

Ref:FOL/11/6921

Coroner Heather Spooner
Coroners Court of Victoria
Level 11, 222 Exhibition Street
MELBOURNE VIC 3000



Dear Coroner Spooner,

Subject: Court References 2038/09, 2039/09, 2040/09

I refer to your letter dated 30 March 2011 in which you request I provide a response to your recommendations as a consequence of the inquest into the deaths of Sabrina Brady, Madison Dobie and Justin Pomery.

Transport Safety Victoria (TSV) welcomes the opportunity to consider these important issues and I provide the following responses for each recommendation pertinent to TSV.

I refer to recommendation 3 of the report which raises the issue of bus drivers to make an announcement to advise passengers of the requirement to wear their seat belts.

The Coroner's recommendation is under consideration.

As part of considering the Coroner's recommendation, TSV proposes taking the following action:

1. **workshop scheduled for 6 July 2011:** facilitate a workshop in which representatives of the Bus Industry Confederation, Victoria Police, VicRoads, TAC, BusVic and industry have been invited to attend to discuss current industry practices and possible strategies to enhance the method of communicating the requirement for passengers to wear seat belts.
2. **decide on course of action end December 2011:** Taking into account feedback from the workshop, TSV will decide what it considers to be the most appropriate regulatory response to the issue.

I refer to recommendation 4 of the report which raises the issue of seat belt warning signs to be displayed in buses fitted with seat belts.

The Coroner's recommendation is under consideration.

As part of considering the Coroner's recommendation, TSV proposes taking the following action:

1. **workshop scheduled for 6 July 2011:** facilitate a workshop in which representatives of the Bus Industry Confederation, Victoria Police, VicRoads, TAC, BusVic and industry have been invited to attend to review current industry practices and possible strategies for enhancing or introducing new controls.

2. **decide on course of action end December 2011:** Taking into account feedback from the workshop, TSV will decide what it considers to be the most appropriate regulatory response to the issue.

I refer to recommendation 5 of the report, which raises the issue of child restraints to be made available on all operating buses in Victoria.

The Coroner's recommendation is under consideration.

As part of considering your recommendation, TSV proposes taking the following action:

1. **impact assessment by end September 2011:** arrange for an impact assessment to be conducted by an independent expert in this area (to consider the benefits and costs of all options available to Transport Safety Victoria (and the Department of Transport) to address this issue),
2. **public consultation July- November 2011:** consult with relevant stakeholders on the issue (including on the options covered by the impact assessment). Stakeholders would include departments/ regulators in other jurisdictions, government agencies like Victoria Police, VicRoads, TAC, and industry and community representative bodies,
3. **decide on course of action end December 2011:** Taking into account outcomes from steps 2 and 3, Transport Safety Victoria will decide what it considers to be the most appropriate regulatory response to the issue.

I refer to recommendation 7 of the report which raises the issue of seat belt compliance and passenger awareness in buses.

The Coroner's recommendation is under consideration.

As part of considering the Coroner's recommendation, TSV proposes taking the following action:

1. **workshop scheduled for 6 July 2011:** facilitate a workshop in which representatives of the Bus Industry Confederation, Victoria Police, VicRoads, TAC, BusVic and industry have been invited to attend to review current processes in place and possible strategies for improving these processes.
2. **decide on course of action end December 2011:** Taking into account feedback from the workshop, TSV will decide what it considers to be the most appropriate regulatory response to the issue.

Please note the above timeframes are indicative only and we will use our best endeavours to complete and report on progress to you at the completion of each of these steps.

I refer to recommendation 8 of the report which raises the issue of monitoring seat belt compliance in buses.

The Coroner's recommendation is unable to be implemented.

TSV's role is to monitor the performance of operators of buses and not to regulate the behaviour of passengers on board buses.

The Coroner's recommendation will be discussed as part of the consultation with Victoria Police during the workshop scheduled for 6 July 2011.

Following the workshop scheduled for 6 July 2011, TSV will provide the Coroner with the contact details of the relevant person to consider the Coroner's recommendation.

If you have any further queries regarding this matter, please contact Andrew Chlebica on telephone 9655 6873 or email andrew.chlebica@transportsafety.vic.gov.au.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Stephen Turner', written over a horizontal line.

Stephen Turner
Director, Bus Safety
Transport safety Victoria

Dated 22 June 2011

