

3.3 Deputy S. Pitman of St. Helier of the Minister for Education, Sport and Culture regarding transportation by school coaches not fitted with seat belts:

Would the Minister for Education inform members whether children as young as reception age are being transported by school coaches which are not fitted with seat belts and, if so, what action he intends to take to address the situation, and also who would be liable in the event of an injury resulting from such a coach being involved in a road traffic accident?

Senator M.E. Vibert (The Minister for Education, Sport and Culture):

All minibuses which are owned or leased by provided schools are fitted with seat belts, which must be used when transporting children. However, for many school visits, the schools will hire coaches through local companies which are not fitted with seat belts. These vehicles are licensed to carry passengers including young children. If a child was injured as a result of a coach being involved in a road traffic accident, the normal conditions in respect of an insurance claim would apply. I will be asking the new Transport and Technical Services Minister to revisit draft proposals dated October 2001, which proposed that all charabancs/PSV (Passenger Service Vehicles) vehicles, would have to be fitted with seat belts. Unfortunately, that proposal has not been brought forward by Transport and Technical Services as yet.

3.3.1 Deputy P.V.F. Le Claire of St. Helier:

May I ask the Minister for Education, Sport and Culture to undertake an investigation to verify that parents who are transporting children to private schools and public schools in minibuses are both licensed and suitably equipped to carry those children in safety; and where they show good practice, that practice is encouraged to help reduce the impact of the traffic upon our system?

Senator M.E. Vibert:

By law - the Road Traffic Law of the Island - all children up to the age of 14 must wear a seat belt. Therefore, anyone carrying children up to the age of 14 must ensure that they are wearing a seat belt. The only exception is at the moment for charabancs PSV/vehicles, and I would urge the Transport and Technical Services Minister to look at this issue anew, because it seems to me to be an anomaly that for some reason charabancs, PSV vehicles are exempted from the general rule regarding seat belts for children under 14.

3.3.2 Deputy J.A. Martin of St. Helier:

The question is to the Minister for Education. My question is, would he not undertake to stop from today any schools under his care from using coaches that do not have seat belts for children under 14? Because especially very young children, Sir, do not even need to be in a road traffic accident. If the coach or vehicle stops suddenly, they could be seriously injured. I feel a bit of buck-passing here, Sir. It is down to the Education Minister to make sure all his school children are travelling safely in Jersey, and he could stop this practice tomorrow.

Senator M.E. Vibert:

I will not stop it tomorrow, because I feel that school trips are an integral part and a very valuable part of a child's education. Of course, when children of any age travel on our public bus service, there are no seat belts on buses and they travel on them, and I have no indication that the risk is such that I should take immediate action. It is an issue which I believe needs to be looked at and considered - in the sense of whether it is children or anyone else - if there are laws about seat belts they should apply. Perhaps there are good reasons; I will endeavour to find out through Transport and Technical Services why coaches (charabancs) are exempt from seat belt legislation. There may be some safety reasons involved in that; I do not know. Now the issue has been brought yet again to my attention, I will look into it.

Deputy S. Pitman:

When will the Minister be asking the Minister for Transport and Technical Services to ensure seat belts are fitted?

Senator M.E. Vibert:

I just did, Sir.