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WHEELCHAIR USERS AT RISK ON BUSES, SAYS CORONER

The death of a 76-year-old man could have potentially been avoided had public buses been fitted with wheelchair restraints, according to Victorian Coroner Simon McGregor.

John Wilks died in hospital on 26 August 2017, from pneumonia caused by fractured ribs. Mr Wilks sustained his injuries when his wheelchair overturned on a Dandenong-bound Route 813 bus as it entered Springvale Road from Police Street, Springvale on 13 August 2017.

The coronial investigation found that Mr Wilks's death may have been prevented if the vehicle, operated by Ventura Bus Lines, had been fitted with a restraint system to secure his wheelchair.

While restraint systems are mandatory for wheelchairs in taxis and private vehicles, Victorian public buses only provide a designated zone and grabrail for passenger support.

At the time of the incident, Mr Wilks was unable to hold the grabrail as it was located on his left side which was paralysed from a stroke in 2013.

In his finding, Coroner McGregor warned that requiring passengers in wheelchairs to physically maintain a hold on a grabrail presented a known, yet unaddressed, systemic issue.

“Wheelchair users must not only be able to access public buses, they must feel safe on them, and they ought not be physically imperiled by the manner in which these systems are operated,” he said. His Honour also noted that he suspected the issue had been underreported due to unclear reporting guidelines for injuries on public buses.

During the investigation, His Honor consulted Transport Safety Victoria, VicRoads, Ventura Bus Lines, the Bus Industry Confederation and Bus Association Victoria, who gave varying responses regarding the feasibility of fitting buses with restraint systems.

Ventura Bus Lines committed to installing an ‘ironing board device’ on their new public buses to tether mobility vehicles to. His Honour commended Ventura Bus Lines for their efforts to proactively increase safety in their vehicles and encouraged other bus operators to do the same.

In brief, Coroner McGregor has recommended that the Victorian Minister for Public Transport, Public Transport Victoria, Bus Association Victoria and the Victorian Office for Disability find ways to introduce mandatory wheelchair restraints on public buses in the state.

His Honour also recommended that no later than 18 months from the date of the finding, Public Transport Victoria, Transport Safety Victoria and the Victorian Minister for Public Transport request the Victorian Equal Opportunity and Human Rights Commission review any improvements made in response to the recommendations.

A copy of the finding and recommendations can be found at:

<https://www.coronerscourt.vic.gov.au/sites/default/files/2019-03/John%20Wilks%20Finding.pdf>