Email submissions to codes@safeworkaustralia.gov.au

Do you wish to lodge your submission ‘IN CONFIDENCE’
☐ Yes ☒ No

An ‘IN CONFIDENCE’ submission will be considered but not published on the Safe Work Australia website.

Submission Details
Note: The following information will be placed on the Safe Work Australia website.

This submission is written on behalf of: (please select one of the following categories)
☒ Individual
☐ Several Organisations

Individual OR Organisation’s name:
C-MARC: Curtin – Monash Accident Research Centre

State/Territory
☐ ACT
☐ Commonwealth
☐ NSW
☐ NT
☐ QLD
☐ SA
☐ TAS
☐ VIC
☒ WA
☐ N/A
☐ Other please specify:..........................

Individual / Organisation Details
Note: The following information will not be placed on the Safe Work Australia website

Principal contact name:
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GPO Box U1987
Perth WA 6845

Contact phone number:
08 9266 9591

Email address:
Brett.hughes@curtin.edu.au

Are you making this submission as:
(please select one of the following categories)
☐ Business
☐ Employer organisation
☐ Industry representative
☒ Academic
☐ Government representative
☐ Community organisation
☐ Worker
☐ Professional
☐ OHS Consultant
☐ Other please specify:....................

Which industry sector do you operate in?
☐ Agriculture, Forestry and Fishing
☐ Mining
☐ Manufacturing
☐ Electricity, Gas and Water Supply
☐ Construction
☐ Wholesale Trade
☐ Retail Trade
☐ Accommodation, Cafes and Restaurants
☐ Transport and Storage
☐ Communication Services
☐ Finance and Insurance
☐ Property and Business Services
☒ Government Administration and Defence
☐ Education
☐ Health and Community Services
☐ Cultural and Recreational Services
☐ Personal and Other Services
☐ N/A
☐ Other please specify: Research

What is the size of your organisation?
☐ Small (under 20 workers)
☐ Medium (up to 100 workers)
☒ Large (100+ workers)
☐ N/A

Do you operate across two or more states and/or territories?
☒ Yes ☐ No

PLEASE NOTE:
Only typed electronic submissions will be accepted. Please contact Safe Work Australia if you wish to submit hand written submissions on (02) 6121 5317 or via email codes@safeworkaustralia.gov.au

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Draft Model Work Health and Safety Codes of Practice
Draft Model Work Health and Safety Codes of Practice Issues Paper

Curtin – Monash Accident Research Centre, C-MARC is pleased to be able to make this submission to Safe Work Australia on the Draft Model Work Health and Safety Codes of Practice, and the Issues Paper.

Road safety is the greatest threat to human life in workplaces, resulting in about 60 deaths and 1200 Western Australians seriously injured every year. It is therefore tragic and completely unacceptable that this issue and catastrophic human cost is all but completely ignored in the Codes of Practice, the Issues Paper and by Governments generally.

The following actions are urgently required to improve workplace safety:

1) Safe Work Australia includes workplace road safety in every model code.
2) Safe Work Australia prepares a specific model code for road safety in workplaces.
3) Safe Work Australia and all workplace safety regulators include road crash data in workplace safety data.
4) Safe Work Australia commission analysis of the costs of road safety covering each State and industry sector, different crash types, and the beneficiaries and contributors.
5) Commission a Productivity Commission Inquiry into the costs of road safety and the benefits of the full range of countermeasures and responsibilities.

Safe Work Australia, other workplace safety regulators and all Australian governments must lead by being totally committed to saving the lives of Australians on our roads while at work.

Yours sincerely,

Assoc. Professor Brett Hughes
Director C-MARC
## Model Work Health and Safety Codes of Practice - Public Comment Response Form

### 1) First Aid in the Workplace
**Comments due by Friday, 18 November 2011**

**Comments:** (Please include section/page numbers).
First aid in the workplace should cover responses to road crashes. Many workers will encounter road crashes during their work time. Many workers will be involved in crashes during their work. These issues must be reflected in the model code.

**Impacts:** Do you anticipate any potential costs or safety benefits of complying with this code that are different to current requirements in your jurisdiction? If so what are they?

### 2) Managing Risks in Construction Work
**Comments due by Friday, 18 November 2011**

**Comments:** (Please include section/page numbers).
A major risk during construction work is transport to and from the worksite and vehicle movement on the worksite. These risks must be reflected in the model code and properly managed.

**Impacts:** Do you anticipate any potential costs or safety benefits of complying with this code that are different to current requirements in your jurisdiction? If so what are they?

### 3) Preventing Falls in Housing Construction
**Comments due by Friday, 18 November 2011**

**Comments:** (Please include section/page numbers).

**Impacts:** Do you anticipate any potential costs or safety benefits of complying with this code that are different to current requirements in your jurisdiction? If so what are they?

### 4) Managing Electrical Risks in the Workplace
**Comments due by Friday, 18 November 2011**

**Comments:** (Please include section/page numbers).
A major risk during electrical work is transport to and from the worksite and vehicle movement on the worksite. These risks must be reflected in the model code and properly managed.

**Impacts:** Do you anticipate any potential costs or safety benefits of complying with this code that are different to current requirements in your jurisdiction? If so what are they?

### 5) Managing Risks of Hazardous Chemicals
**Comments due by Friday, 18 November 2011**

**Comments:** (Please include section/page numbers).
A major risk for hazardous chemicals is transport to and from any worksite and vehicle movement on any worksite. These risks must be reflected in the model code and properly managed.

**Impacts:** Do you anticipate any potential costs or safety benefits of complying with this code that are different to current requirements in your jurisdiction? If so what are they?

### 6) Managing Risks of Plant in the Workplace
**Comments due by Friday, 18 November 2011**
<table>
<thead>
<tr>
<th>Comments:</th>
<th>(Please include section/page numbers).</th>
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<tbody>
<tr>
<td>A major risk for plant in the workplace is movement on any worksite. Another major risk for plant workers is travel to and from any worksite and vehicle movement on any worksite. These risks must be reflected in the model code and properly managed.</td>
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### 7) Safe Design Of Building and Structures
**Comments due by Friday, 16 December 2011**

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<tr>
<th>Comments:</th>
<th>(Please include section/page numbers).</th>
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<tbody>
<tr>
<td>A significant issue for building safety is access to and from the building. The model code should include safe access and egress as a specific requirement.</td>
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### 8) Excavation Work
**Comments due by Friday, 16 December 2011**

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<th>Comments:</th>
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<tr>
<td>A major risk during excavation work is transport to and from the worksite and vehicle movement on the worksite. These risks must be reflected in the model code and properly managed.</td>
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### 9) Demolition Work
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<tr>
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<td>A major risk during demolition work is transport to and from the worksite and vehicle movement on the worksite. These risks must be reflected in the model code and properly managed.</td>
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### 10) Spray Painting and Powder Coating
**Comments due by Friday, 16 December 2011**

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<th>Comments:</th>
<th>(Please include section/page numbers).</th>
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<tr>
<td>A major risk for workers doing spray painting and powder coating is travel to and from the worksite and vehicle movement on the worksite. These risks must be reflected in the model code and properly managed.</td>
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### 11) Abrasive Blasting
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<tr>
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<tr>
<td>A major risk for workers doing abrasive blasting is travel to and from the worksite and vehicle movement on the worksite. These risks must be reflected in the model code and properly managed.</td>
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<p>| Impacts: | Do you anticipate any potential costs or safety benefits of complying with this code that are different to current requirements in your jurisdiction? If so what are they? |</p>
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<tr>
<th>12) Welding and Allied Processes</th>
<th>Comments due by Friday, 16 December 2011</th>
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<tbody>
<tr>
<td><strong>Comments:</strong> (Please include section/page numbers).</td>
<td>A major risk for workers doing welding and allied processes is travel to and from the worksite and vehicle movement on the worksite. These risks must be reflected in the model code and properly managed.</td>
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<th>13) Safe Access in Tree Trimming and Arboriculture</th>
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<td><strong>Comments:</strong> (Please include section/page numbers).</td>
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<tr>
<th>14) Preventing and Managing Fatigue in the Workplace</th>
<th>Comments due by Friday, 16 December 2011</th>
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<tr>
<td><strong>Comments:</strong> (Please include section/page numbers).</td>
<td>Fatigue is a major risk for most workers, when travelling to and from worksites and with vehicle movement on the worksite. These risks must be reflected in the model code and properly managed.</td>
</tr>
<tr>
<td><strong>Impacts:</strong></td>
<td>Do you anticipate any potential costs or safety benefits of complying with this code that are different to current requirements in your jurisdiction? If so what are they?</td>
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<tr>
<th>15) Preventing and Responding to Workplace Bullying</th>
<th>Comments due by Friday, 16 December 2011</th>
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<tbody>
<tr>
<td><strong>Comments:</strong> (Please include section/page numbers).</td>
<td>The risk of loss of human life by bullying is small, whereas the major risk to life is road safety. Therefore, if there is a model code for bullying, there must be a model code for road safety.</td>
</tr>
<tr>
<td><strong>Impacts:</strong></td>
<td>Do you anticipate any potential costs or safety benefits of complying with this code that are different to current requirements in your jurisdiction? If so what are they?</td>
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</table>

**Other Comments**
1. Why is road safety an issue for workplaces?

- Road crashes are the biggest threat to life in Australian workplaces.
- Road crashes can impact nearly all workers and many others.
- Workers driving on public roads in work time are in workplace and covered by all workplace safety legislation and requirements.
- Despite apparently common views, road safety in the workplace isn’t just an issue for the road transport industry (i.e. trucks).

In the report *Work-Related Traumatic Injury Fatalities, Australia 2008–09*, Safe Work Australia, summarises:

- there were 444 work related traumatic injury fatalities;
- traffic incidents on public roads resulted in 100 fatalities, 35% of the total;
- further fatalities were caused moving vehicles in workplaces;
- one in five of those fatally injured while working in 2008–09 worked as a truck driver (59 deaths) with truck drivers recording a fatality rate fourteen times the all occupations rate
- road freight transport was the equal highest industry (44 deaths);
- the Road freight transport industry fatality rate was ten times the all industries average

However, these damning statistics *substantially underrepresent* the financial and human cost of workplace road safety in Australia due to systematic underreporting.

Indications are that:

- probably at least 30-40% of all road deaths or 60 deaths annually on Western Australian roads are in workplaces (i.e. vehicles);
- moving vehicles are the leading cause of reported death (42% of all deaths);
- the total cost might be in the order of $1 billion per annum to Western Australian as a whole; and
- the workplace safety reports are underestimates due to the way data is collected.

The chart from Safe Work Australia’s report *Work-Related Traumatic Injury Fatalities, Australia 2008–09* shows that recorded workplace road crashes are increasing in frequency and proportion.

**Figure 8 Working fatalities: number by traffic incident status, Australia, 2003–04 to 2008–09**

In relation to workers compensation fatality claims alone, vehicle accidents are the most likely mechanism of injury, in fact nearly *four times higher* than the next most common mechanism of injury.

Research has demonstrated that work-related drivers on average report a higher level of crash involvement compared to personal car drivers, and road crashes are the most common form of work related fatalities. Work related road crash injuries are also approximately twice as likely to result in
death or permanent disability as other workplace injuries and the average time lost due to injury is greater than any other workplace claim.

Road safety has risen around the world has risen in prominence as an issue. Road crashes are a leading cause of death resulting in around 1,000,000 deaths per year, many of them innocent young people in developing countries. Consequently the United Nations proclaimed 2011-2020 as the global Decade of Action for Road Safety (http://www.un.org/News/Press/docs/2010/ga10920.doc).

2. **Joint responsibility for all workplaces**

Employers, whether government, transport industry, business, trade, mining, primary industry, not for profit, or any other group have a principal responsibility for ensuing a safe working environment for their workers and anyone else who may be in contact with their business.

Governments have a special role in regulating to ensure workplaces are safe. While the legislation clearly covers workers driving during work, it is not evident that regulators practice enforcement in this area. For instance, most regulators websites have considerable information on many workplace hazards, but scant information on road safety, despite its widespread nature and fatal consequences. There is a distinct lack of attention to the issue of work related road safety, other than the heavy vehicle sector, which is generally covered by transport regulation, rather than workplace safety.

It has been estimated that in Australia approximately 75% of all locally produced passenger vehicles are purchased as fleet vehicles and more than half of all new vehicle registrations annually consist of fleet vehicles. So potentially the majority of vehicles on our roads may be used for work purposes during their life. Consequently, fleet purchasing policy and practice is crucial for road safety.

While it is apparently not widely understood, workplaces have a responsibility for the safety of others affected by their activities. This means that while driving during work, workers and their employers have a responsibility for the safety of others on the road and if they are involved in a motor vehicle crash.

3. **Workplace safety data ignores road safety**

The Safe Work Australia data is biased for two reasons:

1. The data is sourced from workplace insurance claims, which exclude motor vehicle crashes and injuries in most states which are in the motor accident insurance claim system. Injuries and deaths to workers and others from vehicle related crashes are obscured in state third party insurers claims and potentially not compared with businesses that carry self-insured worker’s compensation.

2. Workplace safety tends to focus on accident frequency rather than severity.

Therefore the full consequences of workplace road safety are hidden. Therefore workplace safety policy ignores the issue or responds inadequately.

Most organisations only record incidents involving vehicles as per insurance claims, which under-reports incidents. Furthermore, organisations utilise this data to inform their decision making processes and this type of data lacks information relating to contributing factors to crashes. Therefore, use of this type of data aims to manage the asset in contrast to managing risks or outcomes, including personal effects on workers such as death and injury.

Work related road safety risk management is more often occurs reactively, as against proactively, in two ways. Organisations manage the risk post incident, and also use the frequency of crashes as the score card. However, this reactive process is inconsistent with any other risk management processes in the workplace. It is possible that this occurs due to the need to manage more likely events (e.g.
slips, trips and falls), despite their low severity, as opposed to the more occasional car crashes, even though these are much likely to be more severe. Injuries to workers and others from vehicle related crashes are obscured in state third party insurers claims and potentially not compared with businesses that carry self-insured worker’s compensation.

4. Work safety policy and regulation ignores road safety

Workplace safety is generally covered under specific industries (e.g. manufacturing), types of work (e.g. electrical) or specific risks (e.g. hazardous materials) or individual professions (e.g. plumbing). Road safety represents the antithesis of these perspectives. It applies to nearly all industries, most types of work indirectly, many specific risks indirectly and all professions.

Consequently, the result is that road safety is not included in most workplace, safety strategy, policy and regulation. For instance, the National OHS Strategy 2002-2012 does not recognise road safety as a major issue or priority and only recognises road safety for the transport industry.

Skills Australia, the independent statutory body, providing advice to the federal Government on Australia’s current, emerging and future workforce skills and development needs believes that road safety is critical to all Australians, and that the financial and emotional costs certainly warrant attention and action. Skills Australia believes the issue also needs to be addressed by relevant industry skills councils.

5. Workplace road safety is good business

The cost to business of workplace road crashes is enormous. While there is not good data available, indications are that the cost of road crashes in Australia during work time is in the order of $10 billion every year (based on 30% of the updated $27bn National Road Safety Strategy estimate of national costs of road trauma in 2006 from BITRE 2009).

A crucial issue for achieving safety outcomes is organisational leadership, originating from management, not delegated and therefore diluted, as summarised by the draft ISO39001 Standard for Road Traffic Safety Management Systems Standard "Persons in top management and other relevant management roles throughout the organization shall demonstrate leadership with respect to the RTS management system". Executive commitment is required to provide resources and priority for the essential processes, activities and functions to achieve safety objective.

There are three key areas for transport safety in the workplace:

- the transport, storage and logistics industry where transport is a principal component;
- any workplace, since transport occurs in almost all industries, businesses and enterprises; and
- transport outside the workplace, where effects occur to operations, such as staff off work.

The first of these may be recognised by employers, but the efforts to improve tend to occur in transport agencies and operators, rather than workplace safety agencies. The second has been gaining recognition in road safety policy, but is almost completely ignored by workplace safety agencies and industry as a whole. The third is generally not an issue for workplace safety agencies, but is generally ignored by industry as a whole despite the costs and consequences which occur to businesses.

The impacts of road crashes in the work place are diverse (ERSO 2009) and include:

- **Severe health loss**: Work-related motor vehicle crashes are a leading cause of death in the workplace in industrialized countries.
- **Higher risks**: Professional driving is a highly hazardous activity, involving far higher risks than those encountered in virtually any other occupation or most other activities of daily life.
• **High costs**: The costs of work-related crashes are high both for society and employers. Substantial direct financial benefits to business, the economy, and hence society can accrue if road safety is improved. Therefore it makes sense for businesses to improve transport safety in their operations.

The results of workplace road safety strategies have been identified from practical experience:

- reduced stress and trauma to staff and their families;
- increased morale and improved productivity;
- increasing staff availability for work;
- reduced vehicle damage and work rescheduling;
- reduced administration and HSE / OSH management;
- improved logistics management and potentially environmental outcomes;
- increased vehicle availability;
- reduced business and customer interruptions;
- reductions in vehicle and workers’ compensation insurance premiums;
- lower repair, maintenance and running costs; and
- increased resale value from improved care of vehicles by drivers.

6. **Workplace road safety solutions are known**

Road safety policy is based on the ‘Safe Systems’ approach to improving road safety, recognised globally and adopted in Australia (National Road Safety Strategy and others). Available information suggests that the following general responses are likely to be required to properly manage road safety in and by workplaces:

- workplace vision and road safety policy;
- organisation and structure;
- management systems and information;
- staff performance management;
- risk management (identification, assessment, mitigation and monitoring);
- risk identification, elimination or reduction, incident response;
- recruitment and selection;
- induction programs;
- fleet selection and maintenance;
- road infrastructure and traffic management improvements;
- incentives and disincentives; and
- training and education.

These issues are part of the content proposed for inclusion in the proposed ISO39001 Standard for Road Traffic Safety Management Systems Standard currently being drafted and available for public comment. The introduction to this draft standard is particularly informative:

*This International Standard identifies elements of good RTS management practice that will enable the organization to achieve its desired RTS results.*

*This International Standard is applicable to public and private organizations that interact with the road traffic system. It can be used by internal and external parties, including certification bodies, to assess the organization’s ability to meet the requirements.*

*Experience from around the world has shown that large reductions in death and serious injury can be achieved through the adoption of a holistic Safe System approach to RTS. This involves a clear and unequivocal focus on RTS results and evidence-based actions, supported by appropriate organizational management capacity.*
This standard is proposed to cover:

- employees’ use of the road transport system;
- goods and passenger transport in the road traffic system;
- major generation of traffic flow; and
- service delivery and products for the road traffic system.

The proposed standard includes necessary sections on 4 Context of the organization, 5 Leadership, 6 Planning, 7 Support, 8 Operation, 9 Performance Evaluation, and 10 Improvement. The Safe System approach to Road Traffic Safety is also described.

Safe Work Australia must prepare a specific model code for road safety in workplaces covering these issues. However as an initial priority, the model code must focus on:

- road safety explicitly included in every workplace safety policy,
- full risk management (identification, assessment, mitigation and monitoring) of road safety risks (including roads, traffic, route selection, skills, regulations);
- purchasing and using ANCAP 5 star crash rated vehicles as much as possible;
- training and education for all drivers who drive on unsealed roads or in 4WD’s;
- fatigue management for travel on work purposes;
- fatigue management for travel to and from work where affected by work practice; (such as drive-in-drive-out);
- road safety included in induction programs
- assessing and encouraging early introduction of safety assist technologies and monitoring equipment;
- encouraging road designers and infrastructure providers to build safe road infrastructure and eliminate high risk one or two star roads;
- encouraging and investing in road safety innovation, research and training in all areas.

This code must form the basis of further action by regulators.

Road safety is, and must be based on evidence. The draft ISO39001 Standard for Road Traffic Safety Management Systems Standard includes the requirements to “Rely on strong economic analyses to understand the scale of the trauma problem, and direct investment into those programmes and locations where the greatest potential benefit to society exists.”

7. More information and policy development is needed

If this issue is to be addressed we need an evidence base including:

- understanding and providing the motivation for change (why businesses, government, individuals or others would act);
- justification for action (extent of the problem);
- identified focus (e.g. industries, locations, types of crashes, causal factors); and
- proven worthwhile countermeasures (valuable, cost effective, practical, acceptable)

Information is urgently needed on:

- the size of the problem in Australia (costs and impacts of various types, crashes, fatalities, serious injuries);
- segregation or stratification (industries, States, regions);
- Workplace crashes (locations, vehicle types, driver types, road types, conditions, etc.);
- causal factors (we can guess fatigue, distraction, etc. as per usual, but there are likely to be other work related factors such as job stress, work time pressures, unfamiliar conditions, logistics’, technology, etc.);
- potential for infrastructure investment to eliminate high risk roads and provide a positive contribution to workplace safety;
- who are the beneficiaries and who pays the costs, which is essential for proposing countermeasures as companies aren’t likely to pay for benefits which don’t accrue to them.
8. Recommendations

The following actions are urgently required to improve workplace safety:

1) Commission a Productivity Commission Inquiry into the costs of road safety and the benefits of the full range of countermeasures and responsibilities.
2) Safe Work Australia includes workplace road safety in every model code.
3) Safe Work Australia prepares a specific model code for road safety in workplaces.
4) Safe Work Australia and all workplace safety regulators include road crash data in workplace safety data.
5) Safe Work Australia commission analysis of the costs of road safety covering each State and industry sector, different crash types, and the beneficiaries and contributors.

9. Further Information and References


Road crash costs in Australia 2006, Report 118, Bureau of Infrastructure, Transport and Regional Economics (BITRE), 2009, Canberra.


