



VICTORIA
POLICE FORCE

Office of the Chief Commissioner

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Our Ref: LEX 24968

Coroner Darren J Bracken
Coroners Court of Victoria
65 Kavanagh Street
SOUTHBANK VIC 3006

Subject: Scott James Adams - Finding into death without inquest
Court Reference: COR 2019 1005
Date of Recommendation: 1 March 2021

Dear Coroner Bracken,

This document provides the response to your recommendation delivered on 1 March 2021, directed towards the Chief Commissioner of Police, arising from the Investigation without Inquest into the death of Scott James Adams.

RECOMMENDATION TO VICTORIA POLICE

Recommendation

- *VicRoads, the Transport Accident Commission, the Vehicle Safety Standards Bureau, Victoria Police and Bicycle Industries Australia, consider the circumstances in which Scott Adams died as set out in the Finding and individually and together assess the adequacy of the current regulation of the motorisation of bicycles and their use including the ready availability of conversion kits taking into account the actual power provided by such kits vis-à-vis any purported power they provide with a view to improving public safety and the safety of people riding such bicycles.*

The Coroner's recommendation is under consideration.

In response to the Coroner's recommendation, Victoria Police's Road Policing Command met with representatives of the Department of Transport (DOT), Transport Accident Commission and Bicycle Industries Australia on 4 May 2021. This meeting was chaired by DOT and the agencies concluded that there was opportunity to improve public safety including the safety of people riding motorised bicycles. A review of legislation and regulation, as a starting point, identified gaps and potential reforms that were needed to meet the ultimate intent of the recommendation.

Victoria Police supports the recommendation based on the following:

- the inherent safety issues affecting motorised bicycles
- difficulties with enforcing the current legislation

- interstate legislation where petrol-powered motorised bicycles are unlawful for use on roads and road-related areas (Queensland, Western Australia, New South Wales, South Australia, Tasmania and the Australian Capital Territory).

It is important to highlight the role of Victoria Police in this work is to provide subject matter expertise from an enforcement perspective. Whilst Victoria Police is committed to supporting this recommendation it considers that DOT is the most appropriate agency to lead. Victoria Police proposes to contribute by way of subject matter expertise/advice aiming to address current enforcement challenges.

Victoria Police is unable to advise on a timeline for the recommended intervention.

Additionally, Victoria Police notes that on account of a similar recommendation of Coroner Jamieson in relation to the Findings into the death of Albert Dean May COR 2015 4237, an inter-agency collaborative approach was also taken to address that matter. Victoria Police engaged with representatives of VicRoads (i.e., DoT), Transport Accident Commission and Bicycle Industries Australia. VicRoads was nominated as the lead agency in that process with Victoria Police continuing to offer assistance. DoT has agreed to address the two matters together.

Yours sincerely,



Wendy Steendam APM
Acting Chief Commissioner

13/7/21