



**Office of Transport Safety Investigations**

**BUS SAFETY INVESTIGATION**

**INTERIM FACTUAL STATEMENT**

**TRAINER FATALITY STRUCK BY BUS**

**PRAIRIEWOOD**

**07 JUNE 2018**

# THE OFFICE OF TRANSPORT SAFETY INVESTIGATIONS

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The Office of Transport Safety Investigations (OTSI) is an independent NSW agency whose purpose is to improve transport safety through the investigation of incidents and accidents 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 (NSW)*, and confirmed by amending legislation as an independent statutory office on 1 July 2005, OTSI is responsible for determining the 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 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 (NSW)* and *Passenger Transport Act 1990 (NSW)*. Additionally, all OTSI publications that are considered investigation reports are also conferred by these Acts. OTSI also conducts rail investigations on behalf of the Australian Transport Safety Bureau under the *Transport Safety Investigation Act 2003 (Cwlth)*. 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 our balanced approach to the investigation, 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 and Infrastructure 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](http://www.otsi.nsw.gov.au).

## **Incident Overview**

At approximately 0950 on 07 June 2018, a driving instructor was fatally injured after being struck by a bus during a training exercise. The incident occurred on an internal road adjacent to the public car park beside Fairfield City Showground, Smithfield Road, Prairiewood. The bus struck a driving instructor when the bus unexpectedly mounted the kerb during a training manoeuvre. The bus was operated by Transit Systems.

OTSI was notified of the incident on 07 June 2018 by Transit Systems. On reviewing the preliminary incident information supplied, the Chief Investigator determined that the incident warranted formal investigation pursuant to Section 46BA of the NSW Passenger Transport Act 1990.

## **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 and Infrastructure 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.