

Inquest into the death of Natasha Alison Maggs, Tiana Marie Williams, Kody Peter Tugaga Holland-Williams, Allan John Sullivan and Jordan Guy Hayes-McGuinness

On 8 December 2012, Natasha Alison Maggs, Tiana Marie Williams, Kody Peter Tugaga Holland-Williams, Allan John Sullivan and Jordan Guy Hayes-McGuinness died when the Nissan Pulsar sedan driven by Mr Hayes-McGuinness entered the shoulder lane of the Pacific Motorway southbound near Coomera at high speed. Mr Hayes-McGuinness hit the guard rail and collided with the rear of the broken down Holden in which Ms Maggs, Ms Williams, Mr Holland-Williams, Mr Sullivan and Thomas Bayer were seated. The impact from the collision caused the Holden to catch fire shortly after impact, trapping Ms Maggs, Ms Williams, Mr Holland-Williams, Mr Sullivan inside.

Coroner James McDougall delivered his findings of inquest on 4 December 2015.

The Queensland Government responds to recommendations directed to government agencies at inquests by informing the community if a recommendation will be implemented or the reason why a recommendation is not supported. The departments named in this response will provide implementation updates until the recommendation is delivered. Further information relating the implementation of recommendations can be obtained from the responsible minister named in the response.

Recommendation 1

The Department of Transport and Main Roads conceded that the contact telephone number for the Traffic Management Centre was not well signed on the Pacific Motorway. Given the importance of this telephone number, particularly in coordinating the Motorway Breakdown Response Service and the declining use in emergency telephones, consideration should be given to increasing the permanent and temporary signage displaying the Traffic Management Centre contact number on the Pacific Motorway, including the possibility of having the number printed on the metal guard rail.

Response and action: implementation of the recommendation is in progress.

Responsible agency: Department of Transport and Main Roads

On 8 July 2016 the Minister for Main Roads, Road Safety and Ports and Minister for Energy, Biofuels and Water Supply and the Minister for Transport and the Commonwealth Games responded:

The variable messaging signage message campaign 'BROKEN DOWN ON THE MOTORWAY? CALL 13 19 40 FOR A FREE TOW TO SAFETY' is being displayed throughout South East Queensland.

The Department of Transport and Main Roads will continue to investigate additional signage options, including the possibility of having the number printed on the metal guard rail.

On 14 May 2017 the Minister for Main Roads, Road Safety and Ports and Minister for Energy, Biofuels and Water Supply responded:

The variable messaging signage (VMS) campaign 'BROKEN DOWN ON THE MOTORWAY? CALL 13 19 40 FOR A FREE TOW TO SAFETY' remains on high rotation in the VMS schedule of messages across South East Queensland.

The Department of Transport and Main Roads is also developing static signs that could be installed on motorways.

Once a suitable sign is approved it will be considered for installation at appropriate locations on the road network.

On 26 February 2018 the Minister for Transport and Main Roads responded:

The Department of Transport and Main Roads considered the recommendation and developed static signs with the Traffic Management Centre contact number which can be installed on the Pacific Motorway.

Static and electronic signage are the preferred options for messaging as they can be installed perpendicular to the road and are more visible to vehicles when travelling along the Pacific Motorway. The Pacific Motorway has a high proportion of wire rope barrier for which printing of the 13 19 40 number would not be feasible, due to the size and material of the wire rope barrier.

The department will install four new static signs in each direction on the Pacific Motorway between Tugun and Springwood in each direction of travel to supplement existing electronic signs. These works are expected to be complete by mid-2018.

Recommendation 2

The Department of Transport and Main Roads should also consider increasing the public awareness of the Traffic Management Centre telephone contact number and services provided, particularly the Motorway Breakdown Response Service, through the use of marketing material and other such means.

Response and action: implementation of the recommendation is in progress.

Responsible agency: Department of Transport and Main Roads

On 8 July 2016 the Minister for Main Roads, Road Safety and Ports and Minister for Energy, Biofuels and Water Supply and the Minister for Transport and the Commonwealth Games responded:

Variable message signage displaying the 13 19 40 number for motorway breakdown response services has been implemented across South East Queensland.

The Department of Transport and Main Roads (TMR) is exploring other avenues for publicising the services available via 13 19 40. TMR will also continue review the effectiveness of the 13 19 40 messaging displayed via variable message sign.

On 14 May 2017 the Minister for Main Roads, Road Safety and Ports and Minister for Energy, Biofuels and Water Supply responded:

The variable messaging signage (VMS) display of the 13 19 40 number remains on high frequency.

Enhanced marketing of the 13 19 40 number will be considered as part of the *QLDTraffic* rollout marketing. *QLDTraffic* is a new version of the 13 19 40 traffic information website.

On 26 February 2018 the Minister for Transport and Main Roads responded:

Marketing of the 13 19 40 number is included in the Queensland Government traffic and travel information app and website, QLDTraffic.qld.gov.au.

In addition, information relating to 13 19 40 and the Motorway Breakdown Response Service is available on TMR.qld.gov.au.

Variable messaging signs display of the 13 19 40 number remains on high frequency across South East Queensland.

The department will consider messaging on the Department of Transport and Main Roads' Twitter and Facebook pages.

Recommendation 3

The Department of Transport and Main Roads should consider reviewing ways of improving the efficiency and effectiveness of the Traffic Management Centre messaging system, so when motorists first contact the service, they can immediately speak to an operator in the event they are in a dangerous situation, rather than first listening to recorded information about road and traffic conditions.

Response and action: the recommendation is implemented.

Responsible agency: Department of Transport and Main Roads

On 8 July 2016 the Minister for Main Roads, Road Safety and Ports and Minister for Energy, Biofuels and Water Supply and the Minister for Transport and the Commonwealth Games responded:

Implementation of this recommendation is 75% implemented - scoping of improvements to the 13 19 40 messaging system for incoming calls has been completed. The hierarchy order of services offered has been changed to enable callers to more quickly speak with emergency services and/or an operator. Telstra has been contracted to make changes to the system and will have implementation effected by the end of June 2016.

The Department of Transport and Main Roads will review the impact of the change once implemented.

On 14 May 2017 the Minister for Main Roads, Road Safety and Ports and Minister for Energy, Biofuels and Water Supply responded:

This recommendation is 90% implemented. The hierarchy order of services offered has been changed to enable callers to more quickly speak with emergency services and/or an operator. Telstra implemented changes to the system in June 2016. Callers are initially advised to call '000' if they are in a dangerous situation. Following a message containing priority traffic alerts in their local area, callers can elect to speak to an operator. The Department of Transport and Main Roads is refining business processes to minimise the duration of the priority traffic alerts.

On 26 February 2018 the Minister for Transport and Main Roads responded:

The Department of Transport and Main Roads reviewed the efficiency and effectiveness of the Traffic Management Centre messaging system. In addition to initially advising 13 19 40 callers to call '000' if they are in a dangerous situation, the department refined business processes to ensure only key traffic impacts flow through to the phone to minimise the duration a caller has to listen to a recorded message before they speak to an operator. The department continually seeks to improve the 13 19 40 phone service and will make continual improvements to the system, based on customer feedback, as part of normal business activities.

The Department of Transport and Main Roads continues to obtain feedback from customers using the 13 19 40 phone service to improve both the traffic and travel information service, and provision of breakdown safety support. This is done on an ongoing basis through operators. In addition, the

department recently undertook customer experience research for the 13 19 40 phone service across the state entailing eight focus groups and an online survey with 800 participants.

Recommendation 4

Whilst the Department of Transport and Main Roads' (DTMR) Motorway Breakdown Response Service is certainly vital in reducing the risk posed to motorists who breakdown on a major roadway, it only operates in a very limited area. I would recommend that DTMR engage in further consultation with RACQ and motor vehicle insurers in Queensland with the aim of creating an efficient, viable roadside emergency assistance service for all of Queensland. In making this recommendation I am very mindful of the tyranny of distance in such a large state and of the expense such a service would entail.

Response and action: implementation of the recommendation is in progress.

Responsible agency: Department of Transport and Main Roads

On 8 July 2016 the Minister for Main Roads, Road Safety and Ports and Minister for Energy, Biofuels and Water Supply and the Minister for Transport and the Commonwealth Games responded:

The Department of Transport and Main Roads agree with the recommendation and commenced discussions with RACQ. Consideration will be given to a balance of needs and not creating an environment which discourages motorists from taking out roadside assistance insurance. Discussions with other Queensland motor vehicle insurers are envisaged following discussions with RACQ.

On 14 May 2017 the Minister for Main Roads, Road Safety and Ports and Minister for Energy, Biofuels and Water Supply responded:

Discussions between the Department of Transport and Main Roads and RACQ are ongoing.

On 26 February 2018 the Minister for Transport and Main Roads responded:

The Department of Transport and Main Roads is continuing discussions with RACQ to agree on an appropriate policy position.

Recommendation 5

Although the Department of Transport and Main Roads' (DTMR) Queensland Breakdown Safety Initiative and Breakdown Action Safety Plan are yet to be endorsed as formal policy, it is clear that addressing the safety risks posed to motorists who breakdown, is a definite priority for DTMR. Both documents appear to acknowledge the need for greater public awareness of what a motorist should do to ensure their safety and the safety of others in the event of a breakdown, and to reduce the high safety risks posed to motorists in such a situation. Examining and improving the manner in which breakdown response is managed by DTMR and other external roadside assistance providers, also appears to be central to DTMR's future strategy. Both DTMR and RACQ are to be commended for their joint endeavours in this regard.

I recommend that DTMR continue to prioritise this issue by way of a public awareness campaign directed at breakdown safety for motorists, and to continue to expedite finalisation of the aforementioned Breakdown Action Safety Plan and Initiative.

Response and action: implementation of the recommendation is in progress.

Responsible agency: Department of Transport and Main Roads

On 8 July 2016 the Minister for Main Roads, Road Safety and Ports and Minister for Energy, Biofuels and Water Supply and the Minister for Transport and the Commonwealth Games responded:

The Department of Transport and Main Roads' (TMR) breakdown safety opportunities and initiatives discussion paper is currently being finalised. The discussion paper has been developed to identify opportunities for improvements in safety outcomes for breakdown situations.

Additionally, TMR commissioned an external body to undertake a breakdown safety advice (BSA) investigation. This BSA report is complete, and the recommendations are being considered. Overall, the report noted 'the evidence from this study generally supports the breakdown safety advice provided in the *Glovebox guide*'. However, 'there are significant gaps in the *Glovebox guide* that could be addressed to help improve breakdown safety'. The *Glovebox guide* is an information brochure produced in conjunction with RACQ and provided to motorists through a number of channels, including the *Road Ahead* magazine and registration renewals.

TMR conducts various safety campaigns on a continual basis, including Road Safety Week, which focus on safety issues such as distractions while driving and drink driving. Further public awareness campaigns directed at breakdown safety for motorists are being considered.

The opportunities identified within the discussion paper and the recommendations from the BSA report will be assessed for merit and prioritised for delivery over the coming financial years. It is anticipated that the *Glovebox guide* will be updated within the next financial year.

On 14 May 2017 the Minister for Main Roads, Road Safety and Ports and Minister for Energy, Biofuels and Water Supply responded:

TMR's breakdown safety opportunities and Initiatives discussion paper is finalised. The opportunities identified within the discussion paper will be assessed for merit and prioritised for delivery over the coming financial years. Priority is being placed on the consideration of further public awareness campaigns directed at breakdown safety.

The *Glovebox guide* is being updated based on the recommendations from the TMR commissioned Breakdown Safety Advice Report.

The department will work on the delivery of a public awareness campaign and finalisation of the revised *Glovebox guide*.

On 26 February 2018 the Minister for Transport and Main Roads responded:

The Department of Transport and Main Roads is finalising the development of internal policy and guidelines which will underpin educational material delivered to the public about what to do in the event of a breakdown.

The communications plan for delivery of this material, and concepts for social media videos are developed.

The glovebox guide was reviewed and re-designed, and moved to a graphical representation, supported by text. The department consulted with RACQ during this process, and will continue to consult with RACQ until the finalisation of the end product in June 2018.

The release of public awareness and educational material is pending the outcome of additional research and advice being commissioned in relation to motorists who may have broken down, but who do not have access to a mobile phone. This advice will be incorporated into all public facing material, including the glovebox guide, once finalised.

To ensure the social media clips achieve the desired outcome to raise awareness about what to do in the event of a breakdown, the department aims to test the clips in the 'Customer Experience Lab' prior to release.

Recommendation 6

I recommend that there be an emphasis placed on defensive driving and the dangers of driving under the influence of drugs and alcohol in the driver training of learner drivers.

Response and action: the recommendation is agreed to in part and implementation is complete.

Responsible agency: Department of Transport and Main Roads

On 8 July 2016 the Minister for Main Roads, Road Safety and Ports and Minister for Energy, Biofuels and Water Supply and the Minister for Transport and the Commonwealth Games responded:

The Department of Transport and Main Roads (TMR) does not support defensive driving training for learner drivers. Research consistently shows undertaking defensive driver training, may lead to increased crash risk among novice drivers, particularly young males.

TMR does support educating learner drivers on the dangers of driving under the influence of alcohol and drugs. There is an emerging body of evidence supporting the use of resilience and insight training approaches to influence driver behaviour. These approaches are used in several programs currently being delivered in Queensland schools include Rotary Youth Driver Awareness (RYDA), the Prevent Alcohol and Risk-Related Trauma in Youth (PARTY) injury awareness program and RACQ's Docudrama program. These programs add to the young driver experience by providing teenagers with information about trauma to enable them to recognise risky situations, make prevention orientated choices and adopt behaviours and attitudes that minimise unnecessary risk. Risks associated with driving while impaired are covered in these courses. TMR actively endorses these programs and provides funding support for their delivery.

Under the Queensland Road Safety Action Plan (QRSAP) 2015-17 several initiatives are being implemented, aimed at educating learner drivers on the risks of impaired driving. These include:

- refreshing road safety resources for teachers and students
- introducing an on-line learning and assessment requirement for learner drivers that will cover alcohol and drugs
- a review of penalties and sanctions including options to refer reoffending 'impaired' drivers to screening and counselling services
- launching state-wide communication campaigns including Mates Motel (2014-15) and Dry Driver (2015-16), both with an emphasis on planning to avoid drinking and driving
- continuing high-visibility policing operations and expanding training of police officers to conduct roadside drug testing.

All current actions in relation to the QRSAP will be implemented by 30 June 2017.

On 14 May 2017 the Minister for Main Roads, Road Safety and Ports and Minister for Energy, Biofuels and Water Supply responded:

Since the previous update, the Department of Transport and Main Roads (TMR) continues to support and fund road safety education programs, including for young drivers.

In round 5 of the Community Road Safety Grants Program, \$8.4 million was awarded for initiatives being implemented over the next 3 years, with \$7.6 million of this dedicated to the delivery of young driver education, through driver mentoring and school based education programs. This includes funding for Rotary Youth Driver Awareness (RYDA), the Prevent Alcohol and Risk-Related Trauma in Youth (PARTY) injury awareness program and RACQ's Docudrama program to be delivered in schools across Queensland.

A number of major drink driving public education campaigns were implemented between 2013 and 2016, including the Mates Motel and Dry Driver campaigns. Providing ongoing messages about the risks of impaired driving is also part the overall Join the Drive to Save Lives strategy, including through social media. Post-campaign evaluations for these campaigns showed very strong results. Following the latest campaign Dry Driver between 72% and 91% of road users agreed they had taken positive action to avoid drink driving since seeing the campaign.

The project to refresh road safety resources for teachers and students is underway, with a specialist consultant engaged to work with stakeholders on development of new resources that will align with the Queensland Curriculum and be more user friendly and accessible by teachers.

TMR is transitioning the learner licence written test to an on-line learning and assessment program. The on-line learning environment will enable more user-friendly and engaging materials about road safety and alcohol and drugs to be incorporated into the program. TMR expects to launch the new program state-wide in 2017.

The commitment to investigate drug driving in Queensland and consider the effectiveness of existing penalties and sanctions and other countermeasures such as diversionary programs is underway. Research has been commissioned to examine current drug enforcement practices to identify where improvements can be made to align with best practice. This includes a review of penalties and sanctions. An examination of what is happening across Australia and other developed countries is occurring in parallel to the enforcement-related research. Separately there is also a review underway of diversionary court programs, including Drug Court programs, with the objective of improving the program's effectiveness.

The department will continue its progression of items within the Queensland Road Safety Action Plan 2015-17.

On 26 February 2018 the Minister for Transport and Main Roads responded:

The Department of Transport and Main Roads continues to fund road safety education programs — including for young drivers— and works to ensure all road users, including young people, are aware of the risks of drug and drink driving.

This occurs through the community road safety grants program, which funds delivery of young driver education through driver mentoring and school based education programs, including Rotary Youth Driver Awareness (RYDA), the Prevent Alcohol and Risk-Related Trauma in Youth (PARTY) injury awareness program, and RACQ's Docudrama.

The Department of Transport and Main Roads believes that through these programs, the recommendation has been addressed. The department commits to additional research and development work in drink driving and investigating ways to improve road safety outcomes for novice drivers through updated learning processes. Young driver safety will continue to be a key area of focus for the department's road safety policy and strategy development.