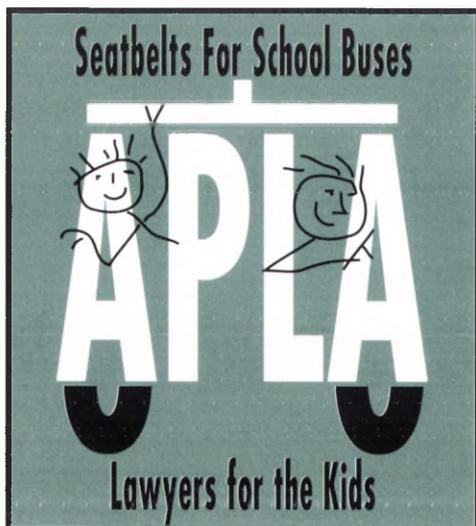


# APLA School Bus Safety Campaign Interview Issues

The School Bus Safety Campaign is APLA's first campaign to occur on a nation-wide scale. For this reason it is important for APLA members to be aware of the issues involved. Rob Davis outlines APLA's stance on the major questions, presented in a Q and A format.



---

**Rob Davis** is a Partner at Atwood Marshall and the National Vice-President of APLA, PO Box 334 Coolangatta Qld 4225  
**PHONE** 07 5536 9777 **FAX** 07 5536 9755  
**EMAIL** rdavis@attmar.com.au

**Q What is wrong with the safety of School Buses?**

**A** First, government policy encourages overcrowding on school buses. Children are allowed to stand in the aisles and three primary school kids are required to cram into two adult seating positions. This is so government subsidies for school bus travel are minimised. Naturally, this means governments don't want seatbelts fitted to school buses, as that would mean they would have to put more buses on the roads so each child could have a seat.

Second, laws do not require traffic to stop or slow while passing a stationary school bus. This is because traffic calming around school buses will only work if school buses are clearly identified. Bus companies don't want to forgo advertising revenue for the space at the backs of their buses. Naturally, you cannot properly identify a school bus if the visual clutter of advertising obscures the 'school bus' sign.

**Q Why do you want cars to stop when they see a stationary school bus?**

**A** Each year about 30 children die from being struck by cars as they leave school buses. Drivers don't realise the risks they pose to children when they pass stationary school buses. Young kids don't have the same appreciation for risk that adults have. So they do silly things, like walk out from in front of school buses. No amount of child safety education changes this. So it is time we placed the onus for child safety on the drivers who create the risk. Drivers are required to stop at traffic lights and pedestrian crossings. So they should also be required to stop when school buses stop. This is the case right across the USA and Canada, and Australia needs to follow their lead.

**Q The government claims that school bus travel is much safer than car travel. If this is right, then why the fuss?**

**A** So far, school bus travel has a reasonable safety record when compared to normal car travel. This has more to do with good luck and driver selection than anything else. It

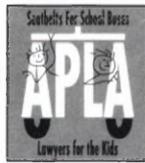
certainly has nothing to do with the protective characteristics (or 'crashworthiness') of buses.

Older, more experienced drivers (characteristics of good school bus drivers) have fewer accidents than average, when compared to the general driving population. This is because the accident record of the general population is skewed by inclusion of those drivers more prone to accident, namely drunk drivers and young, inexperienced drivers.

But this is not to say that experienced drivers don't have accidents, they do. This is why we don't exempt school bus drivers, taxi drivers or interstate truck drivers from wearing seatbelts in a car! We don't exempt their passengers from wearing seatbelts in cars either! School buses are involved in accidents every week. School buses are not crashworthy. In a serious accident, the death and injury will be immense.

Professor Joubert (Emeritus Professor of Mechanical Engineering at Melbourne University) estimates that a 40-50% death rate and a 90% injury rate among survivors is probable in a crowded school bus accident. All that is required is a major head-on collision such as those at Grafton or Kempsey, or a rollover such as that which occurred at Tamborine and Gateway. These accidents do occur, and it is only a matter of time before one of them will involve a school bus.

**“our children are still carried like cattle. Why? Because they are consumers without a voice.”**



**Q Why are school buses less 'crashworthy' than cars?**

**A** Because they are filled with hard protruding objects such as seats and there is nothing to hold the children in place when an accident occurs. In a 'head on' collision the passengers are flung forward along the aisles and in their seats. In 'rollovers' they are thrown about inside the bus, being thrashed by seats and flung through windows to be crushed by the rolling bus. We know this from analysing a number of tragic bus accidents in recent times (accidents such as Grafton, Kempsey, Tamborine and Gateway).

**Q The government says it will cost too much to fit seatbelts to school buses. Is this right?**

**A** It will cost money. But what value should we put on the lives of 30 or 40 children? The cost of rectifying the safety of school buses has been increased by decades of inaction. A quarter of a century ago seatbelts became compulsory in cars. In about 1994 (after the Grafton, Tamborine and Kempsey crashes) they also became compulsory on long haul and interstate buses. But our children are still carried

like cattle. Why? Because they are consumers without a voice. They don't vote. They don't protest. They don't control where or how bus travel subsidies are spent. They don't organise into lobby groups. That is why we have to do it for them.

**Q Why is the Australian Plaintiff Lawyers Association so concerned about school bus safety? What is in it for you?**

**A** First, it is our job. We represent the victims of negligence and oppression in courts. We prosecute those who cause injury and death and in the process we change the law for the benefit of everybody. You could say that 'public safety' is our 'work in progress'. It is work that we take very seriously. But that work is not confined to the courtroom. We also spend a lot of time trying to heighten public awareness about risks to public safety. We do this in a proactive way, through campaigns such as the school bus safety campaign, through our community and school education work, and through lobbying politicians, employers and other powerful interest groups for safety reform.

Second, plaintiff lawyers are also parents. But unlike most parents, we know the risks of school bus travel. So it is important that we take a public stand over issues such as this.

**Q What are the goals of the campaign?**

**A** In the short term we want to outlaw standing on school buses. Eventually we want to see seatbelts for all children. We don't expect this to happen overnight, but we do want to see some meaningful and decisive action towards this goal. The first steps should fix the areas of greatest risk, namely the high risk bus routes. These are routes on open high-speed roads, poor country roads used by heavy transport, etc. Second, we want to see school buses properly identified. Additionally, we want to see legislation that squarely places the onus for child road safety on drivers that pass stationary school buses.

**Q What is the biggest challenge you face in achieving your goals?**

**A** Lack of public awareness of the risks, political apathy and economic rationalism. Governments have, so far, gambled that a major school bus accident will not happen while they are in office. We want them to get serious and bet with money, not children's lives.

**Q What do you think it will take to tilt the balance in your favour?**

**A** A major school bus tragedy will occur. It is only a matter of time. When this tragedy occurs, the outcry that follows will result in change for the better. But why should children first have to die before governments take notice? Our challenge is to bring about real reform before more children die. **PL**