinchcliffe**—The education of the truck drivers and their responsibility.

**Mr McARTHUR**—That is not a police presence.

**Mr Hinchcliffe**—Yes, police presence too. If you have a police presence for a long period of time and they are policing the truck drivers, then eventually you have to toe the line. If you know that the chances of being stopped have increased and that they will check your logbooks, et cetera, then the possibility of your breaking the law is going to lessen. If I know there are a lot of police officers on the road I am not likely to speed, but if I know there are not I might speed. That is nature.

**Mr HOLLIS**—There have to be police officers you can see, not stuck behind trees with cameras. They have to be on the highway, driving up and down, so you say, 'There are the cops.' I drive to Canberra and I know where they hide behind the trees taking photographs. But if you see them—

**Mr Moy**—That is right, they want to be more visible. They tend on the highway to try to camouflage themselves. I actually attacked one one day about what he was doing. He said, 'No, I am not hiding here at all. I am strategically placed for optimum—

**Mr HOLLIS**—Revenue collecting measures.

**Mr Moy**—That was virtually it, yes.

**Mr McARTHUR**—What would you say about the use of cameras in New South Wales? We would say in Victoria that that has been a very effective monitoring restraint on motorists going over 100 or 105 Ks. Would you say the same thing in New South Wales?

**Mr Hinchcliffe**—I am sure we would. I personally do not speed now because the chances of getting caught are much greater with the technology they now have available to them. We all drive on the highway. I believe that if you are sitting on 100 Ks there are very few people passing you now, in this day and age.

**Mr HOLLIS**—Except trucks.

**Mr Hinchcliffe**—Yes, trucks will get around. I travel at about 95 Ks and trucks are the ones that will pass you. The roads are better and they are passing you where it is safe to do so. They are not forced to pass you in unsafe places, they are passing you on dual highways or on overtaking lanes.

**CHAIR**—You are not preventing him from maintaining about 100 Ks himself.

**Mr Hinchcliffe**—Or 105, if he wants to. That is right. The roads are improved. That has improved the accident rate—it has dropped it. You just look at Bulahdelah. Trucks are falling over there every second night. So, to me, the sooner they bypass Bulahdelah, which is a bad section of road where you have to concentrate, the better. I just hate driving through it because there are so many accidents happening there. I believe that good roads certainly reduce accidents.

Going to the education part of it, the New South Wales Fire Brigade spends hundreds of thousands of dollars a year to try to prevent fires and we only lose about 50 people a year in this state from fires. We do that in two ways. One is by getting to the children. We have just built a program where firefighters will go to every kindergarten and teach the kids about fire and what to do if there is a fire and so on. We know that is getting home because we give the kids a kit, we give the school a kit, the teachers become involved, and the kids take something home. I believe we have to do the same thing with this.

**CHAIR**—I can see a lot of validity in that. I suppose over the last three and four years with all those ads for smoke detectors, when they first came on, everyone said, ‘Ho hum,’ but most of the people I know now have at least two smoke detectors in the house or, if they have not done it, they are talking about doing it. It makes you wonder, if we could get some very clear messages and persist with them on television over a period of time, whether that may not have the same effect on people. It worked for the AIDS prevention thing. It works for smoke detectors. It will work for lots of things. Why do we say it will not work for roads?

**Mr Hinchcliffe**—Did it work for smokers?

**Mr St CLAIR**—That was my question. It is to ask you what has happened with education with young smokers because I understand there are more young people smoking now than there ever has been and yet the advertising, both shock and other, appears to have failed.

**CHAIR**—Are we not dealing with an addictive product? This is more straight community education on something that you can take control of yourself.

**Mr Watman**—Picking up on these avenues, and to put a health perspective, I certainly believe that education is very important. The shock perspective—and this is only my own thoughts at the moment from a health history—is that health promotion is possibly an angle that should be taken. An example is ‘Slip, slop, slap.’ Everyone knows about that. That has had a very beneficial effect. At the moment with fatigue and driving we are looking at the shock adverts and things like that, but it is there and then it is gone. Maybe we could have a national campaign of posters and all of these things covering the things that are affecting fatigue.

In looking at our talk here this morning, I know that with fatigue we have looked at the type of the road, activities and things like that. I just want to raise two issues. In talking to patients post-accident, two important things have come up: firstly, they have gone to work early the day before because they want to make the most time of their time away. They go to work early, they work hard all day and leave, and they are doing things outside their

normal activities. In health that is circadian rhythms, and that is our body clock. If we look at the health promotion angle, we could address that sort of an issue—‘Don’t do things outside your normal activities: become aware of that.’

Another factor is diet. Diet can have a huge impact on our fatigue. In talking to most people, you say to them, ‘What have you eaten?’ They have had a bag of chips, a chiko roll, oily-type foods. They are doing things outside their thing. They are telling their body, ‘Let’s go to sleep.’ They get in the car with the cruise control and they go to sleep. If there was a health-type promotion thing that we looked at saying, ‘Be aware of your body clock; be aware of sleep normally; do things in a normal period; eat a sensible diet,’ that might affect the fatigue that the people are experiencing.

**CHAIR**—We were saying yesterday that by Christmas Eve we have been to three or four parties that week so we are pretty tired. We have worked hard all week to clear our desks or to get things up to scratch for Christmas. We are buying presents. We have got the kids home on holidays. Then, on Christmas Eve afternoon, we go home at half past three or 4 or 5 o’clock and throw ourselves on to the highway for a 300, 400, 500 or 600 kilometre journey and we are probably in the worst possible condition we would be in at any given time of the year.

**Mr Watman**—Those things might mean just changing our perspective from looking at it from a shock angle to a long-term education program, like a health promotion—‘This is your health.’

**Insp. Nunn**—That is what Mr Hollis mentioned—‘It cannot happen to me.’ Well, it can. That is the sort of educational program that we should have running, backed up by the ogre behind the tree with his speed camera. Hang onto that, too. The camera is not there for revenue raising. The camera is definitely there as a deterrent. I know myself when I drive a motor vehicle, if I go through a place where I believe there might be a speed camera, I am well below the speed limit. That is where the penalties hang over peoples’ heads. We cannot do it with just education. It has got to be education but there still must be an element of deterrence for people to speed or to drink and drive. The education factor, I think, is more important.

**CHAIR**—What is so difficult about this inquiry is that there are ways now of measuring blood alcohol, there are ways of measuring speed, there are ways of enforcing vehicle design, seat belts and air bags, et cetera, but fatigue is less measurable. There are people now learning—the people we talked about before in Adelaide and Melbourne—to measure certain aspects of fatigue, but because it is such a nebulous concept the problem is going to be a bit more difficult than it has been with the other areas of road, rail and air safety. How do we control it? It is more a case of management rather than regulation, isn’t it?

**Mr Watman**—Yes.

**Mr HOLLIS**—You have to also say that all the research shows that if you have been sleep deprived for 18 or 20 hours your reaction and everything is exactly the same as if you are over the drink limit of 0.05 per cent. We have seen videos and experiments that were done, mainly in Adelaide, where they have tested people by giving them drinks over the

limit to see their reaction, and they have tested people by actually depriving them of sleep for, say, 18 hours, 20 hours and 30 hours and then having them walk the line, and their physical reaction was exactly the same as if they had been over the limit with drink. As far as I am concerned, the penalties should be the same because the impact out there in the community is the same as if they are affected by alcohol.

**Insp. Nunn**—The problem with that is enforcement. It is what the chairman says. It is difficult to measure, and if it is difficult to measure then it is extremely difficult to prove in front of a court of law. If the person is fatigued and they make all the admissions and say, ‘Yes, I haven’t slept for 20 hours. I worked and I did this and then I got in the car and drove for eight hours and I had an accident and someone was hurt,’ that person would stand a very good chance of a conviction for culpable driving. But that is putting the sliprails up after the horse bolts. I think if we could have some sort of a device that measured it, and we could have drivers tested at random, we could test the driver at random for alcohol and fatigue in two minutes. It would be a good thing for that. If there was a fatigue cycle going, just the fact that they were pulled up and spoken to would break the fatigue cycle.

**Mr HOLLIS**—Yes.

**Insp. Nunn**—I think that is where we should be heading.

**Mr HOLLIS**—That is also one of the things that would rule against it because immediately the police pull you up you get an adrenaline run. Therefore, your reactions are not the same as they were five minutes before you have seen the policeman.

**Insp. Nunn**—But if there is a regulatory thing that is backed by legislation or that comes from legislation, then the police officer can say, ‘You have scored less than X number of points; I now direct you to desist from driving,’ and if he is given a ticket or notice to say that from this time to this time he is not to drive that vehicle, then you would have the commonsense factor plus you would have the ogre of the penalty.

**Mr LINDSAY**—You have heard Inspector Nunn suggest earlier this morning that all year 12 students should have a compulsory driving and road safety course as part of their year 12. Members of the panel, apart from Inspector Nunn, how do you feel about that?

**Mr St CLAIR**—It was year 11.

**Mr Simpkins**—I would support that. I think it would be a very good idea. The Ambulance Service of New South Wales is pressing the New South Wales government to also have first aid on the curriculum in that area, and I think that is very important. I think what we have to do is get out and educate these people early. We are doing very well after it happens. We can treat our people, and the courts are doing a very good job about putting up recommendations, and people who are found to be fatigued and do things on the other side of the law are referred to us. We have programs where police, ambulance officers and firemen go and speak to these people.

**CHAIR**—You have to have the will to do it.

**Mr Simpkins**—That is right. We are working pretty well that way but we have to get more into the prevention and education role to try and break the cycle.

**CHAIR**—Mary Dunkley, did you agree with that?

**Mrs Dunkley**—Yes, I agree with that. I think it would be excellent to have them taught before they get out there on the road and start doing it.

**CHAIR**—Don Moy, do you think it would work?

**Mr Moy**—Yes, I think if they brought something into school like that it would be great because a lot of them do not know anything about it until they go to get their licence, other than going for trips with mum and dad and things like that. I reckon it would be a big plus towards prevention if things like that were taught in school.

**Mr Hinchcliffe**—You need to not only do that. The testing skills of a driver have to be opened up. If my recollection of a test to get your licence is correct, you have to pass the theory with about 100 per cent. Then your skills are just driving around one or two blocks in Kempsey or showing 20 minutes of skill. From time to time the police run a school here. I know because we go and squirt a bit of wet stuff on the road for them so it gets a bit slippery. They put the kids through a day's course on driver techniques. I am sure those sorts of things would be of major benefit to young drivers.

**Mr LINDSAY**—I have a reality check now. This is outer left field for all of you. Should this federal government committee be inquiring into fatigue at all? Do you think it really is an issue? Are we overreacting? When you have come to this today have you thought about why you are here? Is it really an issue?

**Mr Moy**—I think fatigue is one of the biggest killers on the road today.

**Insp. Nunn**—I agree. I think that, if fatal accidents were really researched, you would find that there was probably more than one factor. There is probably a multiplicity. I would suggest that fatigue would be a big factor in a lot of them.

**CHAIR**—So you all agree that we are switched on and are going in the right direction?

**Mr McARTHUR**—I just go back to this diet argument you raised. We saw a poster at a truck stop suggesting truckies improve their diet. How would you get that message through on food intake? There was some other evidence given to us that accidents occur in the afternoon after food intake. You are talking about the quality. How would you get the public message across to change dietary regime? What is the message?

**Mr Watman**—I am not a dietitian. It is the same as slip, slop, slap. Make it a concerted effort. What we would do is just educate, have pamphlets, and maybe have it in the curriculum at school. Change those things.

**Mr McARTHUR**—Are you saying that travelling eight hours on a bag of chips is not good enough?

**Mr Watman**—It might not be. I think it is a matter of a combination of things. Normally the period after tea when we go home at night is when we relax. We rest, our body starts to turn off, and we go to sleep. High fat food can have a similar effect on the body. I would assume that a lot of these people with fatigue, from the ones I have talked to, are doing two things. They are driving out of hours when they do not normally drive. They are now driving in a more comfortable car and not driving it but cruise controlling it. We are having a high fat content which is causing drowsiness. Those things are all combining at a period when we would normally be at home resting. Those things are creating a fatigue build-up.

**Mr McARTHUR**—Do you think we should do a bit more work on this whole diet related fatigue thing? I have read material where some of the more responsible trucking companies are addressing this problem of sugar and Coca Cola intake and the heavy fat food of the normal truck driver. How would you bring about a big cultural change in this whole approach? Most private motorists doing these 10 hours call into the fish and chip McDonald types which is completely contrary to what you are saying.

**Mr Watman**—I know. I do not know the answer to that problem except education.

**Mr McARTHUR**—The fact that you raise it is at least a step in the right direction.

**Mr Watman**—It is a concern that I would have.

**Mr HOLLIS**—Does the truck stop out here at Clybucca? Has that made a big impact? When we were up in Guyra we saw where they are planning to put a truck stop in. They are going to have everything. They are going to address some of the problems you are talking about with diet. They are going to have facilities there where the trucks can be serviced and the drivers can get adequate rest. They are going to have a gymnasium and swimming pool. I do not know when the guys will have time to drive the trucks on the road. They are going to have all these facilities there. What have they got out here at Clybucca? Do they have something similar?

**Mr Simpkins**—Yes, something similar to that. They have a swimming pool and nice facilities.

**Mr HOLLIS**—Are they used?

**Mr Simpkins**—Most certainly. You can go out there any week night and there are trucks everywhere. It is a major stop.

**Mr HOLLIS**—Trucks everywhere and the guys in the pools.

**Mr Simpkins**—They are resting and taking their breaks there.

**Mr HOLLIS**—If they are doing laps up and down, they are not resting.

**Mr Simpkins**—It is breaking the cycle of being behind the wheel. They are having a fatigue break through the coolness of the water and just breaking that cycle and the monotony.

**Mr St CLAIR**—Is there any evidence of any changes to the taking of drugs to keep awake, either amphetamines and/or just other drugs that you people come across?

**Mr Simpkins**—We have a lot of recreational drivers using those drugs and they are becoming more evident to us. We have had a number of those incidents where those narcotic type drugs have been taken and the drivers have fallen asleep at the wheel.

**Mr St CLAIR**—What about the drugs that act as a stimulus to keep drivers awake? Are they still as big a problem as ever?

**Mr Simpkins**—I am not aware of that problem.

**Insp. Nunn**—I would have to say—and it is only speculation—that it is probably just as bad now as it has ever been.

**CHAIR**—On that note I would like to thank all the emergency services units here from the Kempsey area. You are one of those unique areas between two capital cities where there are a lot of difficult situations. You have seen some of the most horrific motor vehicle and bus crash incidents that Australia has witnessed, so you are competent to advise us. I would like to thank you for your evidence today and particularly for the courtesy extended to the committee last night in bringing out all your emergency service vehicles for us to inspect. It was certainly an eye-opener to me. I have seen these in my own town but I have never lined up four or five of them in one day and looked at every piece of equipment on each one and then looked at the balance of techniques that you have in place to, if not stop accidents, then at least ameliorate the effects of them.

This has been a very valuable exercise. We have talked to academics who are in the business of measuring fatigue in one way or another, trying to measure gases in the cabins of vehicles. We have talked to Professor Dinges from the University of Pennsylvania who is an international expert on apnoea and various other forms of fatigue. We have got submissions from various organisations. What we really wanted to do in this Guyra, Armidale and Kempsey area—this critical patch between Sydney and Brisbane—is to get a feel for the people at the coalface who have to deal with these situations. You have certainly done that for us and we are immensely appreciative. We will now suspend for a press conference.

**Proceedings suspended from 11.23 a.m. to 12.04 a.m.**

**LAWRENCE, Mr Paul James, Member, North Coast Trucking Social Club**

**MOY, Mr Donald George, Member, North Coast Social Trucking Social Club**

**NORBERRY, Mr Richard James, Member, North Coast Trucking Social Club**

**SNAPE, Mr Leslie Owen, Vice-President, North Coast Trucking Social Club**

**CHAIR**—I welcome the four representatives of truck drivers to give evidence before us. Before doing so I would like to advise all participants that while the committee does not require you to give evidence on oath, these proceedings are proceedings of the parliament and warrant the same respect as would attend the House itself. Any false or misleading evidence is considered a contempt of the parliament and a very serious matter.

Apart from all being members of the club, are you all truck drivers?

**Mr Norberry**—Yes, I am a transport driver with an interest in the profession

**Mr Lawrence**—I am a driver and have an interest in the subject

**Mr Snape**—I am an owner-driver.

**Mr Moy**—I owned my own haulage business until I sold it, but I am still in the transport industry.

**CHAIR**—Thank you. As a first question, and before I ask you to make an opening statement, is the North Coast Trucking Social Club a charitable body?

**Mr Snape**—Yes, charitable.

**CHAIR**—And social?

**Mr Snape**—It is a charitable and social organisation.

**CHAIR**—Do you get into matters of common interest to your members as well? Is there a third level to that, or have you just used this as a convenient vehicle for a group of you to come to talk to us?

**Mr Snape**—No. We promote social activity between the drivers during the year. Sometimes we discuss what is happening on the road, but mainly it is just a social and charitable club.

**CHAIR**—Are you going to lead off, Mr Snape?

**Mr Lawrence**—He is the Vice-President.



**CHAIR**—Mr Snape, would you like to give us a short opening statement before we get into a series of questions. Give us an overview of where you are coming from and then we will talk to each of you in a question and answer session.

**Mr Snape**—I am not clear on what you are asking.

**CHAIR**—Tell us why you are here today and what you hope to achieve.

**Mr Snape**—Some of what is happening up and down the highway is not real good. Everyone says it is driver fatigue, but it all boils down to the consumer saying to a big transport company, ‘What price can you give me for a load from Sydney to Brisbane?’ Then the consumer will get another price from someone else and take the cheaper rate. The company will say it has got the transport company to take the freight to Brisbane. They will put it on a truck and give the driver X amount of time to get to Brisbane. The truck may not get out till 10 o’clock at night. The driver has a deadline to meet and has to be in Brisbane by 10 a.m. the next morning. He has to drive like an idiot all night. If he does not get there on time he is usually penalised.

If something happens up the road, if you have a rollover, you are the worst in the world. They put it down to fatigue, but how long has that bloke been sitting there all night and all day waiting for that load? The smaller trucks are out picking up the parcels but by the time they sort them all out and put them into the back of the pantech or whatever, it can be hours. And then they say, ‘Go.’

It comes back to stopping these big companies from undercutting the freight rates and trying to make it a lot easier for drivers so that you have not got to push yourself. You should be able to go up the road for five hours or whatever, have your half-hour break, go again for five hours and not drive like an idiot. You should be able to pull up and go to bed if you are tired without getting penalised. But you cannot do it because if you left Sydney at 10 o’clock at night and you have to be in Brisbane by 10 o’clock the next morning, you have got no time to stop. You have got 12 hours and that is it. By the time you get to here your book is out of time.

**CHAIR**—What solution would you suggest to the committee?

**Mr Snape**—One is to give the drivers a lot more time to get there and not be penalised if they are running late. If there is an accident down the road and they are held up for two or three hours, that is no fault of the driver. Just let them get there when they get there. If they are tried, let them pull up and go to bed and get there when they can.

**CHAIR**—And you think this is being driven by the predatory pricing practices of the major trucking companies?

**Mr Snape**—The major truck companies, yes, I am sure it is.

**CHAIR**—And it is being driven also by the fact that the loaders and unloaders are not sufficiently well organised in their slots. Is that what you are saying?

**Mr Snape**—You can go to some places with a timeslot. For instance, I have done overnight freight: I have left Sydney at 3 o'clock in the afternoon and got to Brisbane at the 3 o'clock timeslot the next day. But I have sat there for five hours waiting to get unloaded. If I am half an hour late, they say, 'Go away, we don't want to know you.' They will make you sit where you unload for five hours until they are ready to get you in there. You just sit there. You try to have a sleep but you have to move the truck to keep in line with the other trucks going in. They just do not care. They are not really worried, as long as their freight is up there and sitting on the truck. They are using you as a storage area while they get room to put the stuff away and then they get you in.

**CHAIR**—Who are some of the worst offenders in that field?

**Mr Snape**—Coles in Brisbane. Everyone hates going to Coles in Brisbane. Franklins are not too bad.

**CHAIR**—Woolworths told us that they had a very efficient slot management program.

**Mr Snape**—Woolworths are not too bad in Brisbane. Sometimes you get held up, but it is not too bad. Davids can be a bit slack. I do not know about Sydney; I have not done much grocery delivery in Sydney. In a lot of other places, you get held up for two or three hours.

**CHAIR**—Do they just keep you in a queue? They don't give you a numbering system and call you up when they are ready? Do you just have to crawl up?

**Mr Snape**—Yes, you just have to crawl up. They say, 'You are booked in at 3 o'clock', and if you are not there to meet your timeslot, you can go away because they do not want to know you. If you are there on time or if you get there before time, they still do not want to know you. They can be sitting there doing nothing and they will not take you in.

**Mr St CLAIR**—What is a better concept than slot management, in your belief?

**Mr Snape**—I do not think there should be any such thing as a timeslot.

**Mr St CLAIR**—I used to go to Brisbane every whatever, and I would sit outside the gates like everybody else, because I got there at 4 o'clock in the morning. If I was the first one in the queue that was fine. There would be 20 trucks behind me, or whatever. They would slowly work through the system, unless some tiny trucks had come in—they would start unloading them first. For the bigger wholesalers, is it better to go first up, first served, or is it better to go slot?

**Mr Snape**—I think it is better if you get there when there is no-one there. If you are there early and you have had a good run, which happens sometimes, you should be able to get unloaded first. If you are half an hour, an hour, two hours or three hours in front of the timeslot, you should be able to line up and go straight in when you get there.

**CHAIR**—Would any of you like to add to that before we go into more questions?

**Mr Lawrence**—I would like to speak on that. I think Les is right about timeslotting. I am pretty lucky in my job as I am a changeover driver, which means I only have to drive from Kempsey to Sydney or Kempsey to Brisbane. I share a truck with another fellow, which is good for our company: we keep two drivers and a truck going all the time. We have a bit with some of the major holdings in Brisbane. As Les said, Coles is pretty bad with their timeslotting. I sat there for six hours one morning waiting to get unloaded because I was late for my timeslot. I had not been able to get out of Sydney until 10 o'clock at night. I was booked in for whatever time it was and I was two hours or three hours late, so they made me sit there until another timeslot came up.

Where do we go? They say that, if we do not have timeslotting, the blokes are going to drive like hell all night to get there first so they can get unloaded first. It probably comes back to the police and the RTA to say that these fellows cannot speed, so they cannot beat everyone else and get unloaded first. As Les says, if you have a good run, that would be the better way to go. You could get in, unload, reload and get down the road to have a rest or even get home. Kempsey is probably midway, as everyone knows. A lot of new drivers have moved into the town lately, possibly because of that—they get home on the weekends. They can call in and have an hour, or whatever, at home on their way through. It is probably a good point to be looked at.

**Mr St CLAIR**—There is no timeslot management in the Rocklea Markets, for example, as you know. You can sail in there and whatever time you get there—you may turn up at 4 o'clock or 5 o'clock—you can start unloading. Do you see that as something that should be done in the other places?

**Mr Lawrence**—Yes. Sydney Markets are the same. There is not a lot of timeslotting there. When you get in, you unload and you are out.

**Mr St CLAIR**—Does it seem to work all right with the volume of trucks going through there?

**Mr Lawrence**—Yes, a big volume of trucks go through there.

**Mr Norberry**—Like Paul, I share a truck with another driver. I am fortunate in that regard as my driving hours do not come under pressure as much as, say, an owner-driver. I work for a company that has quite a large number of vehicles. But every night I do witness the problem of the owner-driver running up and down the road trying to make a deadline, putting that bit extra in, probably driving when he knows he should be having a break.

In the instances of accidents over the last week or fortnight, fatigue has played a role in a couple of them but the onus is definitely on the driver to say, 'All right, enough is enough; it's time to pull into a parking bay' or something. I still think there is a factor there, as far as the big company goes, in putting pressure on the owner-driver. The buck really stops with the driver as to when he is going to say enough is enough.

**CHAIR**—Who puts the pressure on the owner-driver? Is it the people to whom you are delivering or is it the trucking companies to whom you subcontract?

**Mr Norberry**—Obviously, the trucking company is giving the directions to the driver. But I have no doubt that the authority is with the people who are receiving the freight. They are the people who are saying what time they want their goods. They are passing it on to the transport company and the transport company is passing it on to the driver. The buck, as far as that goes, probably stops with the people that are consigning the freight, not so much with the transport company.

**CHAIR**—Consigning and receiving?

**Mr Norberry**—Yes, for sure.

**CHAIR**—Mr Moy, what do you have to say about that?

**Mr Moy**—I have been an owner-operator and I have also driven the shuttle service with the boys. To get back to who is responsible for giving the times, years ago I did the interstate service and last year I went back out. I was going to do a bit to fill in time while I was working out west. I loaded in Sydney and had to overnight straight through to Brisbane for the next morning. I pulled up here and picked my wife up. She came up to keep me company. We got to Brisbane. I was supposed to have been unloaded as soon as I got there but I did not get unloaded until about 8 o'clock the next morning. That was okay. Then I went to the depot. All day it was, 'Can you go and pick this up for us'. Every time I was all but asleep, they would come and bang on the door again and say, 'We've got something else for you to pick up over in such and such. Will you go and pick that up?' So I spent all day running all over Brisbane picking gear up for them. At 7 o'clock that night, they finally got everything together and said, 'Right, oh; that's it. You can tie everything on and tarp her up.' I said, 'Right, oh.' At 7.30 they handed me the manifest: the load had to be in Sydney first thing in the morning. I said, 'No way, mate.'

**Mr HOLLIS**—When you said, 'No way', what did they say to that?

**Mr Moy**—They said, 'You've got no choice; it's on there. It has to be there in the morning.' I said, 'Hey, I've overnighted up; I'm not overnighting back again.' I said, 'You've seen the sleep I've had today, which was zilch. Now you want me to go straight back again. It's not on.' I looked at the rate of pay and I said, 'That's a fortnightly pay, not an overnight pay.' I said, 'I will do my best for you. I'll get it there as soon as I can, but I'm not going to kill myself doing it.' I came back down and I was in Sydney the next morning by 10 o'clock. At 3 o'clock that afternoon they unloaded me. I packed up all my equipment on that truck and I drove straight home. That was the highway for me.

**CHAIR**—What company was that?

**Mr Moy**—I do not know. It has a funny name; they are called something Bros. They are from Melbourne. I just drove straight home and that was it. It took me three months to get my money.

**Mr HOLLIS**—If you go home and find that name, would you give it to us?

**Mr Moy**—I was talking to one of their operators in Adelaide after that and they said the person who caused all those problems was now sacked and they were really working well. I said, ‘Yes, but I still wouldn’t work for them.’ It had some funny name.

**Mr HOLLIS**—But you are all long-distance drivers: you are not driving around Kempsey here?

**Mr Lawrence**—No, we are all long distance.

**Mr Moy**—This is an example of what is happening out there to the owner drivers. I gave up again. I came home and told them, ‘I would rather go home and go broke slow than quick with you fellows.’ I just parked the truck in the yard and went back out west when the season started.

**Mr McARTHUR**—It has been suggested to me that in this competitive area there is a monopoly by three or four big operators, some of the more difficult jobs are subcontracted to the owner operators and the competition in that sector is unfair, difficult and in many ways illegal to get the jobs done. Do you think there is a role for the ACCC, the consumer competition council, for Professor Fels to get genuine competition in the trucking industry? You are alleging that the competition is unfair and too severe. Would you care to comment on that scenario?

**Mr Lawrence**—You are talking taxi licences or something like that for heavy vehicles?

**Mr McARTHUR**—No, I am talking about the trucking industry. It is dominated by four big players—

**Mr HOLLIS**—Who undercut the others.

**Mr McARTHUR**—Their competition is reasonable but at the edge they subcontract it out to the owner operators so the competition there is almost illegal, because to meet the time schedules and the pay rates—

**Mr Lawrence**—It is very difficult as far as the owner driver goes. One fellow would probably say it is too costly. They put a time in front of him and he says, ‘No, I am not going to do it’, there is always someone behind him who has to make the commitment of a payment on a truck or a family commitment as far as finance goes. When someone makes a stand and says they will not do it, there is always someone behind them that will go and do it for the cheaper rate.

**Mr McARTHUR**—That is the example that Donald had. He made a stand. He said, ‘I am not going to drive and that is it.’ What happens there? He is still alive.

**Mr Moy**—I went down at my own leisure. I know my limits. I’ve been there. I did the best I could for them and looked after myself at the same time. They wanted it down there a lot quicker than they got it but when I got there they did not really want it anyway, apparently.

**Mr Lawrence**—Mr McArthur, the point you are getting at is: do we get the ACCC in to have a look at the competitive price of the trucking industry overall? It probably would be something to look at. There is a lot of undercutting and cut-throat business out there. In any business these days things are tough, hard. As Richard has said, a bloke has got payments. It is everyone's dream to have a nice truck. You are looking at probably a quarter of a million just for a prime mover. By the time you set it up it would be \$360,000 at least.

**Mr Snape**—At least.

**Mr Lawrence**—That is a lot of money to be tied up. You have to pay instalments—

**Mr Snape**—Instalments, registration, fuel.

**Mr McARTHUR**—We are aware of that. Les made the comment that a real problem was the competitive pressure to meet the deadlines which brought about fatigue in accidents. You need to justify that position and how we could help.

**Mr Lawrence**—It does need to be looked at—the pricing overall and the undercutting that is going on.

**Mr McARTHUR**—Do you get any deals out there?

**Mr Snape**—I do not see why there should be any undercutting if you are doing a good job for a company. If you have been giving the customer service for five years or something and this bloke walks in and says he can do it cheaper, just because he can do it cheaper, they turn around and give it to him. They do not think of the loyalty. The bloke sitting behind the desk, he has his pen out and he says, 'We can save money here. Joe Blow, you can go. We don't need you. We can get this cheaper bloke in.' But is he going to do it the same way as the bloke who has been looking after that customer when he gets there?

**Mr McARTHUR**—What about the monopoly position of the big players? Have you a view on that?

**Mr Snape**—They are just trying to screw the guts out of everything as far as I am concerned. They are fighting amongst themselves to see who is going to last. The way I look at it, the way I see it, I reckon it is going to come down to about five big companies running the whole transport industry. You have the likes of Ron Finnemore, which is the biggest road to go on, on two legs.

**Mr McARTHUR**—Are you saying he is in an anti-competitive position or disobeying the rules?

**Mr Snape**—He has his rules. He just wants to be a big nob, a big shot, and he does not care. He is another one who pushes his drivers and says, 'Do this, do that.'

**Mr McARTHUR**—Are you saying that Finnemores push their drivers? The evidence they gave us is that they are very aware of their driver responsibility.

**Mr Snape**—All you have to do is go to the RTA in Sydney and check the cameras. I have heard reports that one of the Finnemore trucks was not in the place it was supposed to be, it was further out somewhere else, and it did not correspond when it went under the cameras. Another bloke in Armidale or out west somewhere had four trucks, all the same. They all had the same number plates on them. It was all picked up by the cameras. The RTA lifted him and it cost him thousands. The RTA has us covered left, right and centre with these cameras. They can tell exactly where you are. If you do not correspond with their cameras, if that truck did not correspond at the time, if the truck was supposed to be through there and if they went in and said, ‘I want the records of where that truck’s been,’ then it does not correspond.

**CHAIR**—Is there any predatory pricing? For example, have you ever had examples of a big company or companies saying, ‘We’re going to get rid of the small companies,’ or, ‘We’re going to get rid of all the subcontractors out of a particular area’? Do you have anything where they will just come in and cut the guts out of the market on a deliberate and sustained basis until someone gives in?

**Mr Moy**—Well, when one fellow came to this town here. I actually used to work for him—I did the transport side, he did the other side—and he ended up buying his own trucks. His statement when he bought them was that he was going to put all of us out of business, and he did. It was as simple as that. He told us. There were 26 of us operating around the town in that area and now there are only about three left.

**Mr McARTHUR**—Was that an unfair situation?

**Mr HOLLIS**—How did he do it?

**Mr Moy**—He undercut us. By being a big person he could offer people things that we did not have to offer them, like little incentives along the way.

**Mr HOLLIS**—But surely in a business the bottom line is that, large or small, you have to make a profit and if you do not make a profit you are going to close. With undercutting, I know that is a margin and they may be able to operate on the margin because they can spread it more, but surely they cannot undercut to the point where they cannot get a return.

**Mr Moy**—When you get big you do not have to make as much per. Les, with one truck, probably has to net \$100 a day to survive. That is only giving him \$600 a week for a six day week. With them, they can probably net \$10 a day on a hundred trucks. They are way ahead, aren’t they?.

**Mr McARTHUR**—They still have the same overheads though. They still have to buy their rigs for half a million dollars.

**Mr Moy**—But I am talking net. After everything is paid for they are left with \$10 per truck.

**Mr McARTHUR**—But it has to be commercial. What are you saying is different about the commercial operation of yourselves and the other competitor? What did they do differently?

**Mr Snape**—They can go out buy and in bulk. They might go and order 10 trucks and they might get one for nothing. We cannot do that, we cannot get fleet discount, just for an owner driver, if I went to buy a new truck. If I want to buy 10, I would get a good discount on those 10 trucks. The bigger you are the more you can talk, the more you can play with.

**Mr McARTHUR**—But that is a commercial arrangement. You were suggesting originally that the customer was causing the difficulty, stressing the drivers and pressing them to meet deadlines. What are you saying is relative to this debate about being about to buy your rig a bit cheaper?

**Mr Snape**—If there was not any undercutting and the rates were up you should be able to put enough away in four years to turn around and buy a new rig every four years. You should be able to make enough out of your rates, but you do not. From Brisbane to Sydney you do not get the same rate, you only get \$650 out of Brisbane to Sydney, which is classed as a backload, which is a load of garbage. That is another load. People who live in Brisbane have to bring the load down and the people who live in Sydney, they have to take the load to Brisbane. So how they class it as a backload—

**CHAIR**—What is the difference in the two directions?

**Mr Lawrence**—Sydney to Brisbane is about \$1,300 or \$1,400, I think.

**Mr Snape**—You are lucky if you are getting \$1,450 out of Sydney.

**Mr McARTHUR**—Are you talking about a tonne?

**Mr Lawrence**—No, that is a load.

**Mr Snape**—Usually about \$60 a tonne is what they will pay you, but some are only paying \$50.

**Mr Lawrence**—That is on the up journey.

**Mr Snape**—Yes, that is on the up journey. Then you come out of Brisbane for \$650, which is only about \$30 a tonne.

**CHAIR**—And you reckon that is a rort, that it does not reflect the actual volume of trade? You say equal volumes of trade are going in each direction?

**Mr Norberry**—He is not going to use any less fuel going back than what he used on the way up. The driver is still—



**CHAIR**—You are querying whether backloading is justified. I am saying that if there is an equal amount of traffic going each way it is not justified. The question I am asking you is: is the volume of trade running equally in both directions?

**Mr Norberry**—No, there is a lesser volume of freight out of Brisbane than what there is from Sydney to Brisbane. There is a sharp decline in the freight back out of Brisbane.

**CHAIR**—Wouldn't they be justified in having a different rate if that were the case?

**Mr Norberry**—I do not think so.

**CHAIR**—That is the whole principle of backloading, isn't it? If we send a plane load of fruit and vegetables to Hong Kong we have to get that plane back here. For argument's sake, say they were sending it up at \$250 a container and then they are going to bring some commodity back just to get the plane full, so they might offer that at \$100 or \$75 or something just to get the fuel to come back. What I am saying is: does the volume of goods going each way justify a more equitable rate for the Brisbane-Sydney leg?

**Mr Norberry**—I tend to think that the smaller amount of freight should attract the greater amount of dollar. When there is a large amount of freight—

**CHAIR**—What is the experience on Sydney-Melbourne, for example? Is it equal each way there?

**Mr Lawrence**—It has been running pretty good.

**Mr Snape**—Sydney to Melbourne is only \$900, isn't it?

**Mr Lawrence**—I do not know the rate.

**CHAIR**—The point I am making is: is it \$900 going each way?

**Mr Snape**—I could not be sure on that.

**CHAIR**—You might get back to us on that point.

**Mr Snape**—I could check it out. I could not be sure.

**Mr HOLLIS**—Have any of you done any fatigue management? Has anyone spoken to you about managing fatigue? What do you do when you get tired in the truck? What do you do, Paul, when you are driving down to Sydney and suddenly you get tired?

**Mr Lawrence**—I am pretty lucky because I do what they call a shuttle run, so I can do between Kempsey and my depot at Seven Hills in my five hours—I do not have to have my half-hour break. But when I am doing the Brisbane leg, which is longer, I have to have my half-hour break which I normally take at Woodburn which is halfway between Kempsey and Brisbane.

**Mr HOLLIS**—What is at Woodburn? Do you pull off the side of the road? Is there a garage there?

**Mr Lawrence**—There is a little coffee shop there with a parking bay which the police kindly fine us for if we are over two hours in there. I saw a sign being put up the other day ‘No parking for trucks’ right next to a toilet block in the median strip, so there is limited parking there. And that is going up and down the highway, too. That is probably a point we will bring up when you fire some questions at us.

**Mr St CLAIR**—Who has put the sign there?

**Mr Lawrence**—I would say that would be a council sign.

**Mr St CLAIR**—Do you find many councils—and we have a heap in the background here—who chase trucks out and stop them parking near cafes?

**Mr Lawrence**—There are a few. We are pretty lucky here—our council is very generous to the trucking industry.

**CHAIR**—Are you saying that councils contribute to fatigue by not providing reasonable stopping points for truck drivers?

**Mr Lawrence**—Councils can limit the area that they can provide for trucks. They have to put in residential and shopping areas. I can understand Woodburn council probably do not want the amount of trucks there through the day because of the cars pulling up there alongside the river and the park. But surely it could be waived during the night hours, when the big volume of trucks are going there. The coffee shop opens 24 hours now and a lot of trucks are pulling up there and having a break.

**Mr McARTHUR**—Have you done something about it? Have you written to somebody to put your argument?

**CHAIR**—Have you gone to the council about it? Have your group ever written to the council and said that they are contributing to the danger on the roads by not allowing truck drivers to use the facilities in the town?

**Mr Lawrence**—No. It was only the other day that I noticed the sign had been put at that particular spot. I commented to the owner of the shop and he said, ‘Don’t worry about it.’ There is an area there for trucks to park down further, which also has a bus zone in it.

**Mr HOLLIS**—Are there enough places if, say, you were driving to Brisbane? This is a point that has been brought up to us, that there are not enough places where trucks can pull off and rest. The other debate is whether there should be facilities at each one of these, should there be a toilet or what?

**Mr Lawrence**—That is probably correct. There are not enough parking bays going in when there are new bits of road. Take Raymond Terrace as an example. You used to come out of Raymond Terrace and there was a spot on the left-hand side where you could

probably park eight or 10 semis. When you go along the new bypass at Raymond Terrace now you have these little emergency vehicle parking bays and you can only put one truck in there at a time. There is a stretch of highway at Tabbimoble, which is north, before Woodburn—the stretch between Grafton and Woodburn—which is a long haul, one straight long flat. There are two or three good parking bays and only one of them might have a toilet facility. When you come to the first one it could be full so you have to drive that extra 15 or 20 minutes when you are tired to go to the next one. There seems to be too big a gap between the parking bays.

**Mr Norberry**—The other thing about it is the security. I know that with a lot of vehicles we would be quite apprehensive about pulling up out in the dark due to the nature of the freight on the truck. Someone only has to find out what is being carried—by word of mouth or the radio, the CB, or something like that—and it is fairly vulnerable when you are out in the dark, when there is no lighting. It just adds to some heavy vehicle drivers wanting to pull up in the towns, in the 60 kilometre built-up areas. It is becoming more difficult to be able to stop in those areas because of some of the restrictions.

Even at Bulahdelah, when you come through there of a night, we find increasingly around the motels there and at other towns that they have signs up. They have approached the RTA and the RTA have put ‘No stopping’ signs where the trucks can pull up to get a coffee and have a break and keep their vehicle in sight. We find that, more and more, the vehicles are being pushed out of town.

**CHAIR**—Could you give us a list of the councils that are doing this and the areas that are causing this? We would like it in the report.

**Mr Norberry**—Yes.

**Mr HOLLIS**—About these truck stops, I believe there is one out here at Clybucca and when we were up at Guyra yesterday or the day before we went at night to where they are going to put a big truck stop with all the facilities. That would surely answer some of your problems.

**Mr Norberry**—A lot of drivers do utilise the BP Clybucca, as you can see any time of a night you go past there, and obviously the good food helps. Yes, that makes a difference: people utilise the facilities there because of the lighting and people coming and going.

**Mr HOLLIS**—To come back to the first point I was making, you guys must have a roster and you know when you are going to be driving. How do you prepare yourselves? Do you have a sleep? Some people have put to us that, even if they have 12 hours off, a truckie will go home and do what they have to do at home and will not get enough rest there before they start on the journey. That is what I asked about earlier. Do the companies you work for give you any instructions in fatigue management or anything like that? Has anyone ever even spoken about it?

**Mr Norberry**—As we have explained, the nature of Paul’s and my job, with two drivers, is that we do our run within our 12 hours stipulated in the logbook. So we have not had to go under any further instructions on extended hours and a fatigue management program.

**Mr HOLLIS**—If you have a heavy weekend and drive on Monday you must get tired along the way.

**Mr Norberry**—Yes. I am not saying that I drive up and down the road every night of the week. I could probably say to you that one night last week or even early this week I have known that I have got a bit doughy and known it was time to pull up and go for a walk around the truck. If I was between two towns and there was no service station, I would pull up, get out of the truck, go for a walk around in the cool air to recharge the battery—it is a matter of two or three minutes, physically getting out of the truck into the fresh air, back in again and away you go. Make no bones about it, I do not say that any night of the week I go away and I am a super truckie and I am not going to get tired. I am not under any illusions. I can suffer from some form of fatigue as much as the fellow who has to do a full run through from Sydney to Brisbane, even though I am only doing half the leg.

**Mr McARTHUR**—Do you blokes like driving trucks or are you in it for the money?

**Mr Snape**—I would get out quick.

**Mr Norberry**—On a personal note, if I did not like driving, there is no way I would drive a truck. You have to have a passion for the industry or the job to do it. There is the fact of being away from home and your family. Although it obviously plays some role in it, I am definitely not there just for the dollar.

**Mr Lawrence**—I am a butcher by trade, Mr McArthur, and I can make nearly double my wage driving a truck working three days rather than six, but I take that—although I like driving trucks as well—because I have the opportunity. I am young. I can get in and make a few dollars. I have a mortgage like everyone else but, bang, I can pay it off.

**Mr McARTHUR**—You still like doing it.

**Mr Lawrence**—I like driving trucks, yes.

**Mr McARTHUR**—What are you saying, Les, now you are an old-timer?

**Mr Snape**—I like driving the trucks but I have had enough and I just want to get out. I have had enough of the industry and the way it is going. We have that many rules and regulations. We are getting chased up and down the highway. You are getting pulled up and checked all the time. It is just getting harder and harder. It is not like the old days when we first kicked off—Donald kicked off probably around the same time. If you broke down at the side of the road, five or six blokes would pull up and give you a hand if you had a flat tyre but now they nearly run over you. They just do not care. ‘You right, Jack? You right?’ You could be lying dead on the side of the road and they wouldn’t even worry about you. It is just getting harder and harder.

**Mr St CLAIR**—Have any of you guys got cruise control?

**Mr Lawrence**—Yes.

**Mr St CLAIR**—How do you find that?

**Mr Lawrence**—Very good.

**Mr St CLAIR**—We have taken evidence in which some people have suggested that that is providing a degree of comfort which adds to boredom in driving the trucks.

**Mr Snape**—It does to a certain degree on a freeway. You just put it on cruise and let her go. You might get a little bit dopey and the next thing you know you are coming into a corner. The roads are getting straighter. That freeway out of Sydney is the worst bit of road you have ever seen as far as fatigue goes because it is just continuous. There is nowhere to pull off and have a rest except when you get to the twin Caltexes. You have fridge motors going there but there is nowhere further up so you have to keep going. As Paul has said, there are not enough parking bays.

**CHAIR**—Professor Dinges told us that in America they are about 24,000 parking spots short for trucks. If we extrapolated that to Australia, it would mean we would be about 2,500 short. Do you think that is about the right figure?

**Mr Snape**—Australia-wide it might be. Parking bays from Sydney to Melbourne are massive. They are about 50 kilometres apart or something like that, aren't they, Don?

**Mr Moy**—Something like that.

**CHAIR**—Are they working?

**Mr Snape**—As far as I know they are. They are in off the road. They have facilities and everything. They are decent parking bays, not like these little tinpot shows you have down the road here. Nine out of 10 of them have got 'No trucks allowed' in them.

**Mr Norberry**—A parking bay that was being utilised by heavy vehicle drivers was the one south of Kew just outside the camera. Drivers used that when they have got through the camera. They had time to have a sleep and a rest. It was off the road and it had a demountable toilet. The RTA for some reason came along, bulldozed the two driveways away and moved the toilet—end of story, no more parking bay. Any night of the week you could go down past that parking bay there and, for the size of it, it was used to its full capacity every night. There were 10 or 12 trucks in there.

**Mr HOLLIS**—Why do you reckon they took it away?

**Mr Norberry**—I honestly do not know. I was that incensed the day I went past and saw the front end loader ripping the driveway up that I rang the RTA office at Port Macquarie on my mobile phone to find out what happened. I did not persevere with the phone call because then I got incensed with the RTA because it was one of those punch your number processes.

**Mr HOLLIS**—Why didn't you go and see your local state member and give him a serve? The RTA comes under the state government. You should go and see the state member

and put in a complaint about it or at least ask him to find an explanation about why they closed that one there.

**CHAIR**—One common thing you are saying is that whether it be the RTA or one of the councils, the lack of pull-over areas, parking spots and the like, is actually contributing to the lack of safety on this highway?

**Mr Norberry**—I think that is a fair statement. Adding to what Les said there about the F3, it is a magic bit of road with a wide dual carriageway but after a heavy vehicle gets past the twin Caltexes, unless you pull up on an exit ramp and take the space of the drive of the exit, you have got nowhere to pull up.

**Mr St CLAIR**—Do you know where they used to pull up on the top of the hill north of the Gosford turn-off? There used to be a whole host of them up on the top but they shut that down. Would they shut that down to shift you up to the Caltex? I remember there always used to be a heap of trucks up there.

**Mr Snape**—At the top of Sleepy Hill?

**Mr St CLAIR**—Yes. That is it. Do you know why they shut that down?

**Mr Snape**—I have no idea but I think it was something to do with the RTA or the council. We are not sure. They do not want us parking on the side of the road but if you blow a tyre or something like that, where are you going to change it? You are going to be sitting on the side of the white line. Down the freeway you have got nowhere to pull off. If you knew you had a park a way up the road a bit, you would put your hazards on and sneak up the road and get into that.

**CHAIR**—So we have not got a strategy between Sydney and Brisbane for appropriate highway parking? We are spending \$3 billion on the Pacific Highway but we are not putting in enough parking spots. Is that what it is about?

**Mr Lawrence**—Adequate parking spots.

**Mr McARTHUR**—Would all your mates agree with that?

**Mr Lawrence**—Yes.

**Mr Snape**—Yes.

**Mr Norberry**—Another classic example is the parking bay at the top of Quarry Hill. It is south of Murwillumbah. When the heavy vehicles came south from Brisbane, got out of Murwillumbah and got to the top of Quarry Hill, there was a parking bay there for four or five semitrailers. On any night of the week you could come past and there might only be one or two there. They pull up there for a couple of minutes to check their straps and their chains before they negotiate the Burringbar Range a couple of kilometres south of that. Fair enough, we have got to have the RTA up on the road but they have made that their home up there for a checking point for heavy vehicles.

If you can appreciate it, in a driver's mind, he is on his way and he thinks, 'Where am I going to stop? I am due to stop this.' Quarry Hill has a steep climb to it and you are going slow, so it was an obvious point where drivers pulled up, checked their chains and kicked their tyres, before they made the run down into Burringbar and over the Burringbar Range. That has been lost to the heavy vehicles because the RTA set up a checking station there for heavy vehicles.

**Mr Lawrence**—That also goes back to our point that it is pushing the vehicles to pull up in Murwillumbah in the residential area. There is one parking bay at Murwillumbah at the roundabout which you could probably fit two trucks in. You have got the residential area where you can pull up and check your chains and everything but then again we do not want to put the trucks in next to the houses and have them idling there while we are out banging chains and checking tyres and whatever else. Here we go—we have lost another parking bay, as Richard said, before we negotiate the Burringbar Range.

**Mr Snape**—Sometimes you see the parking bays full of gravel. The RTA just come in and dump heaps of gravel in there and that is it. They do not bother cleaning it up. You cannot pull in there to do anything.

**CHAIR**—With the upgraded Pacific Highway, are more trucks using the Pacific Highway than used to?

**Mr Snape**—Yes. They could be.

**CHAIR**—There is no firm evidence yet?

**Mr Snape**—There is no firm evidence but you—

**Mr Moy**—There is definitely a lot more volume in trucks on the road at night-time.

**CHAIR**—Just one question I want to ask you that we skipped over before but I want to get it on the record: as independent drivers, are you put under pressure by people to whom you subcontract to falsify the logbooks?

**Mr Snape**—A lot of it you cannot do.

**Mr Moy**—You cannot do it and not falsify it.

**CHAIR**—It was not the question that you cannot. Are you put under pressure? You seem reluctant to answer.

**Mr Moy**—You are and you aren't. They do not say, 'You're going to falsify your logbook to do this'. They just tell you, 'You're going to do it.' So if you are going to do it you have got to falsify your logbook to do it.

**Mr Lawrence**—And then again if we do do it we are going to get caught anyway because the RTA have the infrastructure there with the cameras, as Les said earlier. In this state, you should not be able to go anywhere and they do not know where you are.

**Mr Snape**—I know of one company. I have been told by a mate of mine that this company has given their drivers a special pen. They fill the book out and when they get up the road a bit they can just scratch it off, lightly rub it out, just fill in the right time and away they go. But they are doing themselves an injustice because the cameras have got them pinpointed from when they went through that camera.

**CHAIR**—Is the Queensland Fatigue Management Program a better way of controlling trucks than the logbook system? Are you familiar with it?

**Mr Snape**—No.

**CHAIR**—Do you have an independent truckers association? Other than this informal group that is here today, do you have a North Coast independent truckers association?

**Mr Snape**—No.

**Mr Norberry**—There is a road transport forum. As a social club we have had an association with them—a charity weekend. Our club consists of a lot of owner drivers and because of the figureheads who are at the head of the RTF, on a basis of going hand in hand with some of their protocol, for want of a better word, they have steered away from it because it has been dominated by the multinational figureheads.

**CHAIR**—I am not going down that track. Why I ask the question is: have you any avenue to bring these sorts of complaints to the attention of the RTA and the local councils—that all these parking areas are slowly being taken away? How do you do it? You are just a group of four independents. What mechanism do you have? Do you work through the social club? Who would write to the councils? Who would write to the RTA and say that this problem is developing?

**Mr Norberry**—We have not had a mechanism, or rather we have probably had it there and have not used it in relation to our association with the trucking club. I think through the club it is fairly well known in the town that there probably is a mechanism that we could use.

**CHAIR**—Is your club prepared to undertake to provide the committee with a Brisbane to Sydney report on where things have been taken from and which councils are not cooperating with the truck drivers?

**Mr Snape**—We would if we could get you fellows here to mark out the points or places where the parking bays have been taken out. I do not go to Brisbane anymore, I just run Kempsey-Sydney now.

**Mr Norberry**—Mr Chairman, in answer to your earlier question, when you thought we were apprehensive about answering, us four fellows sitting here do not have halos over our heads and by no means do we think that that is the case. As far as our books in the past are concerned—I do not say that is the case with my present employer—and with driving a heavy vehicle in the past, there is no risk that the Bible, as some of us call it, has had to be ratified to make it look—



**CHAIR**—I am not trying to get you to compromise yourself. What I am saying is that I do not want it said later, ‘We’d like to have told you guys x, y and z.’ You are under parliamentary privilege, so if you want to say something, for the love of God say it. That is why we are out here. We are out here to find out what makes the show tick and where the abuses are. If the people being abused will not tell us, then there is nothing we can do about it.

**Mr Norberry**—As far as Paul and myself go, we have a bit of a luxury where there are two of us driving a vehicle. We have a changeover driver. It is not a luxury that any owner-driver can probably afford—to have a changeover on every run. I know that a lot of the owner-drivers in Kempsey have got backup fellows that drive their trucks, but there is also a situation where there have been accidents, even in the last fortnight up and down the road, because transport companies doing exactly the same job as the company that I work for have one driver doing the sole run from Sydney to Brisbane. That is a big factor in those accidents, whereas we have two drivers and, touch wood, the job tends to get done accident free.

**Mr St CLAIR**—Richard, my understanding is that Kempsey has a lot professional drivers who are living here now and who operate national companies for this changeover business. Is that right?

**Mr Lawrence**—Yes, that is right. There seem to be a lot who are utilising it. As I said before, you can do Kempsey to Sydney most of the time in your five-hour break, and you see a lot more changeovers and that occurring at Clybucca or at the Shell at Kempsey. That is definitely going on, yes.

**Mr St CLAIR**—Do you see that as a growing way of being able firstly, to ease the fatigue situation but, secondly, to get some of the drivers out of Sydney and Brisbane to get them to come to your town, for example?

**Mr Lawrence**—Yes, there is a bit going on. As I said, in the last 12 months I can think of six blokes who have moved to Kempsey simply because it has been halfway and it is a lot easier on their home life. Think about how many marriages have broken up because you drive a truck. It is not the best life.

**Mr HOLLIS**—You should talk to a politician some time!

**Mr McARTHUR**—I am just interested. You are so young to leave the industry. What is your future as a truckie of longstanding, and who will take your place—what type of individual?

**Mr Snape**—When I get out of it I will be old enough to retire. I am looking at retirement in, say, hopefully another five years. My son will take over the run that I am doing now. I am training him up at the moment.

**Mr McARTHUR**—To become an owner-driver?

**Mr Snape**—To eventually become an owner-driver.

**Mr McARTHUR**—You have been telling the committee for the last hour about the problems that are a major difficulty, but you are encouraging him to go into the industry.

**Mr Snape**—He has to do something. I suppose it has just been born into him. I have been in trucks virtually all my life and he has grown up with them. I do not want him to do it but I cannot stop him. If he loves that, if he likes that he will just go out and do it. He will go and work for someone else.

**Mr McARTHUR**—So are you retiring from the industry because of fatigue or because it is just too hard or what?

**Mr Snape**—I have just had enough of it. I have had 32 years on the road.

**Mr McARTHUR**—So what will you do? Will you retire fully or will you hang around the truck industry?

**Mr Snape**—I will probably go and get a job driving a local school bus or something like that—go around Australia for a trip.

**Mr Lawrence**—One of these old fellows who pulls the van around—

**Mr Snape**—Yes, pull a caravan around.

**CHAIR**—Perhaps we can talk about some of these informal matters over lunch. In bringing this session to a close, I would just like to thank you very much. This is the sort of gutsy stuff we wanted. The whole inquiry is various overlays of things. We have spoken to the academics and the people who are measuring fatigue in laboratories and in new mechanisms that they are developing. We have had 100 written submissions. We have talked to emergency service people and big companies. But it is people like you who we need to hear from. I trust that if we want to ask you any questions we can come back to you.

**Mr Snape**—Yes. Before you close, Mr Chairman, one thing that I think should be looked at is the rates for the industry. The rates have not gone up in the last 25 years, have they, Don?

**Mr Moy**—No.

**CHAIR**—Let me tell you this. We as a committee do not have any control over that. What we can say is this: if you can establish the case that, because of predatory pricing, unnecessary risks have been taken or that predatory pricing has reached a level where unfair practices are being imposed on independent drivers, we can say things like that. But we are not an economic committee. We are not allowed to go into the nitty-gritty of it. Do you understand?

**Mr Snape**—Yes.

**CHAIR**—You will each receive a copy of the *Hansard* proof copy. We thank you very much for coming. I have gone way over time but I just felt your evidence was so important. Thanks again and we will now suspend the hearing for lunch.

**Proceedings suspended from 12.58 p.m. to 1.50 p.m.**

**WILLIAMSON, Mr Rex William, Owner and Manager, Williamson Brothers, Kempsey**

**CHAIR**—Welcome. I place on the record our appreciation to the members for New England and Throsby for their idea of coming to this part of New South Wales to take evidence. I thank Kempsey and Guyra councils for the hospitality and facilitation offered to the committee.

Before proceeding, I would like to say that witnesses and participants are not required to give evidence under oath, but these proceedings are proceedings of the parliament and warrant the same respect as would be accorded to the House. Any false or misleading evidence is a serious matter and is regarded as a contempt of the parliament. Mr Williamson, would you like to make a five- or 10-minute statement and then we can break into questions?

**Mr Williamson**—Yes. Firstly, I will give a bit of background on our company. We are a removal and storage company. We receive and dispatch new furniture up and down the north coast to the various furniture shops. We have regional depots in Melbourne, Sydney, Kempsey and Brisbane. The firm was established in 1935 by my parents. We have a fleet of 13 vehicles and a staff of approximately 30. We travel approximately 24,000 kilometres per week. We have had four major accidents. One was due to driver error which was a fatality. We argue that it was road conditions and the driver was not responsible. Three others ended in fatality but were non-driver errors. We have no management policies or procedures in place for managing fatigue. However, we have certain practices in place.

Secondly, I will say a bit about our operation. It is very labour intensive and physically demanding. The staff naturally have to be fit. All our staff are AFRA accredited. We work shift work and our peak periods are November, December and January. We use permanent staff and only use casual staff as relief drivers or back-up drivers. With a small team it is very easy to identify if fatigue is starting to set in on somebody. Kempsey, being halfway between Sydney and Brisbane, is an ideal location where we can change shift and change drivers. Since we are feeding the north coast, and the trucks are coming into here, we are getting our drivers home more frequently.

Some of the things that we deal in are practices where we have tried to spread the workload evenly with realistic workload and time frames. Although I feel rostering is not such an important issue, it does come into it, but there are so many other factors that come into play in managing fatigue. The physical condition of a person and his background all play a high part. Each one has a certain merit.

We tend to consult the drivers when doing runs rather than say, 'I want you to leave here at such and such a time to be at such and such a place.' You certainly have to have a time frame, but we discuss the run with them and let them suggest what time would suit them, because everyone has a different pattern in driving. When we are transferring from day shift to night shift we find that is a very crucial thing which needs to be monitored very closely with the staff. We try very much to avoid the night shift where it runs into sunrise and early morning. We like to have the night shift over well before that time. We see that as a dangerous time. We try to have two trucks travelling together where possible. This is a back-up and company for one another. We find that works quite well.

We have trailers at two of our depots where we pre-load the trailers so the driver is what we call 'quick hitching'. He is dropping one trailer and does not have to waste the time loading it but is on his way. When they are loading that we make sure we have got experienced offsidiers and staff with them. We have well maintained vehicles. We try to select the ideal vehicle for the purpose. We try to get the drivers out of the trucks as much as possible so we have sleeping facilities at the depots. Kempsey comes into it. They can come back and go home. I feel that, with rest time for drivers, the quality of rest is important. I think the time the driver does stop has to be a quality stop where he is getting a good rest.

Vehicle accessories are CB radio, airconditioning and ABS brakes. Now we are swinging onto airbag suspension which adds comfort in the cab. We try to rotate staff so the job becomes interesting. They do not go onto a routine set-up. With staff selection we try to get someone with a balanced lifestyle. We try to do minimal weekend work so the person has that time off and is coming back next week refreshed. We schedule our holiday periods prior to our peak periods so they are fresh to start when the periods are busy.

We monitor vehicle maintenance. You can tell how a driver is driving from his fuel usage. If the driver is not driving correctly, the fuel usage increases, plus you will see little knocks. You can tell how one of your drivers is going by fuel and oil usage. We have an in-house training session for drivers regardless of whatever driver comes to us and whatever qualifications he has. He has to go through our system before we will allow him to actually drive.

On ways that things can be improved, I think companies have to change their policies and procedures. Driver education is most essential. Highway rest areas should be set back in earth batters. It does not affect us that much because drivers go to our depots but how are other transport people going to have a rest period on the side of the highway with the noise? I do not know how they could possibly do that. It is down to quality rest again. They are not getting a quality rest.

On educating suppliers, suppliers tend to put a fair demand on the transport system. I do not think it is necessary. I think they could be better organised but it is very hard to educate them when it is such a competitive market. I feel owner-drivers are at the highest risk. They have not got the back-up that a company driver gets. If a company driver is coming in, and he is not feeling well, all he has to do is ring and you will roster another driver to take over. An owner-driver will tend to try and push on a bit and I think that is where a lot of fatigue is setting in. It is correcting itself. The advancement in technology in trucks is playing a major part now too. They are coming out with disc brakes and all this sort of thing.

**CHAIR**—That is a very good summary. You have a fleet of 13 vehicles. Are they all based here?

**Mr Williamson**—Only two are not. I am not counting the extra trailers as vehicles. They are actually pantech trailers that are sitting at the depots. The rest are based here. This is our operations base.

**CHAIR**—Do you have any self-contained vehicles or are they all trailers?

**Mr Williamson**—We have rigids; is that what you mean?

**CHAIR**—Yes.

**Mr Williamson**—We have rigids and trailers.

**CHAIR**—Do you do anything else besides furniture and storage?

**Mr Williamson**—No, only commercial furniture and household furniture.

**Mr HOLLIS**—I see under ‘Staff management’ you have, ‘Prohibit drug use,’ although you did not mention it. What is your policy?

**Mr Williamson**—I must have missed it. We will not tolerate it. If we think any drugs are being used, that is just unacceptable.

**Mr HOLLIS**—When you say ‘drugs’, are you talking about recreational drugs like marijuana? Are you talking about stay awake drugs, or what?

**Mr Williamson**—Both, any type of drugs—marijuana, stay awake drugs. I do not think a stay awake drug is at all necessary in this modern world. I do not think anyone should be using that sort of a leverage to keep themselves on the road.

**Mr HOLLIS**—The truck drivers who appeared just before lunch gave me a slight reprimand over lunch. They said they were surprised that we as a committee had not asked them about drug usage and truckies. I did assure them that they were about the only people that we had not asked. I guess they were more likely to be involved. You must talk to other people in the industry. Is drug usage a problem along this coast road?

**Mr Williamson**—Mainly through speaking with my drivers, they seem to speak about these highway cowboys. I do not think it is a huge problem, but I think the problem is there and does need correcting. With any amount it does need correcting.

**Mr HOLLIS**—What are we talking about when they are talking about drugs? Are we talking about stimulants to keep them awake or what?

**Mr Williamson**—I probably do not know enough about it to comment. What does a keep awake drug do to you? Is there some side effect? I do not think they should be used at all. If a person is not fit to do the work, he should not be using that type of thing to continue.

**Mr HOLLIS**—I do not think you were here before lunch, but people were talking about how cutthroat it is in much of the transport industry. It was put to us that some of the large firms—they even mentioned names like Coles—were undercutting and/or people were putting in very competitive bids. You have somewhat of a monopoly in this area, I should imagine, justifiably earned over the years. Do you come up against this? Do people try to undercut you or offer completely unrealistic prices?

**Mr Williamson**—I would like to think we had a monopoly, but I can assure you we do not. We compete against individual drivers; we compete against other companies. In the area which we are servicing—this is with commercial furniture—we do have most of the area tied up, but we do have to quote realistic prices. We can be undercut. It is open slather out there. I certainly would not get involved in price cutting. I just would not be interested.

**Mr HOLLIS**—The point they were making to us is that some firms price their bids at an unrealistic price, and they can only achieve that by forcing their drivers to work unrealistic hours and things like that.

**Mr Williamson**—Are we talking company drivers or subcontractors?

**Mr HOLLIS**—I think they were talking about owner-drivers in there as well.

**Mr McARTHUR**—Subcontractors.

**Mr HOLLIS**—Yes, subcontractors.

**Mr McARTHUR**—Subcontractors.

**Mr Williamson**—I do not deal much in general freight, but I was under the impression that a major forwarder had a responsibility to allow a reasonable time to get from point A to point B and pay a reasonable kilometre rate for that service. I was under the impression that if they were not doing that, they could be challenged. I could be wrong but I think the system could be undermined if someone comes in and says, ‘I will do it X amount cheaper.’ Then it is the actual subcontractor who is undermining his own livelihood.

**Mr HOLLIS**—Mr St Clair is that the impression you got from what they have been telling us?

**Mr St CLAIR**—Yes. I think that is fair. I was going to ask you to follow on a bit to get a bit more history. Mr Williamson, did you drive yourself as part of the company?

**Mr Williamson**—Yes, I drove for 10 years.

**Mr St CLAIR**—So you obviously have a clear understanding of what happens on the road?

**Mr Williamson**—Yes.

**Mr St CLAIR**—Do you have any mechanism in place to judge whether your drivers are fit for work when they turn up? Is there any system?

**Mr Williamson**—As it is a small business, naturally I am very much hands on. You can pick it. When you are dealing with staff all the time, you can pick if there is a problem or a person is not right. You get to know your staff. Most of my staff have been with me quite some time so you really start to know what is going on.

**Mr St CLAIR**—You do not have a high turnover of staff at all?

**Mr Williamson**—No.

**Mr McARTHUR**—I just want to raise two issues. Have these actions you have had been over the period since 1935 and what impact have they had on your company's attitude and policy? My second question is: has your company been interested in this whole problem of driver fatigue or is it just because you are talking to us?

**Mr Williamson**—To answer the first question, naturally an accident does have an effect on a company. Immediately you are looking at why it happened, how it happened and what can be done to ensure that it does not happen again. Three of those accidents we just had no control over. Your second question was—

**Mr McARTHUR**—Were you interested in driver fatigue before you talked to us?

**Mr Williamson**—Yes, we have always been interested. I have only started to hear about fatigue management in the last couple of years, but it has probably been around longer. But we have always had things in place where we monitor driver fatigue.

**Mr McARTHUR**—The company has been around since 1935, what have you actually been doing about driver fatigue? Have you just made some casual observations, knowing it was around, or have you talked about drivers taking special stops at six- hour intervals? What have you really done?

**Mr Williamson**—Within your scheduling you have got to allow that there is ample time for them to do the journey, but you do not put them to a set run. Let them work within a time frame, as long as it suits you all. Do not say, 'Gee, that has got to be there at 8 o'clock in the morning.' If it is not convenient for it to be there at 8 o'clock in the morning, let it be there at 9 o'clock. At no time do we put any pressure on a driver to run to a schedule.

**Mr McARTHUR**—What about the driver's personal life? Do you have a look at his fitness for work, to use a technical term? When drivers arrive at work on a Monday or a Friday ready to undertake a long journey, do you take into account how much sleep they have had or where they have been that 24 hours before?

**Mr Williamson**—Again, being in a small town, we do know the background of all our drivers and we know the ones that are living quite a good lifestyle and are fit to do long distance on the Monday morning or whatever. You know the ones that have been away for the weekend. If any of them want to go away for a weekend, they let me know and I put them on a different roster, so that they might then go out on the Monday night. Again, you are not forcing them into a certain pattern.

**Mr McARTHUR**—What is your method of remuneration? Do you pay on a kilometre basis, a wage basis—



**Mr Williamson**—We pay as per the state award long-distance section for which they are paid a kilometre rate—I cannot think what the kilometre rate is—plus a rate for time spent loading and unloading.

**Mr McARTHUR**—Do you think this is a good way to do it, or do you think you ought to have an enterprise agreement? Do you think it sets up a certain stress—

**Mr Williamson**—We thought of enterprise agreements. Actually this long-distance award is a form of an enterprise agreement. We are achieving it through that. We thought of going further but we see at this stage no need to do anything other than what we are doing at the moment. Staff and management are quite happy with it.

**Mr McARTHUR**—Do you find the location in Kempsey is very helpful to the Brisbane-Sydney run—the fact that you can interchange?

**Mr Williamson**—Yes.

**Mr McARTHUR**—You have been here because of family historical reasons or were you here because that was—

**Mr Williamson**—We originated here.

**Mr McARTHUR**—It has turned out to be a natural advantage that you are located strategically between Sydney and Brisbane?

**Mr Williamson**—It certainly is an advantage. It is an advantage for the area that we are servicing. Our last drop is usually Lismore and then we go on into Brisbane to come back out of Brisbane. With it being here, in our heavier times we do not have to work staff any harder because we can change staff. We would do it only in peak times. With a truckload in Melbourne, a driver based in Sydney can bring that trailer to Sydney. We can have our next driver in Sydney bring a trailer up to Kempsey. The next driver in Kempsey can take the trailer through, so we are actually line-hauling. We are getting a tremendous pace out of our freight and we are by no means putting any driver under stress.

**Mr McARTHUR**—You try to adapt your scheduling to get that sort of coordination, if you can.

**Mr Williamson**—We have our peak periods, which we will hit a couple of times—and I mentioned November, December and January. To be cost-effective, we have to have something in place so that we can upgrade our operation to handle the extra freight when it does come. We have to have something in place so that as soon as we hit our peak periods we start to go onto shift work to cope with them.

**CHAIR**—What is your view of the Trucksafe program?

**Mr Williamson**—I went to a briefing on it. I can see a lot of good in it. I have suggested to one of my staff members that he picks it up and runs with it. I think that it is giving staff more importance and more of a feeling for it. Any of these little factors come

into play with an operation. Vehicle maintenance and all that that they spoke about I see as quite a good idea.

**CHAIR**—What is your experience of the Safe-T-Cam system?

**Mr Williamson**—I personally do not think it is being used enough. I think it is a great idea. I think it has tremendous potential. We are not getting any reports back on it. Are there things being recorded from it? I reckon it is ideal. I reckon if they had them every so often the amount of information that could come back from them—

**CHAIR**—Where does the safety and assisting the industry finish and the Big Brother type of regulation start to cut in? Where do you lose the respect of the drivers in a sense of becoming tools of government controlling what you do with every living minute of the day?

**Mr Williamson**—I have full respect for my drivers and I can control my drivers. It is not my drivers that I am concerned about. It is the others, as I mentioned earlier, that turn into cowboys. I feel this Safe-T-Cam would have to pick up those drivers that are not complying. Apparently you can pick up speed and everything, but we never hear anything from the Safe-T-Cam. We never hear about it.

**CHAIR**—What is your policy on speed with your drivers?

**Mr Williamson**—Most of the vehicles are speed limited.

**CHAIR**—At what level?

**Mr Williamson**—At 103. Because of our load, speeding is not a thing that we accept.

**Mr St CLAIR**—This document has been very comprehensive.

**CHAIR**—You did not leave us many questions to ask you.

**Mr St CLAIR**—You have been successful for 64 years.

**CHAIR**—I thought you said at the beginning of your evidence that you did not have a fatigue management program but you had a number of practices. You may not have formalised these practices as a program, but you have all the elements there.

**Mr Williamson**—We just do not document it. I think perhaps we should document it.

**Mr St CLAIR**—The non-driver errors in those three fatalities, what is the story behind those?

**Mr Williamson**—In two of them, cars came from the incorrect side of the road and crossed into the path of the trucks.

**Mr St CLAIR**—During the day or night?

**Mr Williamson**—One was at night time. That one was at Hexham—the car came across the median strip to collect the truck.

**Mr St CLAIR**—He was keen.

**Mr Williamson**—The other one was in a town area, up at Maxwell, just before the Maxwell Bridge. It was a Japanese tourist who just went shooting straight across to the wrong side of the road and into the truck. To go onto the northern approach of the Maxwell Bridge our driver would have been down to about 40kms per hour.

**Mr St CLAIR**—Do you think there was driver fatigue in those cars that came across or do you think there was something more beyond?

**Mr Williamson**—No, I think the one in Newcastle was alcohol—I think it was young people coming from a hotel. I do not know what happened to the Japanese tourist.

**CHAIR**—It is obvious from your submission that you do not push your drivers, for a couple of reasons: firstly, because you respect them and you want to have a good work force and, secondly, you carry a product and it is not in the best interests of that product to be buffeted around. Having said that, what is your view on highway rest areas? First, the truck-stop type service station; secondly, general pull over areas for trucks and whether there are enough; and thirdly, things like Driver Reviver. Can you just give us a few minutes on that before we wind up?

**Mr Williamson**—I think your actual truck-stops are very important, particularly for owner/drivers or drivers that are away from their base. I think that the one going into Sydney is very well placed. Drivers can stop there, sleep there, shower there and eat there, and it is only about an hour and half's run into the city. I think that is very good, very important. The next major one like that would have to be the one here at Clybucca. Again, I reckon this is a good area to be bringing the trucks in. Then I think the next one is Helensvale, this side of Brisbane, again a well placed one.

With the roadside stops, I do feel the facilities could be a little bit better there—some of them do not even have toilets, which is quite rugged.

**CHAIR**—Just as a practical thing as you have the mayor sitting here in the public gallery: let us say we did have these really modern toilets that do not lend themselves to vandalism, who should be responsible for their cleanliness and upkeep? That is a big problem for RTA or councils, isn't it, if they are out on the highway somewhere?

**Mr Williamson**—Yes, but I think what goes around comes around. If it is an RTA responsibility, it will actually go on to your rego or something. But if it is going to cut down on accidents and so forth, it will come back around. You might spend in one area but it will save in another area.

**Mr St CLAIR**—Can I just clear that point, because I think it is important that the Mayor is listening as well. Should it be industry-wide rather than just being lumped back onto local government?

**Mr Williamson**—Yes.

**Mr St CLAIR**—I think that is important because I think local government has been putting up with a lot.

**CHAIR**—What about Driver Reviver, what is your comment on that?

**Mr Williamson**—I think it is very important for the car clubs. Again, it goes into driver training. A lot of car drivers are not experienced drivers. They are not brought up to driving long distance and it is in their holiday time and that is when they are striking the fatigue. I think it is very important to get them out of the car.

**CHAIR**—Thank you very much for that, Mr Williamson. That was an excellent submission and I appreciate the frankness of your responses and congratulate you on the program that you have got here—even though it may not be formalised, you have certainly got all the elements of it. On behalf of the committee, thank you for that. We will be sending you a draft of the *Hansard* record of today's meeting to allow you to have a look at that. If we have any other questions I trust we can contact you in writing.

Through you, Mr Mayor, I thank the community of Kempsey, your emergency service personnel, the contributors to today's proceedings, the media and those who have been in the public gallery. On that note, I declare our proceedings in Kempsey closed.

Resolved (on motion by **Mr St Clair**):

That this committee authorises the broadcasting of this public hearing and roundtable discussion and the publication of evidence given before it this day.

**Committee adjourned at 2.22 p.m.**

