

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

Dear Coroner Spooner,

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

I refer to my letter dated 12 October 2011, in which I detailed the action that Transport Safety Victoria (TSV) was undertaking in regard to the recommendation relevant to TSV that remained outstanding.

The outstanding recommendation is, "that TSV introduce a requirement for child restraints to be made available on all buses subject to ADR 68/00".

The Department of Transport is responsible for making changes to transport legislation. We have input to this process including the ability to recommend policy change. I have considered the Coroner's recommendation and decided to not recommend a policy change in this regard.

My reasons for this decision are:

- a. The impact assessment (cost benefit analysis) commissioned by TSV found benefit cost ratios (BCR) ranging from 17 cents of benefit for every dollar of cost (worst case) through to 87 cents of benefit for every dollar of cost (best case).
- b. The calculated BCRs include few costs other than the purchase of child restraint seats and the inclusion of other associated costs (such as cleaning of child restraints / fitting of such restraints / training of bus driver and staff / delays to service caused by time taken to fit appropriate child restraints) would further decrease the benefit level in all scenarios investigated by the impact assessment.
- c. TSV's consultation with the bus industry has solicited only two responses despite TSV's efforts to widely advertise the impact assessment through direct email to every bus operator known to operate ADR 68/00 coaches. Both responses failed to support the recommendation and both highlighted further potential costs and issues not directly considered by the impact assessment.
- d. There is no impediment to a parent or guardian wishing to travel on bus with a child from contacting the bus operator and ascertaining whether the bus is capable of accommodating child restraints and making arrangements for such to be provided.

TSV will continue to monitor this issue through our normal audit and compliance activities.

If you have any queries please contact Andrew Chlebica on telephone 9655 6873 or email [andrew.chlebica@transportsafety.vic.gov.au](mailto:andrew.chlebica@transportsafety.vic.gov.au).

Yours sincerely,



Stephen Turner  
Director, Bus Safety  
Delegate of the Safety Director

Dated: 27 June 2012