



Office of Transport Safety Investigations

RAIL SAFETY INVESTIGATION

INTERIM FACTUAL STATEMENT

DERAILMENT OF CITYRAIL PASSENGER SERVICE 37-K

HOMEBUSH

7 JANUARY 2009



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 *Rail Safety Act 2008* 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. In addition, a mechanism exists through which OTSI is provided with formal advice by the Independent Transport Safety and Reliability Regulator (ITSRR) in relation to the status of actions taken by those parties to whom its recommendations are directed.

Accident Overview

At approximately 4:42pm on 7 January 2009, a CityRail eight-car Tangara passenger service, 37-K, was proceeding towards Homebush Station where it was scheduled to stop. However, it did not do so and passed Signal ST265L at stop without authority (SPAD). After passing the signal, 37-K derailed on the catchpoints which are designed and positioned to arrest the movement of a train which fails to respond to the stop signal, in order to minimise the potential for a collision with another train by preventing continued unauthorised movement.

As a result of the catch points performing their intended function, the leading car of 37-K derailed all wheels and the leading bogie of the second car also derailed, while the remaining six cars remained on the track. 37-K came to rest 31 metres past the catch points with the leading three cars and part of the fourth car beyond the platform and the remaining four cars adjacent to the platform.

Under the direction of the train guard, all passengers on the train were able to exit onto the platform using the train doors. Those passengers in the front four cars moved back through the carriages in order to exit via the fifth car onto the platform. Only one person, a male passenger, reported being injured and was treated on site by RailCorp staff.

The damage caused by the derailment was limited to the bogies and bodywork of the two front passenger cars and to the infrastructure associated with the catch points.

Notification and Response

OTSI's Duty Officer was notified of the incident at 4:55pm. Two OTSI investigators were deployed to conduct a preliminary investigation and arrived at the scene of the accident at 6:14pm. The Chief Investigator determined that the accident warranted formal investigation pursuant to Section 45A of the *Transport Administration Act 1988* and Section 67 of the *Rail Safety Act 2008*.

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 caused passenger service 37-K to pass Signal ST265L at stop, resulting in an infrastructure-initiated derailment.
- b. Assess the effectiveness of any measures that were in place to control the effects of the infrastructure-initiated derailment after passenger service 37-K passed Signal ST265L at stop.
- c. Assess the effectiveness of emergency actions in response to passenger service 37-K passing Signal ST265L at stop and the subsequent infrastructure-initiated derailment.
- d. 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. During the course of the investigation, all Directly Involved Parties (DIPs) will be consulted and will be afforded the opportunity to provide information and commentary which will contribute to ensuring that the investigation and its report are inclusive, rigorous, comprehensive and reflective of the broadest range of evidentiary sources.

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 74 of the *Rail Safety Act 2008*. When the Report has been tabled, it will be published on OTSI's website and will replace this Interim Factual Statement.