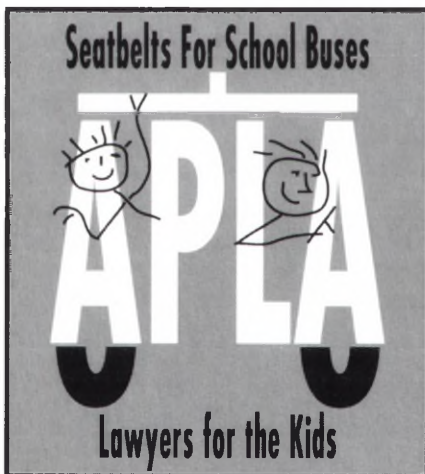


School Bus

APLA adopted School Bus Safety as a public campaign in 2000. Since then we have worked with governments, the AMA and parents groups to draw attention to the risks children face in using school bus transport, and to advocate improved safety standards.

Rob Davis¹ has worked tirelessly for this campaign, and has recently prepared APLA's detailed submission to the Queensland School Transport Safety Taskforce. In his introduction he outlines the issues and arguments that underpin APLA's campaign.

Safety



Introduction

Every day thousands of children travel to and from school by bus. Some of these journeys are short, in relatively new vehicles travelling at safe speeds on well designed city roads and driven by safe and conscientious drivers. Many others are long, in poorly maintained, aging and overcrowded vehicles driven across bad roads.

None of these vehicles are fitted with seat belts or built to withstand serious impact, let alone a simple rollover. In most cases three primary school children are required to occupy two adult seating positions and in others children are regularly required to stand in the aisles. The seats are a simple bench construction with hard steel handrails across the seat backs. There are no armrests, headrests or seatbelts to keep children in place in an accident. In nearly all cases the seats are attached to plywood floors or use brittle cast alloy seat supports. In serious accidents and rollovers these seats detach from the bus structure and fly about the cabin impacting with passengers.

None of these buses are adequately identified as carrying school children. When these buses stop, young children leave the buses and often walk and run across the roads from in front of the bus. Passing motorists are unaware of the risks they pose to young children. For example, no State educates drivers to exercise the same levels of care when

approaching a stationary school bus, as they are required to exercise when approaching any pedestrian crossing.

In Australia children are injured and killed every month from accidents in and around school buses. Further, the potential for large-scale death and injury from major bus accidents is ever present.

There are many things that can be done to significantly reduce the risk of injury and death to children using school buses.

“...no State educates drivers to exercise the same levels of care when approaching a stationary school bus, as they are required to exercise when approaching any pedestrian crossing.”

Some of these things are cheap, effective, and capable of almost immediate introduction. Others, will require expense and commitment to implement, even if phased in over a long

period of time. In every case, action depends on the exercise of principled political leadership.

One thing is perfectly clear. Major school bus safety reform is necessary and will eventually occur. The only question is how many more children will have to be injured and die first.

There are about 20 times more people injured on roads each year than are killed.² The most emotionally and economically devastating of these injuries are those that involve serious personal injury to children. Children have their entire lives ahead of them and permanent disability to a child can destroy that child's capacity to achieve his or her true potential in life. Parents and siblings who have to care for a physically or intellectually crippled child have a lifetime of responsibility, heartache and pain imposed on them. Often the full cost of this loss is never born by society as a whole due to the massive amounts of uncompensated care and support provided by family members.

As adults, we have a responsibility to care for the children of this State. That responsibility is both moral and legal. The onus imposed by that responsibility is at its highest whenever adults knowingly expose children to known but avoidable risk of death and injury.

The risks children face in school bus travel are well known and largely avoidable.

Copies of the full submission are available to APLA members at www.apla.com and on request info@apla.com

Footnote:

² B Soc Sc., LL.M., LL.M (Corp & Com). Current National Vice-President and 2001/2 President-elect of APLA, Member of Editorial Board of The Product Liability Reporter, Joint Author and Joint General Editor of Product Liability in Australia (Prospect), Joint Author of Personal Injury Law & Practice in Queensland (Butterworths), Member of the Council of The Queensland Law Society. The writer represented the owner of the bus in which 11 people were killed and 42 were seriously injured at Henri Robert Drive Mt Tamborine Queensland in September 1990.



Australian
Plaintiff Lawyers
Association

CIVIL JUSTICE AWARD

CALL FOR NOMINATIONS

The annual conferring of the Civil Justice Award is a highlight in the APLA calendar. Past recipients of the award include John Gordon, Jean Hart, Maree Whitaker, Judie Stephens, Peter Cashman, Peter Long and Rob Davis. Last year's recipients were the legal team for the Stolen Generations litigation and Dr Ted Beavis.

The Civil Justice Award recognises contributions to the field of civil justice that support the aims and policies of APLA. The Award is open to both lawyers and other members of the community. The Award will be conferred at the APLA National Conference in October.

The National Council seeks nominations from APLA members for the 2001 Civil Justice Award. If you are aware of a person who has made a significant contribution and would like to nominate them for an award, please write a short note describing their achievements and forward to Jane Staley, APLA Executive Officer, PO Box 2348, Strawberry Hills NSW 2012. Nominations should be sealed in an envelope marked "private and confidential".

Nominations close 31 August 2001.