



**Office of Transport Safety Investigations**

## **RAIL SAFETY INVESTIGATION**

### **INTERIM FACTUAL STATEMENT**

#### **FATALITY IN THE EASTERN SUBURBS RAIL NETWORK CENTRAL To TOWN HALL TUNNEL SECTION**

**30 AUGUST 2006**



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.

Established on 1 January 2004 by the *Transport Administration Act 1988*, the Office 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.

OTSI investigations are conducted under powers conferred by the *Rail Safety Act 2002* 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. Where OTSI investigators exercise their powers of compulsion, information so obtained cannot be used by other agencies in any subsequent civil or criminal action against those persons providing information.

OTSI investigation reports are submitted to the Minister for Transport for tabling in both Houses of Parliament. Following tabling, OTSI reports are published on its website [www.otsi.nsw.gov.au](http://www.otsi.nsw.gov.au).

OTSI's investigative responsibilities do not extend to overseeing the implementation of recommendations it makes in its investigation reports. OTSI monitors the extent to which its recommendations have been accepted and acted upon through consultation with the relevant Transport Safety Regulator.

Information about OTSI is available on its website or from its offices at:

Level 17, 201 Elizabeth Street  
Sydney NSW 2000  
Tel: (02) 9322 9200

PO Box A2616  
Sydney South NSW 1235

The Office of Transport Safety Investigations also provides a Confidential Safety Information Reporting facility for rail, bus and ferry industry employees. The CSIRS reporting telephone number is 1800 180 828.

## Incident Overview

At approximately 4:25pm on Wednesday 30 August 2006, a 43 year old female pedestrian was struck and killed by a passenger train after she entered the Eastern Suburbs Rail network without authority.

The incident occurred in an underground section of the rail network between Central and Town Hall, approximately 238 metres North of platform 25 at Central Railway Station.

## Emergency Response

Police and emergency services were notified, with police entering the tunnel at 4:37pm, subsequently finding the person deceased beneath the third carriage of the train.

A decision was made to evacuate the passengers on board through the front of the train utilising the emergency door in the train driver's cab. Up to a reported 1000 people were removed from the train and escorted through the tunnel and onto platform 25 at Central. During the evacuation, ambulance officers were called to attend a female passenger who was suffering from a panic attack as result of the evacuation process.

The evacuation was completed shortly after 5:40pm, with the train being moved at 6:51pm, after which time police were able to complete their crime scene examination and remove the deceased.

OTSI was notified of this occurrence and later received a preliminary investigation report from RailCorp.

The Chief Investigator subsequently determined that the serious nature and safety implications of this incident warranted investigation by OTSI in accordance with the provisions of Section 67 of the *Rail Safety Act 2002* (NSW).

## **Terms of Reference**

The terms of reference established by the Chief Investigator require OTSI's Investigator in Charge to:

- determine how the victim gained access to the underground rail network;
- identify what defences were in place to prevent unauthorised access into the underground network and examine the adequacy of those defences;
- identify any factors which may have contributed to the cause of the accident;
- examine the appropriateness of the emergency response, and
- advise on any matters arising from the investigation that would enhance the safety of rail operations.

## **Status of the Investigation**

OTSI's investigation has commenced. Once completed, OTSI's investigation report will be tabled in Parliament by the Minister for Transport in accordance with Section 68 of the *Rail Safety Act 2002 (NSW)*. When the Report has been tabled, it will be published on OTSI's website.