



## RESPONSES TO QUESTIONS ON NOTICE – MR MITCHELL WRIGHT INQUIRY INTO THE CORONIAL JURISDICTION IN NEW SOUTH WALES PUBLIC HEARING – 31 JANUARY 2022

**Mr DAVID SHOEBRIDGE: Is it your experience that there is at least some engagement between police and SafeWork at the commencement, the way those guidelines envisage?**

Given the significant number of workplace fatalities that occur in the road transport industry each year, and the relatively few prosecutions under either criminal or WHS laws resulting from these fatalities, it is clear that the current system is failing to properly enforce WHS standards in the industry. It is unacceptable for an attitude whereby the deaths of transport workers are treated as being part of the road toll and left for NSW Police to investigate, rather than being treated as what they are – workplace fatalities. SafeWork NSW should be playing a much more active role in investigating & prosecuting such deaths, as the death of a transport worker should not be treated differently to the death of any other worker

**The CHAIR: Just to Mr Shoebridge's point, we have received evidence through submissions that in Victoria they have a coronial support unit or investigations unit which assists the coroners there, do research and formulate more robust recommendations that might have some kind of robust or practical effects so that the coroners are not just looking at the evidence and their particular matter and sort of saying, "This would be a good idea." There is actually a, if you like, body of ongoing research that they can draw on and hopefully which will be shared through the national coronial database. Having something like that in New South Wales, which we do not currently have—a number of submissions have suggested that would be of great assistance in providing outcomes. Is that something any of your unions would have a view about, whether that should be a good thing?**

The Transport Workers' Union supports measures to ensure that coronial inquests provide the most effective and practical recommendations possible. The formulation of a body similar to the Victorian model raised by the Chair would advance this goal, and if a similar body were to be established in NSW it would be imperative for experts with a background in WHS and/or workplace fatalities be included.