



Brisbane Central Business District Bicycle User Group

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Mr Terry Ryan
Queensland State Coroner
GPO Box 1649
BRISBANE QLD 4001

Via email to: state.coroner@justice.qld.gov.au

Dear Mr Ryan

This letter requests your office conducts a coronial inquest into the death of Carolyn Lister, a female bicycle rider killed while cycling to her workplace in a crash with a truck towing a trailer at the intersection of Bowen Bridge Rd and O'Connell Tce in Bowen Hills on the morning of Tuesday 30 June 2020.

It is understood Queensland Police Forensic Crash Unit (FCU) officers are currently undertaking their own investigation into the cause/s of this crash. As a result of our prior contacts with FCU personnel we are confident they will pursue all available avenues in relation to identifying if this traffic crash involved any offences and will commence the appropriate enforcement action.

However, the scope of FCU investigations are inherently limited, as their investigation will only focus on this specific crash and any potential traffic offences. As such, it will not examine the broader range of factors contributing to yet another unnecessary and entirely preventable death of a vulnerable road user (VRU).

In this respect I would draw your attention to the striking similarities between Carolyn's fatal crash, and the death of Ms Rebekka Meyer, a female student from Denmark who was cycling to university in 2014 when she was killed at the intersection of Stanley St and Annerley Rd, South Brisbane in a crash also involving a "conventional" cab truck towing a trailer. This crash was subsequently investigated by the Queensland State Coroner (file reference 2014/3357).

We are pleased to advise that the Coroner's recommendations from the investigation into Ms Meyer's death resulted in Brisbane City Council (BCC) eventually upgrading cyclist safety along that particular traffic corridor. Regrettably though, it must also be pointed out that other highly beneficial coroner's recommendations continue to be ignored. An example is BCC's regular approach when designing intersections and roads of focusing solely on motor vehicle traffic flow considerations ahead of cyclist safety. This obstinacy continues today even in the face of technical guidelines published by the Queensland Department of Transport and Main Roads (TMR).

Should your office undertake this requested inquiry we would like to bring to your notice a BCC misrepresentation (by omission) that occurred during the coronial investigation into Ms Meyer's death. In this instance BCC contended that installing infrastructure at intersections making conditions safer for cyclists may unduly impact motorists such that an intersection reaches "capacity". However, what BCC failed to mention is that at this point motorists will not just queue up to an unlimited extent –potentially bringing the road network to a standstill. Rather, motorists will instead choose to drive another route, or even leave their cars at home and use an alternative mode of transport e.g. walk, cycle, public transport etc.

In requesting a coroner's investigation into Carolyn's death we would also draw your attention to another key recommendation from the Coroner's 2015 investigation that has not been implemented – that "conventional shaped heavy vehicles should be prohibited unless they are fitted with appropriate technologies to warn the driver of any obstacles or other road users within the forward blind spot of the truck".

From the perspective of all VRUs, who include cyclists, pedestrians, scooter riders, motor cyclists and mobility device users – conventional cab trucks with their bulk and large blind spots are frightening and dangerous. In a crash with a heavy vehicle a VRU has an extremely low probability of surviving.

We are concerned about TMR's complete inertia on this issue – which continues despite the higher safety standards for trucks applied overseas e.g. the European Union (EU). This inertia makes a mockery of TMR's much espoused "Safe Systems approach". Our appeals to TMR on this issue have only yielded belated responses conveying mealy-mouthed excuses, with byzantine national transport committee processes being used to delay and prevent genuine action. Accordingly, a valid question is whether TMR is serving the interests of the road transport industry rather than the safety needs of the community.

In our view the EU's higher truck safety standards could be practicably implemented by Queensland, with a suitable phase-in timeframe that would allow the industry to adjust. For instance, only trucks meeting the EU's standards would be allowed as new vehicle registrations from 2025. Had such an approach been adopted following the 2015 coronial inquiry into Rebekka Meyer's death the transition to a safer truck fleet would now be underway.

Another potential approach to incentivise local trucking industry reform would be via the Queensland Government only accepting tenders for government contracts from companies whose trucks all meet the EU standards.

Calls from cycling advocacy groups for road rule reforms to make bicycle riding safer and more convenient were stymied for years by the TMR response that national road rules consistency had to be preserved, with TMR officers alleging this state could not unilaterally change its rules. This excuse was given despite the road rules not actually being nationally consistent, with examples of difference just in relation to cycling including: 1) mandatory helmets for cyclists (Northern Territory being an exception to the "national" approach), and 2) footpath riding by adults not accompanying children (Queensland being an exception to the "national" approach).

However, in the wake of the 2013 Queensland Parliament's Inquiry into Cycling Issues several Queensland road rules were changed quite suddenly for the better, with other Australian jurisdictions subsequently following this lead in relation to introducing a minimum passing distance rule. This shows how the "national consistency" system is used by transport officials to restrict and even prevent road safety improvements. In contrast, when jurisdictions adopt an innovation this leads to widespread and rapid improvements as other jurisdictions pick up on the improvement and then follow suit.

Other factors we view as potentially contributing to Carolyn's crash are:

- 1) the lack of consideration of VRU safety in truck haulage route planning for major developments, and
- 2) the absence of monitoring / enforcement of truck driver utilisation of these routes.

Recent footpath / bikeway closures in this vicinity are yet another factor that may have led to Carolyn seeking to ride on-road through this intersection from O'Connell Tce instead of her regular route via Campbell St. With footpath closures allowed by Brisbane City Council in favour of property developers with little regard for the difficulties / dangers ensuring as VRUs try to travel around Brisbane. At the time of Carolyn's crash the western side of Bowen Bridge Rd had extensive barriers along it, while the eastern footpath of nearby Wren St was closed and the bikeway between Wren St and Sneyd St was also closed.

The intersection where Carolyn's crash occurred is also poorly designed - as the movement of motor vehicles here has been prioritised over, and to the detriment of, VRUs. There is a small triangular concrete traffic island on the eastern side of Bowen Bridge Rd where VRUs have to wait before crossing to the west. However, during the peak travel periods this traffic island is crammed with pedestrians and cyclists and hence Carolyn may not have wanted to use this island, and instead chose to ride directly from O'Connell Tce to the hospital campus on the western side of Bowen Bridge Rd.

With the combination of some or all of these factors it seems the stage was set for a bicycle rider to be killed at this intersection.

Many of our members have been deeply saddened by Carolyn's passing. We hope the recommendations from a coronial inquest into her fatal crash will lead to safety improvements for VRUs, and thereby provide some comfort for her family and friends in knowing that at least some good emerged from this tragic and avoidable event.

Yours faithfully



Paul French
Co-convenor
Brisbane CBD BUG
8 July 2020

Cc: Space for Cycling Brisbane
Bicycle Queensland