



Media Release – Tuesday, 29th August 2006

Death of a Pedestrian at Mentone

The tragic death has been reported of an elderly pedestrian who was involved in an incident upon Beach Road at Mentone in Melbourne's bay side at approximately 8.30am on Saturday the 26th August 2006.

It was reported in the media that the elderly pedestrian, while crossing Beach Road, was struck by a cyclist. The pedestrian has subsequently died from their injuries. A Coronial enquiry will take place to find the facts, it is also reported that Police have charged a cyclist from St Kilda East, with failing to stop at a crossing.

Any death is sincerely regretted, while thousands of Melbourne cyclists every day can testify, the road often presents dangers to themselves and also pedestrians as vulnerable road users. On this occasion it is more poignant in that sadly a pedestrian has died and a cyclist is also involved. There are cyclists, just as there are motorists and pedestrians, who break the road laws daily. Wheels of Justice equally deplore these actions.

It is **Wheels of Justice's** view there can be no absolving anyone who breaks the law as a road user. Common sense and fairness towards others can go along way to avoiding death and injury, by being tolerant and patient on the roads.

This sad incident adds to the death toll on our roads, and while a pedestrian/cyclist death is extremely rare, it is still unexpected, unwanted and, we would hope for the future, be totally avoidable.

Eugene McGee

On Monday (28/8) it was announced that in South Australia, prominent lawyer Eugene McGee and his brother, Craig, will stand trial on charges of perverting the cause of Justice.

These charges follow the hit-run death in December 2003, of cyclist Ian Humphrey, killed by McGee who was intoxicated and driving. This case highlights the attempt by a road user to avoid charges by hiding from police after the incident.

The Kapunda Royal Commission ensued after McGee was fined a \$3100 and had a 12-month loss of license. Public outcry across Australia followed at the lenience of the sentences for McGee, and the Royal Commission brought to life the revelation of Craig McGee's alleged conspiracy in employing "tactics" of hiding in a quarry for hours to avoid being breath tested, after Eugene McGee ran over Ian Humphrey, and left him for dead on the road.

Role of personal responsibility

The significance of personal responsibility extends to all road users. Cyclists particularly do not normally do any form of road skill course or mandatory bike handling appreciation course in school or when they buy their bikes. There is no control of cyclists as road users to test competency. Thus drivers of motor vehicles (which includes cyclists, as most adult cyclists hold licenses to drive and regularly drive motor vehicles) may become annoyed at the behaviour of some cyclists.

Many cyclists are not necessarily competent to deal with an emergency braking situation or the unexpected, when riding a bike, as they would usually easily deal with in a car. Similarly there are very few competent "trainers" who could deliver viable cycling instruction to intending adult cyclists.

All road users have a personal and legal responsibility to undertake to be proficient.

Wheels of Justice calls for these statewide-integrated initiatives:

- Improvements to road safety and enhance the potential community benefits of cycling by improved Bike Ed school education and skill delivery for young riders,
- Cycling skills courses to be developed for returning adult cyclists,
- Driver license test to be competently referenced to road laws applying to cyclist awareness.

The community benefit from the positive influence of safe, widespread, cycling, is of great economic significance and should be a priority for all levels of government. Sadly this has not been the case to date and the negative influence of media and press in a biased sensational way does little to encourage positive change.

As a cycling safety advocacy group, **Wheels of Justice** advocates for safe road use by all who share our State's streets and byways, we also seek accountability under the law, and education for greater road safety awareness. We ask that all who do use the roads, to observe conditions, please consider others and obey the law. A small thing to ask, but something we can all take a moment to ponder and thus save not only much pain and suffering for others, ourselves and loved ones, but also save lives.
