

Child safety at unacceptable risk to and from schools or do governments regard pupils as disposable?

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During the seven years up to 1998, 27 Australian school pupils died in separate accidents at school bus stops. I have their names. On 27 August 1998 I was included in a Memorial Day of Mourning as on national television. Since then New South Wales, Tasmania, South Australia and New Zealand adopted reduced speed limits of 40 km/h or less when passing in both directions as school buses load or unload pupils while flashing their distinctive wig wag warning lights with prominent "School Bus" and "40kph" or lower speed signs.

This year pupils have died at Bus Stops in Ipswich, Queensland and recently at Sale, Victoria, in States that still allow passing traffic at full road speed, such as at 100kph at Sale on 31st May 2007. Recently another pupil in Victoria lost a leg under a Bus in a fog.

I now strongly request School Buses copy some Melbourne Trams at Stops, by being also required to have prominent flashing lights down both sides of School Buses at and near Bus Stops. Rural pupils go to and from their School Buses in the dark or fogs during winter. We need prominent lighting on all sides of moving and stationary buses as well as appropriate fog lights. Likewise pupils in traffic, especially in poor light, should again be advised to wear bright clothing, or even also luminescent sashes similar to bike riders.

About 200,000 rural Australian Pupils travel twice daily to and from Schools in Government contracted School Buses nearly all of which have totally inadequate safety in a crash. The pupils, parents and schools have no say as to the age or type of bus used.

Way back on 5th June 1985, 22 years ago, the House of Representatives Standing Committee as per Hansard pages 355 to 392 recorded my Evidence and many allegations of extreme detailed dangers which were not acted on and within a few years over 100 Australians, young and old died as buses disintegrated on impact. Many others received severe and lifelong injuries, both physical and post traumatic stress. Hansard included my letters to and from Prime Minister Bob Hawke, Victorian Premier John Cain and others. I spoke as a personal witness, and for the Victorian Council of School Organisations.

At that time no Australian heavy vehicles including Buses were permitted to travel above 80kph, and Buses also had to travel 10kph below the speed limit of

other vehicles. Buses were not built to withstand impact above 80kph and official Standards ignored passenger safety. Brakes etc were not designed to be effective at higher speeds. Some of these older School Buses are now still being used in speed zones up to 110kph. Victoria, Western Australia and Tasmania no longer require standing passengers in Contract School Buses. The resulting June 1986 Passenger Coach Safety Report had 22 Recommendations including quote **“to ensure school bus runs meet the highest standards of safety”**.

Instead Australia wide, most other safety recommendations were ignored and Australian wide Governments adopted a Recommendation **“increasing speed limits for buses to the general limit” in each speed zone**. Buses, Trucks, Semitrailers etc then drove at the higher maximum speed limit of 90kph from 1987, and 100kph from 1988 and no driver was expected to pass them at such high speed. Who were they kidding? How many hundreds have since died as the result from high speed overtaking and head on crashes?

19 Years later Queensland agreed to safer School Buses as per ADR68 Standards including firmly anchored 20g.seats with lap sash seat belts. By coincidence it was several days before I was due in Canberra 17th February 2005 for an in person Submission to the National Road Safety Strategy Panel. None of over 30 top Road Safety Experts disagreed to the dangers. Queensland began by requiring and subsidising full ADR68 Buses including lap sash seat belts, rollover protection, side impact protection, emergency exits on all sides and roof, starting with their most hazardous roads. Of course it is totally unpredictable which road will host future School Bus disasters.

In 1979 Victoria led the world with compulsory seat belts in the back seat of cars, legislated by former Victorian Premier Lindsay Thompson in liaison with local world trauma authority Dr Gordon Trinca and others. When asked why buses were excluded, Thompson investigated and advised seats in buses only needed to be screwed, not anchored to floors, and seats would fly off on impact with cannon force hurling passengers to their deaths as proven at Kempsey and Grafton in 1989 and later elsewhere.

On 6th November 1987, I was invited to address a Royal Australasian College of Surgeons Seminar on Bus and Heavy Vehicle Safety and again detailed these dangers in School Buses, plus our in person request to Transport Minister Roper, March 1987, for a Zero Blood Alcohol restriction for Bus and similar drivers, after a drunk bus driver fright.

My 1985 Hansard evidence correctly predicted all seats and passengers being hurled down the bus on impact at high speed as at Kempsey and Grafton with 55 dead therein, and over 100 dead in smashes including at Cairns, Wangaratta and elsewhere within a few years. Other dangers specified included need for extra emergency exits all sides and roof for quick rescue, extreme dangers of seated and standing passengers becoming deadly high speed missiles to those they strike let alone dislodging seats, the need for reinforced sides and rollover

protection, two way emergency communication, removal or substantial padding of metal bars which become skull and spine nut crackers on impact.

The NSW Coroner as requested investigated the absent safety and his very strong Report led to the Victorian Bus Safety Working Party 1990-1 of which I was a member. Its June 1991 Recommendations included the above and others requesting alternating wig wag warning lights on School Buses when loading or unloading pupils, reverse beepers, zero blood alcohol for all heavy vehicle drivers, lap sash seat belts, and flammability.

Victorian Premier Kirner 25th August 1992 confirmed Budget finance for safer School Buses. The next Victorian Premier Jeff Kennett cancelled such finance despite announced support from his soon retired Transport Minister Alan Brown.

The October 1992 Australian Transport Ministers Meeting, had Submissions including one from myself as also sent direct to each Transport Minister thereat, to urgently enforce such safety as herein to all new Australian Buses including School Buses. We knew those built until then would crumble on severe impact and were potential mobile tombs.

My written reply 4th December 1992 from then Federal Transport Minister Bob Brown who gazetted and confirmed the new ADR68 Standard clearly stated any exemptions did NOT apply to non urban Contract School Buses, as also confirmed in the media. Federal Roads Minister Lloyd recently 11th July 2007 signed reply correctly stating 1995 Seat Belt Law is intended for Buses on high speed roads, and exemptions only for low speed urban use. Does he still not understand about 200,000 country Australian School pupils travel on dangerous high speed roads without seat belts, and not just in the suburbs?

In paragraph 2.2 of ADR68 there is an exemption for urban route buses and those buses which have a seat back height of less than 1 metre high, as intended on slower urban roads. All our governments claimed this exemption applied to School Buses even on rural roads and highways in speed zones up to 110kph! They claim it is not legally possible to add "for urban use only". If so how could Federal Law specify exemption for route buses? Since when can lifesaving Federal Law and Standards be ignored by States?

Our Prime Minister recently stated prevention of child abuse is his top priority, as is any discrimination in safety of children. He has received many requests on Bus safety, yet 3 weeks ago his Roads Minister Lloyd also wrote that States need not comply.

Prime Minister & Minister Lloyd last year declared their strong support for lap sash seat belts in all non urban School Buses, but refuse to clarify the Federal Law, and enforce it.

He and his Ministers, and every State Government, have been asked on many occasions by myself and others to remedy the deadly risks to Australian pupils, especially on rural roads, by amending the ADR68 Law to ensure that as of now every new Australian School Bus has the same safety that has saved over 350 Australian lives in severe post 1995 Bus crashes. This saved over 700 million dollars in costs. Will Federal Government subsidise safer rural School Buses, together with State Governments?

Why has the Australian Government declined to subsidise about \$15,000 per new safer School Bus, less than the GST on a new bus, or better still take 5 minutes to close the loophole? Instead it hopes States will voluntarily insist on same safety for children as for adults. Retrofit of post 1995 buses requires replacement seats at about double this cost.

Victoria admits in writing to obtaining about 1200 new replacement Contract School Buses since 1995, deliberately with lowered seat backs to avoid seat belts. While these buses require safer structures, they vastly increase the risk of pupils being hurled over the seats as high speed deadly missiles maiming each other. How callous can some people be? Victoria does allow but not require lap sash seat belts in School Buses provided capacity still includes 3 for 2 seating. 200 such buses are in use without extra payments.

On 14th June 2004, former Victorian Transport Minister Peter Batchelor signed a reply I stating that seat belts quote **“would not contribute in any material way to a reduction in the national road toll”**. **How ignorant can a Transport Minister be? 443 Australian Pupils have been injured in School Buses since 2000, many seriously.**

Recently on 26th June 2007, I met with the new Victorian Roads Minister Tim Pallas for about an hour, detailing dangers in and near School Buses, and was advised he accepted the dangers as real, and would be back in touch later this year regarding remedies and priorities, if any. Will Victoria at least match those States now insisting on full ADR68 Standards including lap sash seat belts, and reduced speed limits at School Bus stops?

West Australia had a School Bus crash in late 2005. These pupils were saved. It had seat belts. The local “mosquito mums” gained much media support. On radio, I challenged the WA Premier to debate the issue. Within a fortnight West Australia announced their entire School Bus Fleet would be replaced within five years with a 85 million dollar subsidy. I am told their new School Buses will have approved 3 for 2 lap sash seat belts for smaller primary pupils, and individual seat belts for other pupils. The centre pupil will have a two shoulder strap harness. No additional School Buses will be needed.

South Australia had several School Bus crashes in 2006 and admitted it had been acquiring second hand imported buses, rejected elsewhere, removing the less safe and illegal lap belts therein, and filling these buses with pupils, without any seat belts. The locals blasted their Government, aided by very strong media

support which we often receive. **Our Prime Minister finally told media he believed all School Buses should have seat belts**, but as before and so far since, he has not offered any known real Federal action as strongly requested. South Australia agreed to subsidise and require all new and replaced School Buses to have full ADR68 Safety Standards including lap sash seat belts.

On 20th June this year an excursion School Bus on a 100kph Adelaide Freeway had brake failure and the driver managed to crash to a halt without any fatal or serious injuries. The rescuers expecting massive injuries or deaths of pupils hurled around the bus. They only needed to treat minor injuries. This Bus had lap sash seat belts

No other State has as yet followed these lifesaving actions of Queensland, WA and SA.

Tasmania on 2nd July 2007 confirmed by phone that they are using second hand buses, many being imported rejects from overseas. Tasmania is considering reducing the maximum age of their School Buses from 25 years down to 15 years. In speed zones up to 110kph their School Buses are possibly older than those that disintegrated at Kempsey, Grafton and elsewhere with massive casualties. They have NO seat belts or other 1995 Safety Features. Should we be glad they don't have to sit on the roofs, 3rd world style?

I immediately forwarded a very urgent Email to Tasmanian Premier and Ministers including quote: **“This is a blatant abuse of Duty of Care, and when disaster strikes eventually, those who require Pupils to travel in Buses that on speed impact will leave them just as dead or mutilated as had they been shot, will be considered morally and possibly legally as having placed them in known unacceptable risk of death and injury”**.

Last week, 25th July 2007, the Tasmanian Infrastructure Minister emailed that within five years their School Buses will finally have ADR59 Rollover Protection, compulsory since 1993, almost 20 years too late. NO seat belts because they may be a problem for five year olds. They risk a wipe out of all aboard, rather than possible much lesser injuries to a few.

As a guest today in NSW Parliament House, I regret I must express my shock and anger that the NSW Government still cannot understand the extreme dangers to NSW Pupils seated and standing in buses of unknown age in speed zones from 80kph up to 110kph. After my numerous letters, accusations, and their meetings over many years with NSW School Organisations, a very recent reply on behalf of NSW Premier and Ministers arrived dated 25th June 2007 and signed by Jim Glasson as Director General of Transport stating **“The NSW Government considers that seat belts aren't the only answer. Neither is abolishing the three for two rule or standing passengers on buses”** and states **“there is no pre-determined time frame for this process”**. 55 people died at Kempsey and Grafton in NSW. How many more must die or be severely

injured? Education is of no use to dead and brain damaged pupils. Must we await a catastrophe?

As a member of the Victorian 1990-1 Bus Safety Inquiry, I saw the NSW Kempsey and Grafton Coronial Report and film, that you would not dare show on TV. It absolutely confirmed my Submissions to that Inquest and elsewhere. Similar dangers apply in fast trains as in my submissions to Governments and Coroners including recent Kerang train crash. The cemeteries are filled with my silenced witnesses. Many others survived, but may never fully recover. **This Report will go to all State Coroners as future evidence, and also to Prime Minister, all Premiers and Opposition Leaders.**

The NSW Government has not denied it refuses seat belts and requires 3 for 2 seating, and up to 20 pupils standing or squatting in the aisles of rural School Buses. This can require 100 pupils plus schoolbags etc in a bus creating double the allowable adult load, in speed zones from 80kph up to 110kph. We await our worst ever disaster, and the NSW Government which agreed in 1992 with all other states that every adult must be seated and use a lap sash seat belt, still believes children are immune to death and injury in crashes on high speed roads. Even now the only safety in most School Buses, especially in NSW, Tasmania and Victoria is that no accident ever occurs. Imagine the crash horror **NOBODY WEARING A SEAT BELT IN ADR68 BUSES HAS DIED. 350 SAVED.!**

Must I give evidence to yet another Bus Crash Inquest? Too often Premiers and Ministers express extreme shock and sympathy to victims and families, and Do NOT admit they had been strongly warned and withheld appropriate preventative action.

Is it any wonder so many young drivers and passengers die in road crashes after 12 years of school travel crowded into buses on dangerous high speed roads, either standing or seated without seat belts, thereafter ignoring all highly publicised road safety as apparent utter hypocrisy PRIME MINISTER, PREMIERS AND OPPOSITIONS, FIX IT NOW. IF NOT I CHALLENGE YOU TO A DEBATE WITH ME IN MEDIA.

TABLE 1: School bus passengers injured in school bus accidents throughout Australia (August 2000 to December 2006) Notes: (1) Does not include school students killed and/or injured outside of the bus, as pedestrians etc.; (2) Does not include school students killed or injured in other unseatbelted buses, mini-buses and charter coaches. SB stands for School Bus, all other entries refer to other passenger buses

Date	Location	Casualties
2000 (August-December)		
14.08.00	Ayr, Qld	2 dead, 14 injured
31.12.00	Alambee,	Vic 1 dead, 13 injured
2001		
29.01.01	Barossa valley SA	SB 1 dead (Truck) 22 injured
1.2.01	Wandandian NSW	SB 1 dead, 34 injured
13.2.01	Kooweerup Vic	19 injured
16.2.01	Canberra	SB 5 injured
18.02.01	Cradle Mountain Tas	4 killed, 14 injured
22.2.01	Panania NSW	SB 17 injured
7.3.01	Gracemere Qld	SB 31 injured - 11 serious
6.6.01	Burringbar NSW	SB 1 dead (car)
21.6.01	Taree NSW	SB 4 injured
5.7.01	Gerringong NSW	SB 4 injured
6.8.01	Cockatoo	1 dead (car)
Aug-01	Tubbut Vic	SB no injuries
23.8.01	Crookwell NSW	SB 10 injured
19.11.01	Haberfield NSW	SB 17 injured
9.12.01	Geelong Vic	13 injured
18.12.01	Woodford	1 dead (car), 22 injured
2002		
18.2.02	western Sydney NSW	49 injured
21.2.02	Mayfield	SB 23 injured
10.3.02	Merrylands NSW	1 dead (car)
12.3.02	Hay NSW	10 injured
2.5.02	Albury NSW	4 dead, 16 injured
28.5.02	Narrabeen NSW	1 injured
29.5.02	Melbourne Vic	1 dead (car)
24.10.02	Salisbury SA	4 dead, 13 injured
4.12.02	Melbourne Vic	SB 17 injured
2003 (incomplete)		
14.2.03	Newcastle	SB unknown
25.3.03	Melbourne Vic	SB 26 injured
13.8.03	west Timber Creek NT	1 dead, 6 injured
2004		
6.2.04	Proserpine Qld	SB 20 injured, 11 serious
18.2.04	Randwick NSW	SB 8 injured
Mar-04	Cumberland NSW	SB 32 injured
3.3.04	Smithfield NSW	SB 20 injured

15.11.04	S/W Sydney NSW	SB 8 injured
20.12.04	Enfield NSW	6 injured

2005

25.2.05	Kings Cross NSW	16 injured
9.4.05	Caloundra Qld	16 injured
13.5.05	Ballarat Vic	SB 20 injured
17.5.05	Goulburn	2 dead, 10 injured
20.5.05	Sale Vic	SB 5 injured
21.5.05	Near Darwin NT	SB 25 injured
24.6.05	Franklin Tas	SB 13 injured
27.6.05	near Coffs Harbour	SB 4 dead (car) 20 injured
4.8.05	Ballina NSW	SB 13 injured
8.8.05	Ballarat Vic	SB 1 dead (car), 7 injured
5.9.05	Jamberoo NSW	5 dead 20 injured
10.9.05	Bundaberg Qld	3 dead, 8 injured (all)
19.10.05	Tahmoor NSW	11 injured, 2 seriously
21.10.05	Mandurah WA	SB 25 Injured
14.11.05	North Sydney NSW	12 injured, 2 critical
24.11.05	Waikerie SA	18 injured - 4 critical
17.12.05	Port Campbell (GOR) Vic	28 injured, 2 seriously
21.12.05	Tamworth NSW	SB ?

2006

14.1.06	Innisfail Qld	11 injured, 2 seriously
14.2.06	Bungendore NSW	SB Driver hospitalised
23.2.06	Gailes Qld	SB 7 injured - 3 on bus
28.2.06	Brisbane Qld	SB 2 car passengers
28.2.06	Kimba SA	SB 1 student, driver injured
? .6.06	NSW ?	SB 14 year old boy
21.6.06	Nambucca NSW	5 injured (1 in car)
7.8.06	Karkoo SA	SB 10 injured, 2 seriously
1.10.06	Tarcutta NSW	13 injured, 7 seriously
11.10.06	Dongara WA	3 injured, 1 serious
24.11.06	Tallebugera Qld	SB 8 injured - 7 on bus
4.12.06	Burleigh watres Qld	SB 4 injured
20.12.06	Lurnea NSW	SB 10 injured, 3 seriously

COPY OF EMAIL TO PREMIER BRACKS

URGENT PLEASE

Dear Premier Bracks, Transport Minister Kosky and State Coroner

Who accepts moral and legal liability for yet another dead pupil killed at a School Bus Stop?

As strongly publicised many times from 1991 until 1998, at least 27 Australian Pupils died in similar separate School Bus Stop tragedies.

Four Victorian Pupils died within five months in 1997 with strong media reports and Editorial Support. (Reference and photos Melbourne Sunday Sun 2nd Nov. 1997)

On 27th August 1998, a National Day of Mourning was observed for the 27 dead pupils as above. I have their names, ages etc.

My comments and public shop window display that day were shown Australia wide by the 9 TV Network's Today Program.

Our Governments were all urgently requested to enforce reduced speed limits at School Bus Stops.

Like others, as an individual and as School Bus Safety Spokesperson for the Victorian Council of School Organisations 1985 to 2006, I wrote, phoned, met Premiers and Ministers, and gave evidence to Coroners, sat on Working Parties, stated the needs including as Witness to House of Representatives (Hansard 1985).

Other States acted. NSW introduced a 40kph speed limit in both directions when a School Bus was flashing its then new Warning Lights (high and separate to Hazard Lights). Rural School Bus Stops are NOT normal signed areas, but can be the farm gate or near their homes.

South Australia made it at 25kph speed limit. New Zealand has a 20kph speed limit.

Our TAC advertisements frequently and strongly advise a passing vehicle cannot stop in time to save lives, if a person suddenly is seen on a road at speeds above 40kph!

Victoria was far too slow to introduce the 40kph speed zones requested near Schools.

Is this inhumane insanity? Victoria adopted the distinct School Bus Stop Lights high on front and back of School Buses (a more prominent colour would be even better noticed) but despite above and other fatalities REFUSES to introduce the reduced speed limits.

As reported, the road speed limit yesterday was 100kph. Under Victorian Law passing vehicles do NOT need to reduce speed passing that School Bus in both directions. In other states as above, it could probably be a homicide case!

Of course, our sympathy is with all involved. It is too late to say sorry!

How many more will die?

Can we please MEET URGENTLY to avoid more deaths?

I will phone to confirm you have this Email.

Enough said, prompt action PLEASE.

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Member Victorian Government Working Parties, Teaching of Road Safety 1985 and Bus Safety 1990-1.

Witness House of Representatives Committee, Hansard 1985.

Bus Safety Spokesperson, Victorian Council of School Organisations 1985 to 2006.

Member, Victorian Committee of Australasian College of Road Safety.

National Service, Army Medical Corps, Field Ambulance.

Safety Evidence to Coroners including Kempsey and Grafton Bus Disasters.

Invited in person Submission re School Bus Safety to National Road Safety Strategy Panel, Canberra February 2005.