



Australian Government
Australian Transport Safety Bureau

Chief Commissioner

Our reference: Response to Coroner Kerang Level Crossings
Contact: John Taylor

29 April 2014

Ms Sara-Jane McIntyre
Coroner's Legal Support
Coroner's Court of Victoria
Level 11, Exhibition Street
MELBOURNE VIC 3000

Dear Ms McIntyre

Coronial Investigation of 26 Rail Crossing Deaths in Victoria

I refer to my letter dated 9 December 2013 providing the Australian Transport Safety Bureau's (ATSB) response to the findings of Coroner Hendtlass with respect to the investigation of twenty six rail crossing deaths in Victoria. I also refer to the response of Transport Safety Victoria (TSV) response dated 21 March 2014. The ATSB wishes to provide supplementary comment in relation to the TSV responses where those referenced the ATSB. This occurs in respect of Recommendations 1 and 13:

Recommendation 1

That Transport Safety Victoria, Public Transport Victoria and VicRoads adopt a systematic approach to collecting routine detailed human factors information about level crossing collisions.

TSV Action

The collection of human factors information has historically been performed by ATSB and the infrastructure managers.

ATSB Comment

The ATSB only collects human factors information where a level crossing occurrence has been investigated and where human factors were relevant. The ATSB does not have a general role in collecting detailed human factors information about level crossing collisions.

Recommendation 13

That Transport Safety Victoria cooperate with the National Rail Safety Regulator in establishing a system for undertaking and analysing the results of root cause analyses for fatal level crossing collisions to better inform improvements in level crossing infrastructure and level crossing safety.

TSV Comment:

This is the responsibility of ATSB rather than the regulators but the regulators have developed a tool for doing this (CFF) and this is being used for this purpose.

ATSB Comment

This is not the responsibility of the ATSB per se. The ATSB is the National Rail Investigator and while it has functions of cooperation with other agencies it investigates using its own investigation methodology.

In the ATSB response to recommendation 15 (which also references the root cause analysis developed by James Reason) the ATSB advised that while the ATSB's methodology was based on the Reason model it had been advanced over time as the Reason model has limits for the ATSB's investigative purposes.

If you have any further queries please do not hesitate to contact John Taylor, Principal Lawyer, ATSB Legal Services on 02 6274 6416.

Yours sincerely


Martin Dolan