



Department of Transport and Planning

GPO Box 2392
Melbourne, Victoria 3001 Australia

Ref: BSEC-1-25-1855

Deputy State Coroner Spanos
c/- Amber Wylie
Coroner's Registrar
Coroners Court of Victoria
65 Kavanagh Street
SOUTHBANK VIC 3006

By email only: cpuresponses@coronerscourt.vic.gov.au, team6@courts.vic.gov.au

Dear Ms Wylie

INVESTIGATION INTO THE DEATH OF ROBIN BANKS – RESPONSE TO CORONER'S RECOMMENDATIONS – COR 2020 000256

I refer to your letter of 13 March 2025 to the Department of Transport and Planning (DTP) regarding Deputy State Coroner Paresa Antoniadou Spanos' Finding without inquest (Finding) concerning the death of Robin Banks.

First and foremost, DTP and VicRoads extend their sympathy to the family and friends of Mr Banks.

The Coroner's recommendations

Pursuant to section 72(3) of the *Coroners Act 2008*, Her Honour recommended:

DTP ref: Recommendation 1

112. That the Secretary, Department of Transport and Planning develop a public education and awareness campaign about the importance of understanding the fitness to drive guidelines and obligations on individuals to inform VicRoads of any medical conditions that may impair their fitness to drive.

DTP ref: Recommendation 2:

113. That the public education and awareness campaign also addresses the need to ensure the general community is aware of the process for reporting concerns about a person's fitness to drive to VicRoads, including information that such reports can be made anonymously.

Response to Recommendations 1 and 2

The Coroner's Recommendations 1 and 2 have been partly implemented and will continue to be implemented.

In responding to the two recommendations, DTP acknowledges the Finding's reference to a previous DTP response to the recommendation of former Deputy State Coroner Jacqui Hawkins in relation to the death of Jackson Eales (COR 2016 006147).

That recommendation was to “...develop a public awareness campaign around the importance of the understanding of fitness to drive guidelines and obligations of individuals to inform VicRoads of any medical conditions that may impair an individual’s fitness to drive”.

As DTP’s response to that recommendation provided a detailed outline of previous DTP communications initiatives, this response will build upon that information and advice of continued and intended future fitness to drive awareness campaigns and other activities to support appropriate notifications to DTP’s Medical Review team.

As the Finding also referred to previous coronial recommendations for mandatory medical reporting, DTP wishes to also refer the Deputy State Coroner to a current DTP response to recommendations made by Coroner Audrey Jamieson in relation to the investigation into the death of Steven John Parlbay (COR 2023 005449).

Further information about previous relevant DTP activities can be found in a report submitted to the Coroner’s Court in December 2018 by the then Acting Head for Transport for Victoria, titled “*Report to the Coroners Court Medical Fitness to Drive*”. The report outlines progress towards related commitments in response to recommendations made by Coroner Jamieson following Her Honour’s investigation into the death of Pamela Elsdon (COR 2016 005554).

DTP’s continued and intended future fitness to drive awareness campaigns and other activities to support appropriate notifications to DTP’s Medical Review team include the following:

- a) DTP has continued to make substantial improvements to improve awareness of medical reporting and review requirements including:
 - i. Presenting on medical fitness to drive, including complex case studies, at Victorian rehabilitation medical registrars’ education sessions;
 - ii. Improving web search access to existing public fact sheets about specific medical conditions and reporting to DTP’s Medical Review team. This information is now located on the new Transport Victoria website;
 - iii. Creating new public-facing videos on the Transport Victoria website encouraging self-awareness of fitness to drive obligations, including self-regulation of driving and planning to retire from driving by switching to alternative transport options;
 - iv. Ongoing membership of a multi-jurisdictional Austroads Assessing Fitness to Drive Implementation Project Control Group which supports public and health practitioner awareness and understanding of fitness to drive reporting obligations and medical standards. Via this group, DTP has:
 - Supported a strategic national approach towards improving the quality and consistency of implementation of the national Assessing Fitness to Drive Standards among the medical community and others;
 - Provided advice to support the development of an Austroads Fitness to Drive educational module for General Practitioners (GPs) which is soon to be launched;
 - Contributed to the development of new Austroads public information fact sheets that clarify reportable medical conditions;
 - Provided advice on future planned communication projects including a national social media campaign regarding fitness to drive; and

- Shared and exchanged valuable licensing authority information about jurisdictional application of Fitness to Drive Standards and decisions as part of a broad community of practice.
- v. Continuing to chair regular meetings with Victoria-specific public and health professional stakeholder groups to identify issues and initiatives specific to fitness to drive.

An example of a recent initiative undertaken by DTP to support health professionals to determine fitness to drive for their patients is the new 'Medicinal cannabis and driving decision support resource', with its accompanying 'Driving needs checklist' and 'Medicinal cannabis and driving fact sheet' for patients. These resources, which aim to place potential for driving impairment central to a health professional's considerations when prescribing, were delivered in March 2025 after extensive consultation with a technical advisory group comprising of health professionals who prescribe medicinal cannabis. The resources can be found on the [Transport Victoria website](#), and there are links to it on the [Victorian Department of Health's 'Medicinal cannabis information for health professionals'](#) web page and the [Better Health Channel](#). The resources were also immediately communicated to RACGP members via their eNews in an article: ['New guidance on driving and medicinal cannabis'](#).

- b) The above strategies have been successful, with strong growth in driver and health professional awareness of fitness to drive reporting requirements evidenced via consistent growth in referrals to DTP Medical Review from these sources.
 - i. Almost half of the referrals in the 2023/24 financial year were derived from health professionals and this was closely followed by the drivers themselves, with two fifths of all referrals in that year being self-referrals from the driver to DTP's Medical Review team.
- c) DTP agrees that, despite the gains noted in paragraph b), there is a need to further ensure that the medical review system is understood. A broader communications approach will address factors included in the Finding such as observations from Dr Gaya, Senior Forensic Physician at Victorian Institute of Forensic Medicine (VIFM), who noted that community members and worried family members often provide the first and only clues that something is wrong with an individual's driving.
- d) Updated communications to health professionals will be delivered. A key focus will be future communications that aim to:
 - i. Further encourage health professionals to notify DTP when a family raises concerns about a patient's driving.
 - ii. Further raise awareness for health professionals that they have a shared priority with DTP to ensure that those who are fit to drive can keep driving. This includes informing health professionals and families that instruments such as licence conditions which limit and/or monitor driving can, where appropriate, be used to promote ongoing road safety.
 - iii. Promote earlier notification of a person's changing medical status to allow the medical condition related to their fitness to drive to be monitored effectively by the health professional. This establishes a partnership with DTP's Medical Review team who review periodic medical reports to consider driving status.
 - iv. Further promote the protections that are in place, including anonymity, for someone notifying DTP's Medical Review team of their concerns about a driver.

- e) DTP will undertake communication activities to promote and remind drivers directly of their legal obligation to self-report any medical condition/s impacting their ability to drive safely, and the risks (including both safety and sanctions) of driving with an unreported medical condition.
- f) DTP recognises that some people do not report themselves or others to DTP's Medical Review team until they are in an advanced or acute state of their medical condition and are unable to continue to drive safely.
 - i. This means that it is important that DTP has the opportunity to work with health professionals and their patients before reaching a point of crisis.
 - ii. If a medical condition is reported to DTP earlier, DTP can support a driver to continue to drive with regular monitoring reviews and, where necessary and appropriate, conditions can be placed on the driver's licence to limit where and when a driver can drive so that they remain safe and mobile.
 - iii. Mr Banks' diagnosed atrial fibrillation is an example of a medical condition that was noted by the Deputy State Coroner and Dr Gaya as one that could be monitored, in terms of effect on his fitness to drive, if reported to DTP's Medical Review team. If reported, the opportunity may have been available to determine whether symptoms were changing and potentially impairing Mr Banks' driving performance and safety.
- g) It is noted that the Deputy State Coroner identified that Mr Banks' GP, Dr Tran, had recommended to Mr Banks that he notify DTP's Medical Review team of his medical conditions and that Mr Banks' family had indicated concerns about his driving. However, a notification was not made to DTP's Medical Review team.

DTP recognises the need to support health professionals, family and friends to report people whose driving performance concerns them. Currently, reports or notifications can be submitted in writing via post or email. To facilitate this further:

- i. DTP is actively exploring the introduction of an accessible web form that will enable healthcare professionals, and families and friends, to quickly and easily report drivers when they have concerns regarding a person's fitness to drive and when there is a potential need for a medical review.
 - ii. DTP intends to highlight on the above form, and in future communications, that: notifications to DTP's Medical Review team can be made anonymously, DTP then typically writes to the driver to require them to provide a medical report, DTP will not disclose the source of the notification without their consent unless it is compelled by law, and people who make a notification in good faith are protected from legal action.
- h) DTP is also reviewing opportunities for system changes in licence application and renewal forms and documents to remind drivers of their legal obligation to self-report any medical condition/s impacting their ability to drive safely.
 - i. Currently, work is underway to revise the fitness to drive prompting questions that are being asked at the time of licence application or renewal.
 - ii. Drivers will also be reminded of the risk of failing to report medical conditions as it relates to any private vehicle insurance coverage.
 - iii. It is important that DTP seeks opportunities to prompt accurate responses to a person's fitness to drive, to ensure those who should notify DTP's Medical Review team do so.
- i) With regard to mandatory reporting, DTP is not aware of any new evidence to support the introduction of mandatory medical reporting since the research reported

in the “*Report to the Coroners Court Medical Fitness to Drive*.” In recognition that this research was obtained in 2018, in the next 12-15 months, DTP will:

- i. Update the evidence base and confirm if the findings remain accurate.
- ii. Further engage with the Victorian Medical Fitness to Drive working group to understand current perspectives of healthcare professionals. This group is convened by DTP and comprises health professionals who are representative members from peak bodies of professionals that play a key role in the medical fitness to drive reporting process in Victoria. Members represent the AMA (Victoria), Royal Australian and New Zealand College of Ophthalmologists, Royal Australasian College of Physicians, Royal Australian and New Zealand College of Psychiatrists, VIFM, Occupational Therapy Australia, and Optometry Victoria / South Australia.
- iii. Seek perspectives from other jurisdictions to understand impacts of differing policies on road safety outcomes.

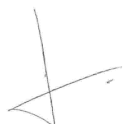
The Deputy State Coroner may also be interested to note additional work that is underway which supports the fitness to drive process for drivers who are already known to DTP’s Medical Review team:

- a) DTP is working with Victoria Police to develop a potential process which would seek compliance with licence suspension or cancellation for those who have been advised by the Medical Review team that they should not drive.
- b) Austroads, via the multi-jurisdictional Austroads Assessing Fitness to Drive Implementation Project Control Group, is investigating the feasibility of establishing a national Assessing Fitness to Drive Medical Panel which will draw heavily on the success of the existing Victorian Medical Panel model. A new national medical panel model, based on Victoria’s current model, would aim to provide consistent and expert medical advice on complex fitness to drive assessment cases across all Australian states and territories.
- c) Austroads is commencing a project to revise and develop the existing 2018 Victorian Occupational Therapy Driver Assessor Guidelines into national guidelines that will be the foundation for consistent, practical on-road fitness to drive assessments that are undertaken by qualified occupational therapy driving assessors.

We thank the Deputy State Coroner for Her Honour’s ongoing interest in road safety in the context of medical review of fitness to drive.

Please do not hesitate to contact Mr Marcelo Vidales, Head of Road Safety Victoria, [REDACTED] if you have any questions about the contents of this letter or if you require any further information.

Yours sincerely



Jeroen Weimar
Secretary

Date: 27 June 2025

Appendix A: Fact sheets for drivers

Your health and driving

- [Your health and driving \[PDF 517Kb\]](#)

Medical Review and driving assessments

- [Medical review assessing fitness to drive \[PDF 118 Kb\]](#)
- [Medical review driving test \[PDF 94 Kb\]](#)
- [Occupational therapy driver assessment information sheet \[PDF 91 Kb\]](#)
- [Victorian occupational therapy driver assessors \[PDF 256 Kb\]](#)

Common medical conditions and driving

- [Dementia and driving \[PDF 86 Kb\]](#)
- [Diabetes and driving \[PDF 129 Kb\]](#)
- [Seizures and driving PDF \[PDF 104 Kb\]](#)
- [Sleep apnoea and driving \[PDF 92 Kb\]](#)

Vision and Driving

- [Vision and Driving \[PDF 216 Kb\]](#)
- [Cataracts and driving \[PDF 206 Kb\]](#)
- [Macular degeneration and driving \[PDF 194 Kb\]](#)
- [Glaucoma and driving \[PDF 208 Kb\]](#)

Driving with a disability

- [Learning to drive with a disability \[PDF 215 Kb\]](#)

Older road user factsheets

- [Ageing and safe driving \[PDF 280 Kb\]](#)
- [Retiring from driving \[PDF 565 Kb\]](#)

Further information

- [Getting around without a car \[PDF 85 Kb\]](#)
- [Your car and your safety \[PDF 335 Kb\]](#)

New in 2025:

- [Medicinal cannabis and driving fact sheet](#) (for patients)

Appendix B: Fitness to Drive information and resources for health professionals

Web page information, fact sheets and video that explain health professional responsibilities, provide links to fitness to drive standards, and resources, including fact sheets to support conversations with patients.

- [Information for Health Professionals](#) web page, includes [Fitness to Drive](#) Video
- [Fitness to drive – your role and duty of care](#) web page, includes the following resources:
 - [Fitness to drive information information for medical practitioners \[PDF 827 Kb\]](#)
 - [Fitness to drive information for Ophthalmologists and Optometrists \[PDF 824 Kb\]](#)
 - [Fitness to drive information for Mental Health and Addiction Practitioners \[PDF 180 Kb\]](#)
 - [Fitness to drive information for Occupational Therapists \[PDF 823 Kb\]](#)
 - [Medical Fitness to Drive for Physicians: a podcast developed for medical practitioners by the Royal Australasian College of Physicians, April 2019\(External link\)](#)

Common FAQ's surrounding health professionals' role and responsibilities:

- [When should I think about reporting on a patient's fitness to drive?](#)
- [What happens if a patient doesn't follow my advice to stop driving?](#)
- [Is it mandatory to report a patient to VicRoads?](#)
- [Can I recommend a conditional licence to a patient?](#)
- [Who makes the decisions on driver licensing?](#)
- [What about commercial vehicle drivers?](#)
- [Information resources to support conversations with patients](#) web page
- [Medical review Process](#) web page

New in 2025:

- [Medicinal cannabis and driving resources for health professionals](#)
 - [Medicinal cannabis and driving decision support resource \(PDF\)](#)

[Driving needs checklist \(PDF\)](#)