

Petition PE1223

16 March 2009

I wish to continue with this petition, the reasons I have received are simply informative.

I have received some replies to questions, asked from local authorities, not all have as yet replied, however from the ones that have, some scare me; there is no overall approach to some of the simplest rules. **Even to the extent a school bus does not require to show hazard lights. Nor have the safety sign removed, this is an appalling situation.**

I have been told, this is left up to the bus contractor, this should not be, it is obvious from this that this is not written into their bus contracts, as far as I know, this could be the majority. **This being the case there is no conformity between councils re school safety for the pupils.**

School safety without the same approach is less likely to work. The fact is any safety measures need to be uniform & be applied throughout Scotland & by every Local Authority, surely. After all they are supposed to protect children, so why should they differ.

The reply from the Scottish Government's Transport Directive simply states what we & the petition committee are already totally aware of & contributes nothing at all at this stage, apart from quoting the law.

No MSP has been consulted as regards the directive, as far as I know, nor has the matter been raised as a motion allowing MSPs in the Assembly to voice an opinion.

This needs to happen, every MSP should have the right to debate this question on behalf of their constituents, and it would be totally undemocratic not to do so. It also deprives their constituents from any input to a change of law.

The Transport Directive follows Westminster's ruling, our Government can change the way things are, they can challenge present thinking & in fact need to. We test Westminster's powers surely if a law is bad, or does not suit Scotland, these deaths & injuries affect the whole UK.

The Transport Directive states

Does the Scottish Government support the banning of overtaking a stationary school bus?

We would not support this we have neither been presented with nor found irrefutable evidence to support a request for a change in the law to make passing a school bus a criminal offence in this country. There is none

How can they be presented with, or find irrefutable evidence to support change, it does not exist.

There is no way they can know if changing the law will work or not, no irrefutable evidence exists, and there is only inaccurate Stats 19, I quote from

Michael McDonnell Director Road Safety Scotland re school bus accidents
Although the stats19 **doesn't specifically record this type of information** an **attempt** was made to identify them using information that was recorded: child casualties occurring en route to/from school whilst crossing the road from driver's nearside masked by a stationary vehicle.

This wouldn't specifically relate to school bus incidents but encompass other types of parked vehicles. This is only an estimate.

So the Transport Directive is using a guess work?

It is only as accurate as the reporting police officer's recording of the incident. Although vehicles which contributed to the accident should automatically be recorded there is a risk that officers' may not automatically do this [given there will be other pressures]. Of which we fully understand.

How can someone present evidence that does not exist & if it is not collected properly. We have records of accidents not recorded as such.

We see nothing at all in this letter from the Directorate that gives us the confidence that this matter has been discussed properly, especially within the Parliament itself, or in fact fully understood by possibly anyone outside the petitions committee.

Trials were introduced for the no overtaking for coaches in third lane of Motorways, for speed limiters, the 70 mph limit, no smoking in public places. It goes on.

These are only a few examples of laws which were dismissed at the time, but introduced later. Most eventually welcomed and adhered to by all.

So why cant a trial be held for a no passing law, for say, 6 months or a year, it won't cost a fortune, but might just save lives.

We now have the possibility of a 50mph limit on rural roads yet no one wants to look at school Transport safety?

We need to know what is exactly allowed, as new information keeps leaching out, as in larger safety signs no one knew of?

Traffic is slowed up in cities & towns for various reasons, traffic lights, and pedestrian/pelican/puffin crossings. In fact some recent research points towards slower traffic as a cause for fewer accidents.

COSLA, on the other hand are thinking outside the box, which is refreshing, their answers are common sense answers, & as an organisation they are open to change.

They should be congratulated for that & for their forward thinking that we feel others should adopt, instead of following the status quo. We in fact do congratulate them for standing out & standing up for School transport safety

Aberdeenshire Council are active, & we do congratulate them for looking at matters in depth, but it seems a long journey, I have been asking for a change in things since 2004, it was only through the tragic deaths of Robyn & Alexander, that opinion was galvanised & action taken. It appears however that now there is no turning back for them. Other councils it seems need to follow the lead of Moray & now Aberdeenshire

Aberdeenshire do however at times muddy the water, they have now instructed their bus contractors to only show the safety sign on the journey to & from school.

Under Statutory Instrument 1994 No. 2280

This is a particular worrying development & not at all welcomed by us. They are using this legislation.

Signs on buses carrying children

(2) Paragraph (1) does not apply where a bus is on a bus service of a description specified in paragraph 2 of the Schedule to the Fuel Duty Grant (Eligible Bus Services) Regulations 1985[7].

In fact what Aberdeenshire Council has said to Bus Operators in a recent letter. Basically is School bus signs should only be displayed on buses carrying pupils from home to school.

This it seems does not cover service buses used as school buses ie buses receiving a fuel rebate, this means virtually every service bus will have no need to display the safety sign?

Educational bus runs, ie Football, Swimming, etc anything outside a normal School run will result in no safety sign being displayed.

As regards the reply to Frank McAveety from Dept of Transport, it firmly states most children who travel to school by bus, do so on public service buses, so would not be affected. That is shocking in the least, these are buses that will not appear to have a legal need to show the safety sign Under Statutory

Instrument 1994 No. 2280 , as in Aberdeenshire Policy, & possibly other councils now. This needs redressed urgently

This advice is given by one company advising companies how to increase profits through the fuel rebate used by service bus operators. It reads

If you are not already running local bus services, but have regular "dead" runs, eg to and from school contracts, have you considered turning these into bus services? The BSOG available may well be greater than any fare revenue that you might take!

This is disturbing for the fact some councils use many service/school bus transport. If so this would cover all school runs provided by stagecoach etc, which is in affect a huge number of children all over Scotland.

Drivers following the bus with children aboard would not know children are aboard the bus, nor would anyone else! This advice needs an expert opinion to ensure it is being understood & applied correctly.

Edinburgh City Council seems so bogged down with legislation regarding parking etc, its hard to see how changing anything there would be possible, yet where there is a will, there is a way.

So overall it seems taking into consideration some of the replies I have had from councils, School Transport safety is not all it should be, not joined up thinking, a policy of miss & match. The Government needs to take this in hand; otherwise this is what it will remain.

School safety will remain on the back burner & children will still be killed & seriously injured.

When I spoke to the Petitions committee, I spoke for myself & on behalf of all the families, I felt I was heard, that the families involved will not suffer with a no action response, the MSPs committee members seemed to fully understand all that was said & above all left us all with a hope that this might not happen to another family.

We place our trust in those who govern us, the safety of School children is in your hands, as ordinary members of the public, we cannot legislate, all we can do is lay these problems before you in the hope you recognise the fact that schoolchildren can be protected & need to be. Lives & injuries can be avoided, we ask you to act accordingly & with a sense of responsibility. I leave this with the committee

Ron Beaty