

Revision	Date	By	Revisions
1.0	01 Jul 2020	C Stokes	First release

### Introduction:

Focussing on user error and non-compliance has drawn the road safety response away from improvements that can be made within other parts of the road transportation system. This is to some degree intertwined with the perception that culpability lies with the road users involved in crashes, and not the wider system in which the crash occurred. A limitation of this view is the large proportion of people harmed in road crashes while doing no more wrong than being in the wrong place at the wrong time. Woolley et al (2018) calculated that in South Australia, over 40% of those killed or seriously injured in road crashes were not responsible for the crash. This raises a counterargument to the perception of road user fault: what level of responsibility should system managers' hold in preventing harm from occurring to those people with no more culpability than simply being in the wrong place at the wrong time?

### Instructions:

Students should review Module 2, Snippet 5, *How are things different under a Safe System?* of Safe System for Universities before undertaking this activity.

Form a group of 2-4 students. As a group, review the following case descriptions and answer the questions related to the ethical responsibility of the stakeholders involved in each case.

**Case 1 description:** On 2 February 2020, four children were killed and one seriously injured when they were struck by an out of control vehicle in the Sydney suburb of Oatlands. The children were struck as they walked down a footpath next to the road. The driver of the vehicle was intoxicated and has been charged with multiple offenses.

**Case 2 description:** On 26 April 2016, a toddler was killed as he was being pushed in a stroller by his father along a footpath next to a street in the Sydney suburb of Granville. The toddler was killed when a vehicle struck him moments after being involved in a crash with another vehicle.

### Questions

1. In Case 1, the driver was non-compliant as he was found to be substantially above the legal blood-alcohol limit. What level of responsibility do you think the driver hold for this crash and how does his non-compliance affect this?
2. In Case 2, the driver of the vehicle which struck the toddler was assumedly compliant with the road rules and it is unknown which driver in the crash was deemed by police to be responsible.

---

---

How do you think this changes the responsibility of the driver which struck the toddler, compared to that of the non-compliant driver in Case 1?

3. Solutions are available that could potentially stop crashes like those in the above cases from occurring. For example, vehicle interlock systems are available which can stop alcohol-intoxicated people from starting vehicles. Road safety barriers can be used to separate footpaths from vehicle lanes. What level of responsibility do you think system managers have for implementing such solutions? How do you think this responsibility compares to that of the road users who participate in harmful crashes?
4. Currently, there are strong arguments for ultimate responsibility to lie with system managers for ensuring harm does not result as a consequence of a crash. How do you think this responsibility changes in following circumstances:
  - a. where all participants of a crash are compliant and not at fault for the crash (e.g. a crash caused by vehicle mechanical fault)
  - b. where a participant demonstrates compliant behaviour but makes a mistake that leads to a crash
  - c. where a participant is non-compliant, such as by speeding or being intoxicated
  - d. where a participant is wilfully reckless in their behaviour, such as street racing or high-level intoxication.