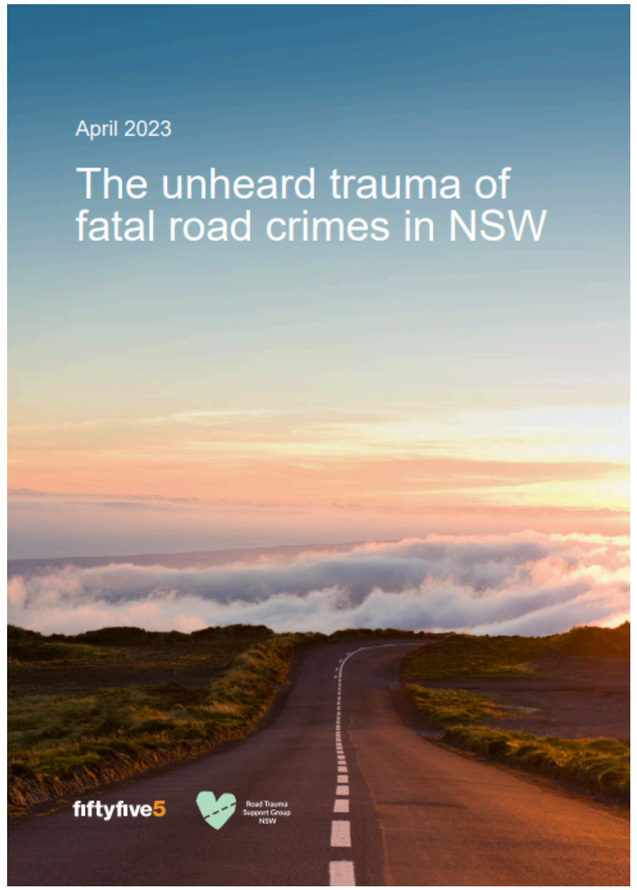
The Human Impact of Fatal Road Crimes in NSW

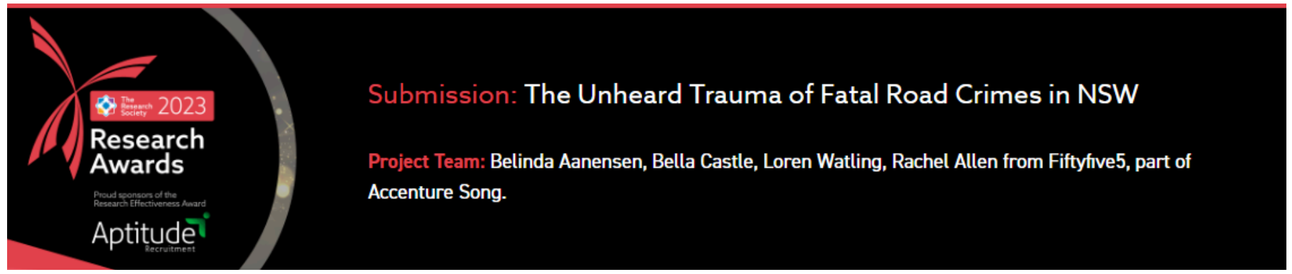


Presented by Duncan Wakes-Miller

Co-Founder, Road Trauma Support Group NSW; Acting Deputy Chairman





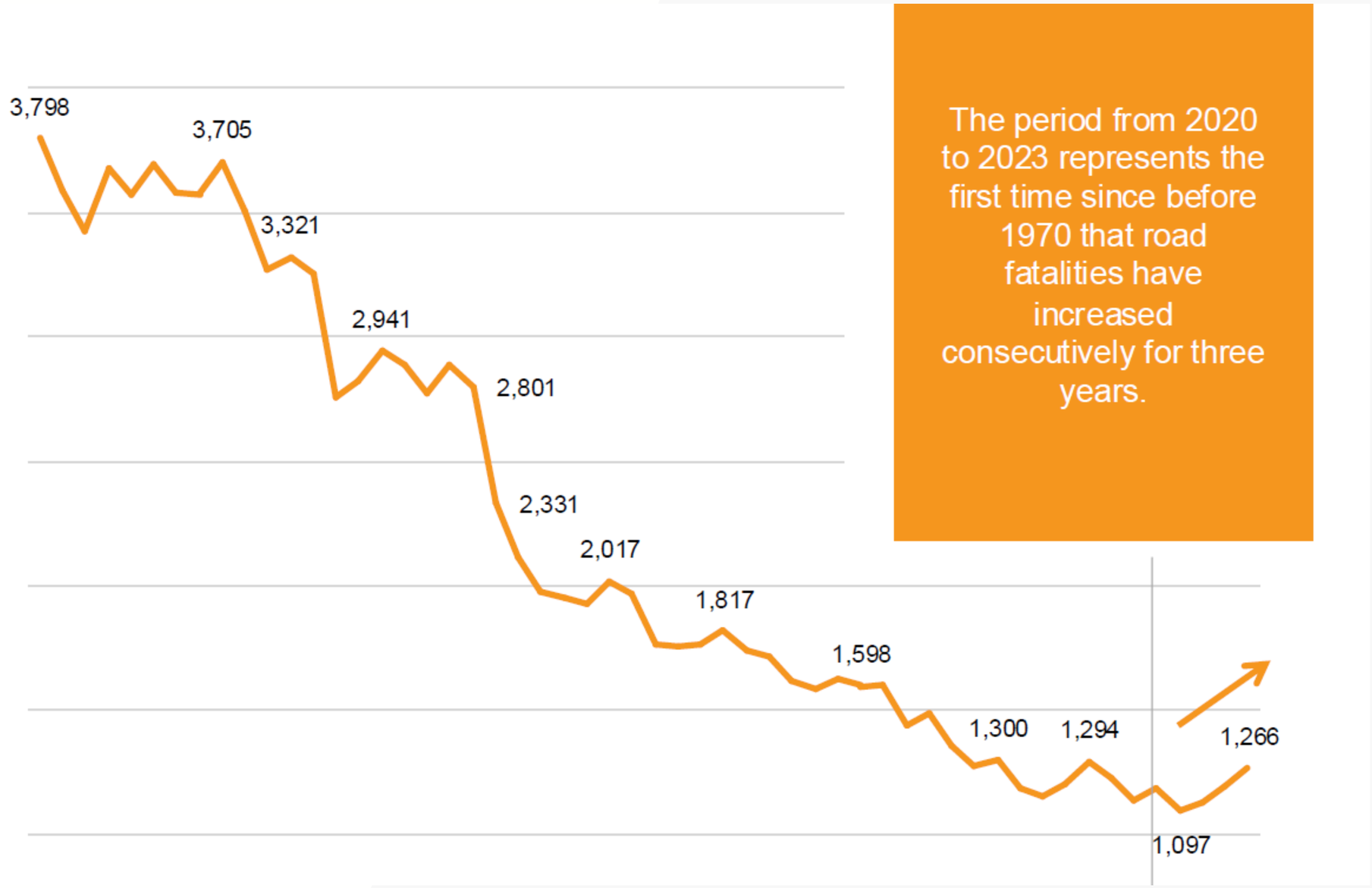


The Human impact:

1. Who is impacted
2. What is the scale & the ripple effect.
3. How they are impacted.
4. How the system compounds trauma:
    a. Compulsory Third Party and Insurance Industry Failures –
    b. Judicial system Gaps – Sentencing & recognition failures.
5. Our purpose: RTSG's Work – Crisis support, advocacy & reform efforts.

METHODOLOGY Desktop Research | Qualitative Research | Quantitive Research

A CRISIS HIDING IN PLANE SIGHT



The period from 2020 to 2023 represents the first time since before 1970 that road fatalities have increased consecutively for three years.

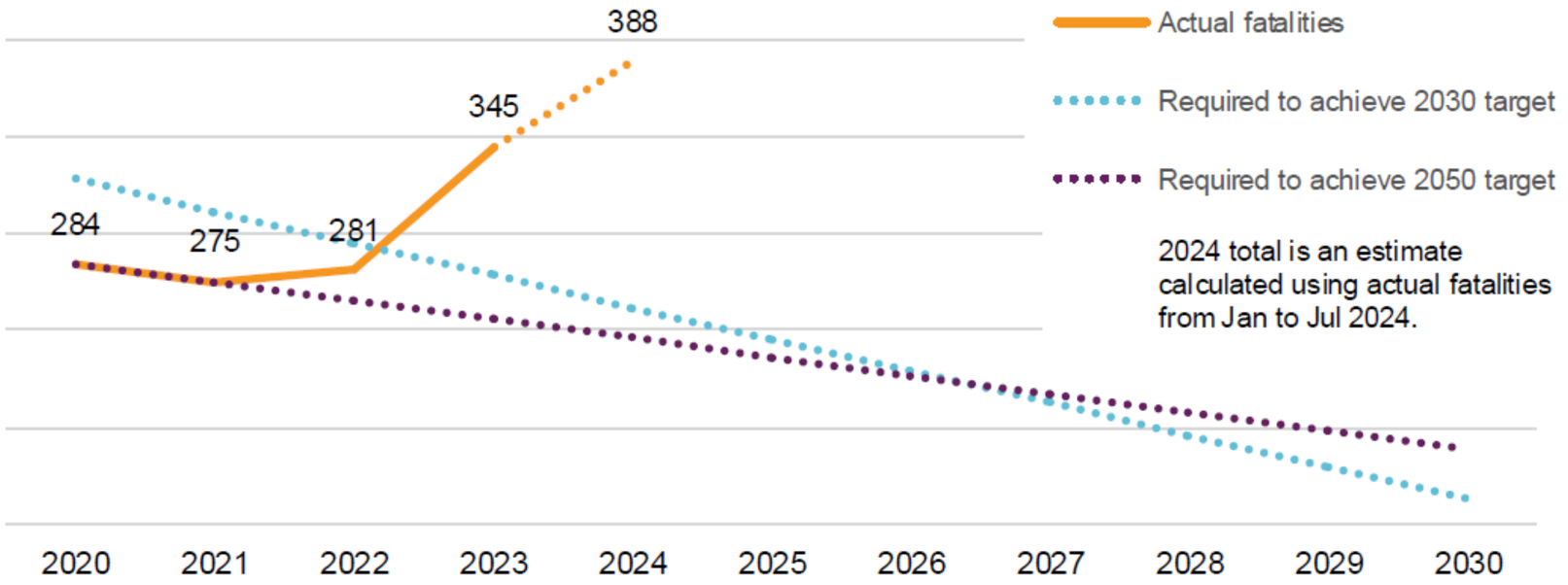
ARE WE ON TRACK?

NSW's Towards Zero Road Safety Plan includes two key targets:

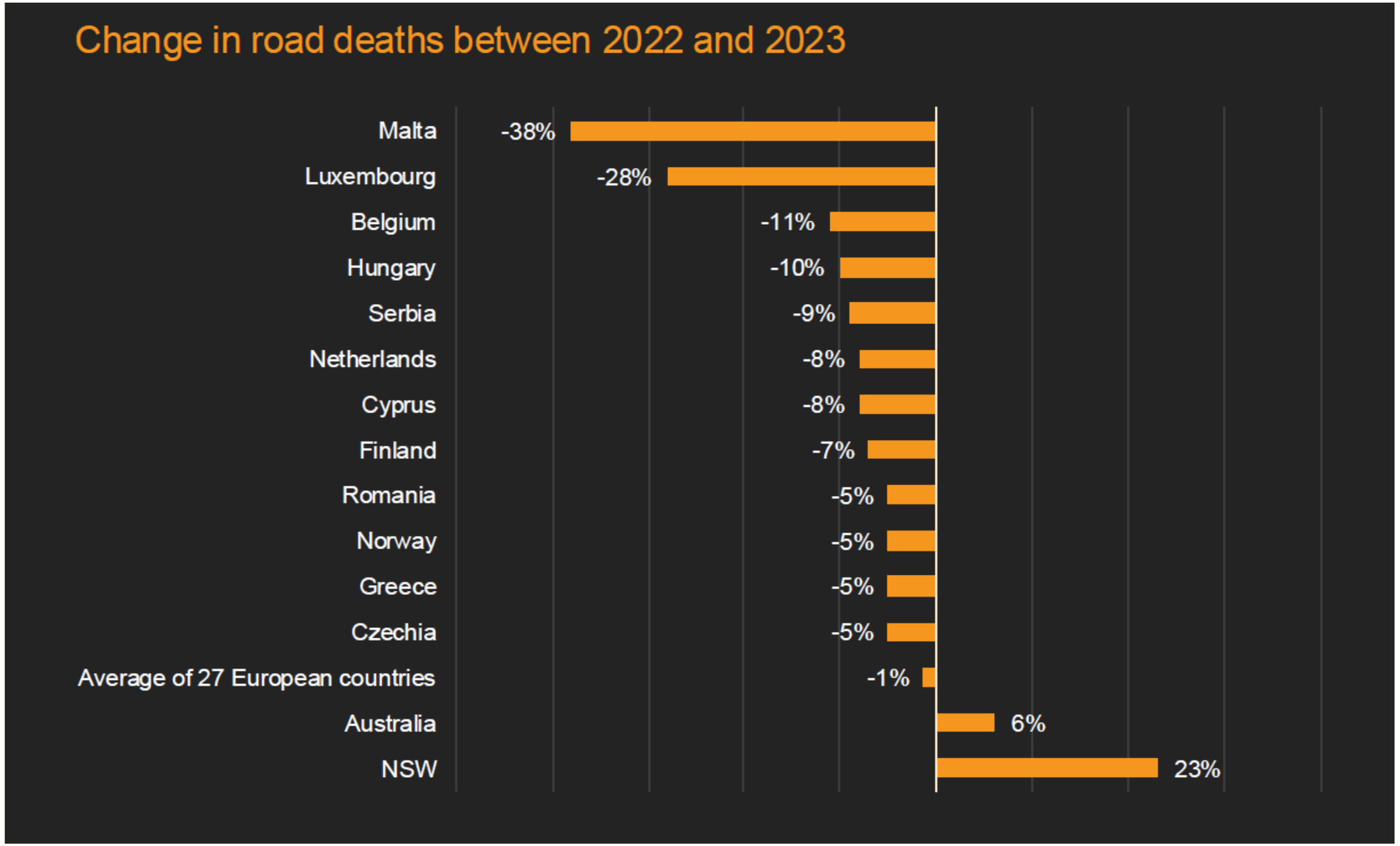
1. **Halve** deaths from 2018-2020 levels by 2030 – meaning no more than 164 deaths.
2. **Zero** road fatalities by 2050.

Road deaths are going in the **opposite direction** of these targets, at an alarming rate. More needs to be done to save lives on NSW roads and make progress towards these goals.

Actual fatalities vs. progress required to achieve targets



A REDUCTION IS POSSIBLE



RIPPLE EFFECT OR TRAUMA TIDLE WAVE?

The ripples of road trauma are felt throughout the NSW community, affecting 1.47 million adults.

Size of NSW population impacted by road trauma

NSW POPULATION AGED 18+
6.54M (100%)

ANY ROAD TRAUMA
Ever experienced the death of someone they personally knew as a result of a **road crash** (due to a criminal offence or otherwise) on roads in NSW
1.47M (22.5%)

CRIMINAL ROAD TRAUMA
Ever experienced the death of someone they personally knew as a result of a road crash on roads in NSW due to the **criminal** act of another
288K (4.4%)

CRIMINAL ROAD TRAUMA
Ever experienced the death of a ***close*** family member or friend as a result of a road crash on roads in NSW due to the **criminal** act of another
177K (2.7%)



Road trauma is of growing concern.
As the number of road deaths increases, so too does the number of people left grieving.
Compared to 2022, the ripple effects of road trauma are far more widespread among the NSW community.

Change in number of NSW residents affected by road trauma since 2022

ANY ROAD TRAUMA
Ever experienced the death of someone they personally knew as a result of a **road crash** (due to a criminal offence or otherwise) on roads in NSW
+213K
Up 10.8% since 2022

CRIMINAL ROAD TRAUMA
Ever experienced the death of someone they personally knew as a result of a road crash on roads in NSW due to the **criminal** act of another
+35K
Up 11.8% since 2022

CRIMINAL ROAD TRAUMA
Ever experienced the death of a ***close*** family member or friend as a result of a road crash on roads in NSW due to the **criminal** act of another
+51K

THE HUMAN IMPACT IS CATACYSMIC, PROFOUND AND ENDURING



5.7 times
more likely to not be able to **return to work** after the crash

5.0 times
more likely to have a child **drop out of school** after the crash

4.8 times
more likely to have thought about **committing suicide**

3.4 times
more likely to not be able to **pay rent / mortgage**

3.6 times
more likely to experience **severe illness** (e.g., cancer, stroke, heart attack)

2.4 times
more likely to experience **mental health challenges**, e.g., depression, anxiety, PTSD

CTP offers a critical lifeline – but it needs to be proactively shared

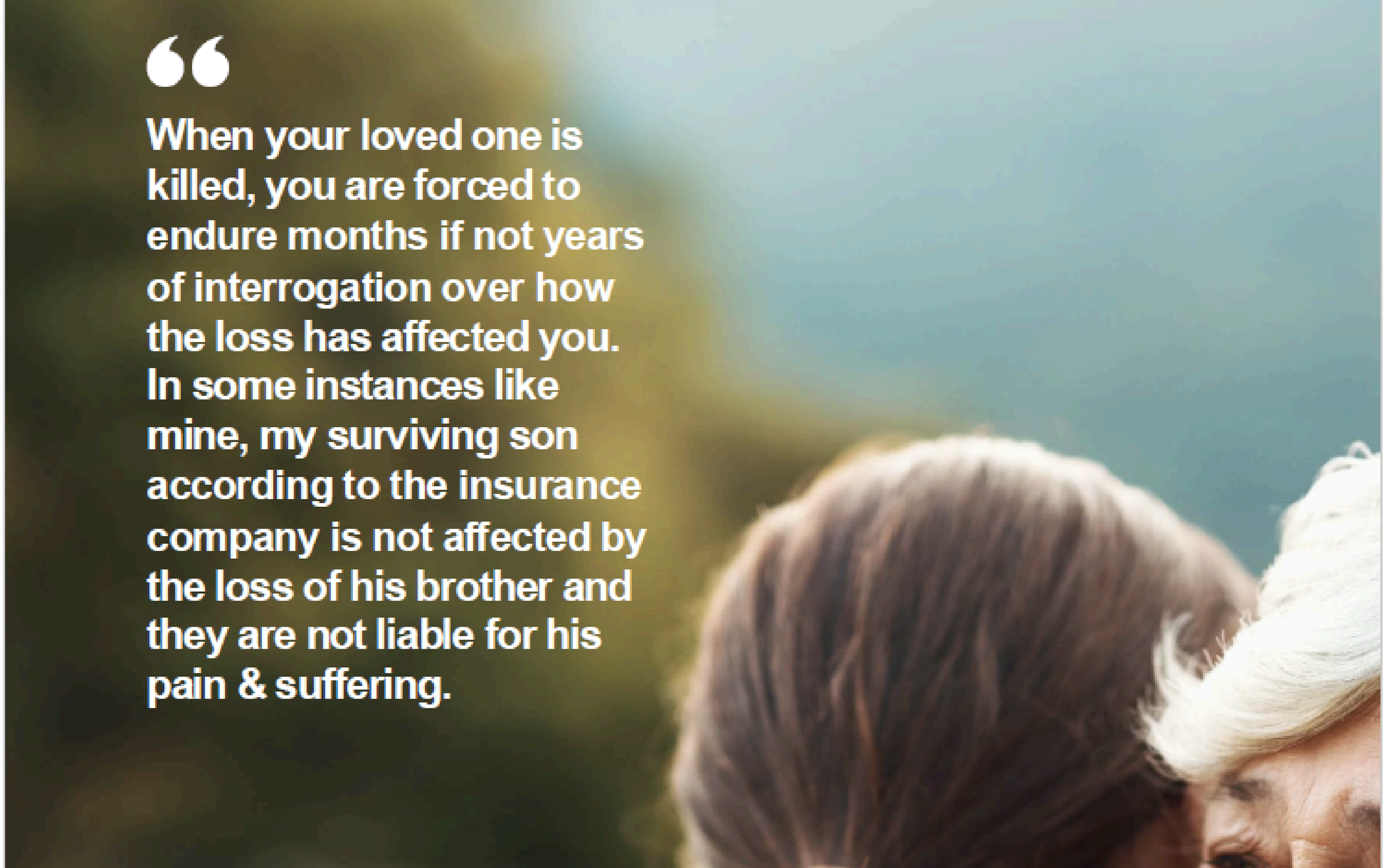
Definition and Purpose of CTP

Comprehensive Third Party Insurance – a compulsory requirement to register a vehicle in NSW

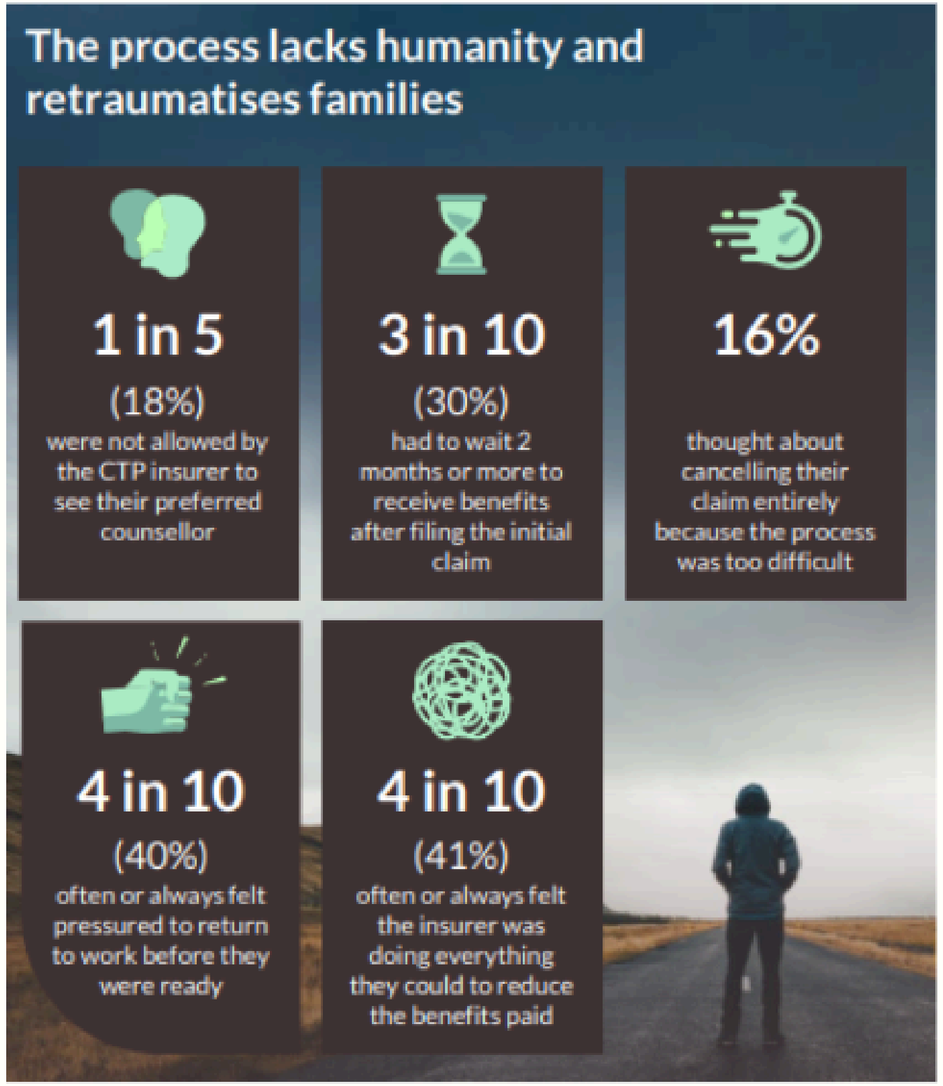
The Comprehensive Third Party (CTP) insurance scheme is set up to 'protect the driver of the motor vehicle from liability if they were to injure or cause the death of a person or people in a motor "accident"[1].

Unless they have been involved in a CTP insurance claim, most people know little about CTP. The insurance is compulsory when registering a vehicle in NSW. Drivers buy their CTP 'green slip' from one of six insurers in NSW, and then, until it's time for renewal, most do not give any more consideration to the purpose, usage, or impact of this insurance.

That is, until the need to file a claim arises.


“
When your loved one is killed, you are forced to endure months if not years of interrogation over how the loss has affected you. In some instances like mine, my surviving son according to the insurance company is not affected by the loss of his brother and they are not liable for his pain & suffering.

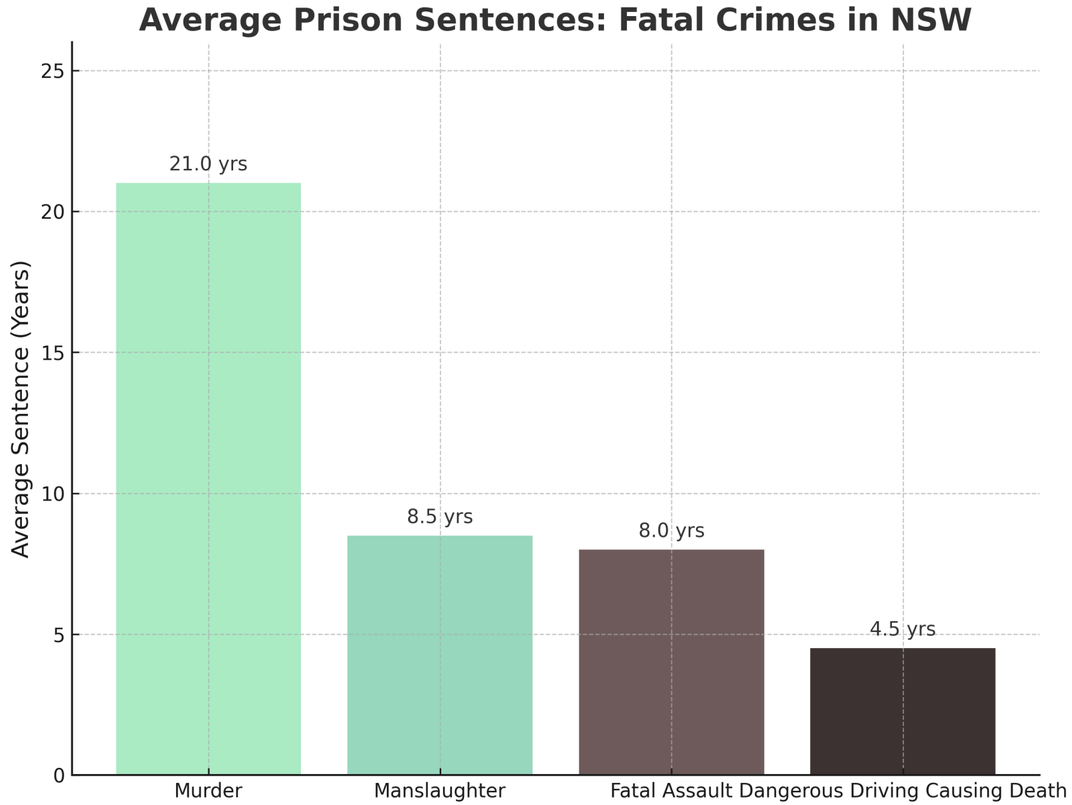
COMPULSARY THIRD PARTY SCHEME FAILURES



- 80% of families face major financial hardship after a fatal crash.
- Criminal crash victims can receive less compensation than non-criminal victims.
- Some are even denied funeral expenses, despite convictions.
- Support is delayed or denied, forcing families to pay out-of-pocket.
- Language like "accident" minimises criminal responsibility.
- After RTSG advocacy, SIRA added 2x dedicated staff — but the scheme remains under review.
- Some exclusions now addressed through the Victims of Crime Amendment.

"We lost our daughter, and then we lost our home.
There was no help with funeral costs or counselling —
we were left to pick up the pieces alone."

SENTENCING DOESN'T CORRELATE WITH MAGNITUDE OF ROAD CRIMES



Source: NSW Bureau of Crime Statistics and Research

A LESSER FORM OF HOMICIDE

- 67% of families felt they were battling a system not designed to help them.
- 65% say the offender received better treatment than the victim's family.
- 40% of victims' families found it hard to access information.
- Around one-third struggled to know who to contact or felt poorly treated.
- Nearly 3 in 10 felt uninformed, poorly represented, or that professionals were unresponsive.
- 28% said their rights and obligations weren't explained clearly.
- 1 in 4 were unhappy with how they could express themselves via a Victim Impact Statement.
- 21% felt professionals lacked sensitivity.

Fatal road crimes are described as "accidents", freeing the criminal driver from culpability



THE ROLE OF RTSG

Through our Memorandum of Understanding with NSW Police, Road Trauma Support Group NSW is notified immediately when a fatal criminal crash occurs — ensuring families are reached quickly and offered support from the very first moment of loss. We have a heads of agreement with The NSW State Insurance Regulatory Authority (SIRA) to assist victims of road crime navigate the CTP process.



- 24/7 crisis line with trained counsellors 1800 808 384.
- Peer support network
- Personalised, ongoing counselling and practical assistance.
- Court support & justice system navigation, including advocacy for better outcomes.
- Remembrance & community events to honour victims and connect families.
- Regional outreach to ensure families not referred through official channels are still reached.
- Guidance and resources to help families safely share their lived experience and influence change.

ROAD TRAUMA SUPPORT GROUP NSW

0494 197 751

info@rtsgnsw.org.au

www.roadtraumasupportnsw.org

Duncan Wakes-Miller
0425 209 489
duncan@rtsgnsw.org.au

Road trauma impact on the NSW community

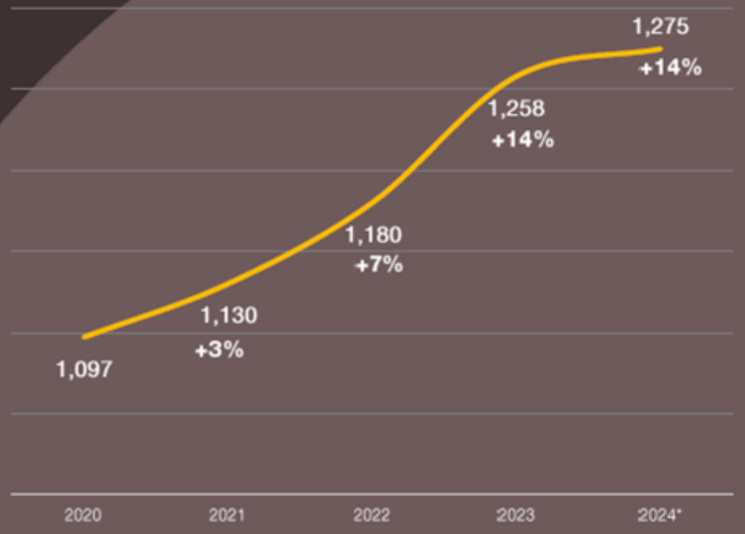
Deaths on NSW roads are increasing rapidly, defying efforts to save lives

The number of fatalities on Australian roads declined significantly and persistently in the decades since 1970 – in stark juxtaposition to the year-on-year increases reported every year since 2020.

Decades of progress is now coming undone.

The period from 2020 to 2023 represents the first time since before 1970 that road fatalities have increased consecutively for three years.

Annual road fatalities in Australia
Number of deaths and percentage increase vs. 2020



*2024 data estimated based on data from January to October 2024

SOURCES:
Australian Government Department of Infrastructure, Transport, Regional Development, Communications and the Arts
"The History of Road Fatalities in Australia". https://www.infrastructure.gov.au/department/media/publications/history-road-fatalities-australia
"Road Trauma Australia – Annual Summaries". https://www.bitre.gov.au/publications/ongoing/road_deaths_australia_annual_summaries

The ripples of road trauma are felt throughout the NSW community, affecting 1.47 million adults

Road trauma is of growing concern. As the number of road deaths increases, so too does the number of people left grieving.

Compared to 2022, the ripple effects of road trauma are far more widespread among the NSW community.

1.47M
1 in 5 (22.5%) of adults in NSW has experienced the death of someone they knew on NSW roads

↗ up 10.8% since 2022

288K
4.4% experienced the death of a relative or friend due to a fatal road crime in NSW

↗ up 11.8% since 2022

Fatal road crimes are entirely preventable

Top factors associated with criminal road trauma deaths

01 **52%** Reckless driving

02 **52%** Speeding

03 **45%** Alcohol

04 **21%** Driving at night

05 **13%** Drugs

06 **12%** Unlicensed driver

Road Trauma Support Group NSW | fiftyfive5 Part of Accenture Song

Adverse life impacts are wide-ranging and endure long after a fatal road crash

For those who have lost an immediate family member due to a fatal road crime in NSW in the last 10 years:

2 in 5 (43%) experienced a loss of friendships

89% experienced mental health challenges, such as depression, anxiety or PTSD

43% have thought about committing suicide

45% experienced a decrease in performance at work or study

1 in 4 (24%) experienced family breakdown

1 in 3 (36%) experienced a loss of faith

Road Trauma Support Group NSW is the voice of families of road trauma and an active advocate for safer roads for all.
Support for families impacted by the death of a loved one following the criminal act of another road user is available through Road Trauma Support Group on 1800 808 384, www.roadtraumasupportnsw.org.

Follow RTSG NSW Facebook, Twitter @rtsgnsw
Join the petition for road trauma reform here:
https://www.change.org/p/justice-for-victims-of-road- trauma

Source: 'The Enduring Impact of Fatal Road Crimes' research conducted by Fiftyfive5, part of Accenture Song, in April 2024. Results based on survey of n=2,088 NSW residents.

Navigating CTP following a fatal road crime

A misaligned and distressing process at a time of unimaginable loss

Two critical limitations are at the core of why families are traumatised by the CTP scheme

1. CTP is oriented to rehabilitation of physical injuries

CTP is designed to categorise **physical injuries** and provide benefits based on the nature of injury. However, the **emotional injuries** inflicted upon families of those killed in a road crash **do not**, by nature, fit in the existing categorisations.

2. Lack of suitable pathway for road trauma victims

Fatal road crimes are **substantially different** from minor motor "accidents", the cases are more **complicated**, and the 'injuries' tremendously more **complex**. The term "accident" is incorrect and inappropriate in the context of an intentional, illegal act. The actions and expectations of insurers, and the support provided, need to reflect the **unique nature** of these claims.

% of those who often or always felt...

48%
like they were battling against a system not designed to help people in their situation

52%
lost or unsure of what to do next

48%
that the CTP system is unfair to victims

High levels of dissatisfaction punctuate the experience

% dissatisfied with...



"I've had phone calls from professionals asking me if I'm ok after the "accident", assuming that I was injured. They didn't even read that it was my partner who was killed. So many hurtful phone calls from a system that doesn't work.

The process lacks humanity and retraumatises families

1 in 5
(18%)
were not allowed by the CTP insurer to see their preferred counsellor

3 in 10
(30%)
had to wait 2 months or more to receive benefits after filing the initial claim

16%
thought about cancelling their claim entirely because the process was too difficult

4 in 10
(40%)
often or always felt pressured to return to work before they were ready

4 in 10
(41%)
often or always felt the insurer was doing everything they could to reduce the benefits paid



Road Trauma Support Group NSW is the voice of families of road trauma and an active advocate for safer roads for all.
Support for families impacted by the death of a loved one following the criminal act of another road user is available through Road Trauma Support Group on 1800 808 384, www.roadtraumasupportnsw.org.

Follow RTSG NSW Facebook, Twitter @rtsgnsw
Join the petition for road trauma reform here:
https://www.change.org/p/justice-for-victims-of-road- trauma

Source: 'The Enduring Impact of Fatal Road Crimes' research conducted by Fiftyfive5, part of Accenture Song, in April 2024. Results based on survey of n=2,088 NSW residents.

Navigating the judicial system following a death due to road crime

An unfamiliar and intimidating system that causes further suffering

Two critical limitations are at the core of why families are traumatised by the Judicial system

1. The existing charging & sentencing framework does not correlate with the magnitude of fatal road crimes

In other crimes resulting in death, severe charges and corresponding sentences are applied. In NSW, manslaughter carries a maximum sentence of 25 years' imprisonment. The loss of life that occurs due to fatal road crimes is viewed very differently in terms of penalty – with many convicted offenders receiving home detention as punishment.

2. The justice system prioritises the rights of people accused of breaking the law – to the detriment of victims of the crime

Families of victims of fatal road crimes routinely feel that throughout the judicial pathway, the needs of the offender who killed their loved one are given precedence over not just their own experience, but often over-shadowing the life of the person who was killed because of the offender's crimes.

% of those who often or always felt...

67%
they were battling against a system not designed to help people in their situation

60%
lost or unsure of what to do next

69%
the offender or their family received better treatment than families of victims of fatal road crimes

A strong sense of feeling misinformed and isolated by the system

% dissatisfied with...



> I am still shocked to the core knowing our son was killed by a speeding and drunk driver who lives his life with no repercussions... our entire life was shattered and will never be the same again.

Road Trauma Support Group NSW | fiftyfive5 Part of Accenture Song

Families of victims of fatal road crimes are vulnerable and need appropriate support

2 in 3
(67%)
would find access to an independent legal expert very or extremely beneficial

1 in 2
(50%)
found the Witness Assistance Service ineffective at providing support

1 in 4
(26%)
were not offered support from the Witness Assistance Service

2 in 3
(65%)
sought information from external sources (friends, online, solicitor etc.) to help them navigate the legal system



Road Trauma Support Group NSW is the voice of families of road trauma and an active advocate for safer roads for all.
Support for families impacted by the death of a loved one following the criminal act of another road user is available through Road Trauma Support Group on 1800 808 384, www.roadtraumasupportnsw.org.

Follow RTSG NSW Facebook, Twitter @rtsgnsw
Join the petition for road trauma reform here:
https://www.change.org/p/justice-for-victims-of-road- trauma

Source: 'The Enduring Impact of Fatal Road Crimes' research conducted by Fiftyfive5, part of Accenture Song, in April 2024. Results based on survey of n=2,088 NSW residents.