



ACT
Government

Chief Minister, Treasury and
Economic Development

The Hon Adele Farina MLC
Chair
Standing Committee on Public Administration
Legislative Council Committee Office
Parliament House
4 Harvest Terrace
WEST PERTH WA 6005

Dear Hon Farina

INQUIRY INTO WORKSAFE WESTERN AUSTRALIA

I refer to your letter of 20 March 2018 seeking advice from WorkSafe ACT in relation to industrial manslaughter legislation and its operation in the ACT.

In relation to the specific questions that you have raised, I provide the following information.

To date, there has not been a conviction under industrial manslaughter provisions. There is an active investigation into the tragic death of a person on a construction site that has the potential to consider the provisions of this legislation. While this investigation is on-going it is likely to draw to a conclusion in the near future.

In relation to the deterrent aspect of this legislation, while it is difficult to measure, I believe that this provision does raise awareness amongst senior personnel (duty holders) about the serious nature of non-compliance with the legislation. I frequently use this provision during presentations on work health and safety obligations as a strong deterrent to encourage officers to take all reasonable and practical steps in ensuring the safety of their workers.

If you require further information or updates on the investigation outcomes mentioned above please do not hesitate to contact me directly on phone

Yours sincerely

Greg Jones
Work Safety Commissioner

9 April 2018