



Office of Transport Safety Investigations

BUS SAFETY INVESTIGATION

INTERIM FACTUAL STATEMENT

UNINTENTIONAL OPENING OF BUS REAR DOOR

POINT CLARE

19 MAY 2016



THE OFFICE OF TRANSPORT SAFETY INVESTIGATIONS

The Office of Transport Safety Investigations (OTSI) is an independent NSW agency whose purpose is to improve transport safety through the investigation of accidents and incidents in the rail, bus and ferry industries. OTSI investigations are independent of regulatory, operator or other external entities.

Established on 1 January 2004 by the Transport Administration Act 1988, and confirmed by amending legislation as an independent statutory office on 1 July 2005, OTSI is responsible for determining the causes and contributing factors of accidents and to make recommendations for the implementation of remedial safety action to prevent recurrence. Importantly, however, OTSI does not confine itself to the consideration of just those matters that caused or contributed to a particular accident; it also seeks to identify any transport safety matters which, if left unaddressed, might contribute to other accidents.

OTSI's investigations are conducted under powers conferred by the Transport Administration Act 1988 and the Passenger Transport Act 1990. OTSI investigators normally seek to obtain information cooperatively when conducting an accident investigation. However, where it is necessary to do so, OTSI investigators may exercise statutory powers to interview persons, enter premises and examine and retain physical and documentary evidence.

It is not within OTSI's jurisdiction, nor an object of its investigations, to apportion blame or determine liability. At all times, OTSI's investigation reports strive to reflect a "Just Culture" approach to the investigative process by balancing the presentation of potentially judgemental material in a manner that properly explains what happened, and why, in a fair and unbiased manner.

Once OTSI has completed an investigation, its report is provided to the NSW Minister for Transport for tabling in Parliament. The Minister is required to table the report in both Houses of the NSW Parliament within seven days of receiving it. Following tabling, the report is published on OTSI's website at www.otsi.nsw.gov.au.

OTSI cannot compel any party to implement its recommendations and its investigative responsibilities do not extend to overseeing the implementation of recommendations it makes in its investigation reports. However, OTSI takes a close interest in the extent to which its recommendations have been accepted and acted upon.

Incident Overview

At approximately 1555 on Thursday 19 May 2016, a 12-year-old school student fell from the rear door of a moving bus. The Busways school bus, registration 6971 MO, was travelling around a right-hand bend on Wendy Drive, Point Clare when the schoolboy, who was standing in the rear vestibule area, leant against the closed door. The single door opened outwards and he fell onto the roadway sustaining a minor bump to his elbow and a torn school blazer.

The driver of the bus was unaware of the incident and continued driving until he was notified of what had happened by one of the other students on the bus. The driver stopped the bus about 30 metres away, while the schoolboy made his way back to the bus. The driver reported the incident to the depot and once the passengers were transferred to another bus, he secured the bus and awaited further instructions from the depot.

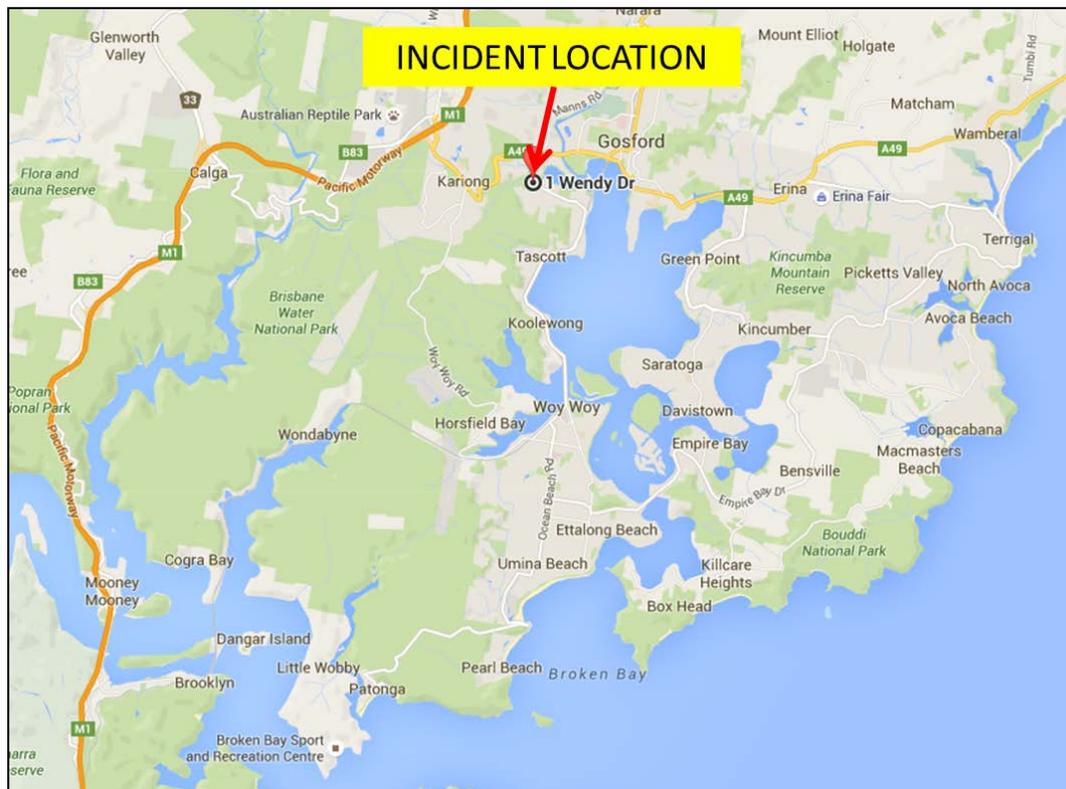


Figure 1: Incident location – Central Coast

The Office of Transport Safety Investigations deployed an investigating officer on the following day to the depot to inspect the bus and the door mechanism. On reviewing the preliminary incident information the Chief Investigator determined that the

incident warranted formal investigation pursuant to *Section 46BA* of the *NSW Passenger Transport Act 1990*.



Photograph 2: Rear door of bus 6971 MO

Terms of Reference

The terms of reference established by the Chief Investigator require OTSI's Investigating Officer to:

- a. identify the factors, both primary and contributory, which led to the incident;
- b. advise whether the incident might have been anticipated and the effectiveness of any strategies that were in place to manage the related risks; and
- c. advise on any matters arising from the investigation that would enhance the safety of bus operations.

Status of the Investigation

OTSI's investigation has commenced. During the course of the investigation, all Directly Involved Parties (DIPs) will be consulted and will be afforded the opportunity to comment on the Draft report before it is finalised.

Once completed, OTSI's investigation report will be tabled in both Houses of the NSW Parliament by the Minister for Transport in accordance with *Section 46D* of the *NSW Passenger Transport Act 1990*. When the Report has been tabled, it will be published on OTSI's website and will replace this Interim Factual Statement.