

7 February 2025

Niels Gabriels
Coroner's Register

BY EMAIL: cpuresponses@coronerscourt.vic.gov.au

Dear Mr Gabriels

COR 2022 002595 - Investigation into the death of Gaurav Malhotra

We refer to your letter to Metro Trains Melbourne (MTM) dated 11 November 2024 enclosing Coroner Audrey Jamieson's Findings into the death of Mr Malhotra – COR 2022 002595.

At the outset, we wish to express our sincere condolences to the family and friends of Mr Malhotra.

Pursuant to section 72(2) of the *Coroners Act 2008* (Vic), Coroner Jamieson made the following recommendation:

that the Department of Transport and Planning and Metro Trains Melbourne consider installing anti-trespasser fencing along the railway line at South Crescent in Northcote.

A condition of the Franchise Contract is that MTM complete a fixed set of fencing on the rail corridor annually. Each year the proposed sections of fencing are provided to the Department of Transport and Planning (DTP) as an Annual Fencing Plan. This fencing is aimed at preventing injury and death so far as is reasonably practicable by restricting access to the rail corridor in priority areas.

In 2024, at the request of DTP, MTM engaged external consultants to review all safety incidents along the rail corridor and to recommend priority fencing areas for completion. The dataset included data drawn from the Coroners Court of Victoria 1 January 2009 to 30 June 2023. The incident involving Mr Malhotra was included in the dataset for analysis.

The report identified 17 areas as high priority areas for fencing, which forms the basis for the current as well as future Annual Fencing Plans. These plans are regularly reviewed and take into account any new incidents to ensure resources are directed to the most appropriate areas.

As outlined above the incident involving Mr Malhotra was taken into account in the last review. The line at South Crescent in Northcote was not considered a high priority area having regard to all available information and data. In light of the Coroner's Findings, Metro has reviewed and discussed

the line's priority status with DTP, and confirm that it remains the case that it is not scheduled for the installation of anti-trespasser fencing at this time.

Yours sincerely,

A handwritten signature in black ink, consisting of a large, sweeping loop followed by a smaller, more compact loop.

Robert Duvel
Executive Director – Safety & People
Metro Trains Melbourne Pty Ltd