

# **STANDING COMMITTEE ON PUBLIC ADMINISTRATION**

**INQUIRY INTO WORKSAFE**



**TRANSCRIPT OF EVIDENCE  
TAKEN AT PERTH  
TUESDAY, 5 MARCH 2019**

**SESSION TWO**

**Members**

**Hon Adele Farina (Chair)  
Hon Jacqui Boydell (Deputy Chair)  
Hon Ken Baston  
Hon Kyle McGinn  
Hon Darren West**

---

**Hearing commenced at 11.00 am****Mrs JANICE MURRIE****Private citizen, sworn and examined:****Mr MARK MURRIE****Private citizen, sworn and examined:**

**The ACTING CHAIR:** On behalf of the committee, I would like to welcome you to the meeting. Before we begin, I would just like to ask for you both to take either the oath or affirmation.

[Witnesses took the oath.]

**The ACTING CHAIR:** You will have signed a document entitled “Information for Witnesses”. Have you read and understood that document?

**The WITNESSES:** Yes.

**The ACTING CHAIR:** These proceedings are being recorded by Hansard. A transcript of your evidence will be provided to you. To assist the committee and Hansard, please quote the full title of any document you refer to during the course of this hearing for the record. Please be aware of the microphones and try to talk into them. Ensure you do not cover them with papers or make noise near them. I remind you that your transcript will become a matter for the public record. If for some reason you wish to make a confidential statement during today’s proceedings, you should request that the evidence be taken in a closed session. If the committee grants your request, any public and media in attendance will be excluded from the hearing. Please note that until such time as the transcript of your public evidence is finalised, it should not be made public. I advise you that the publication or disclosure of the uncorrected transcript of evidence may constitute a contempt of Parliament and may mean the material published or disclosed is not subject to parliamentary privilege.

Firstly, on behalf of the committee, we would really like to thank you for coming here today to give evidence. Please take your time. If you need breaks or anything, please let the committee know. We are in your hands and anything we can do to assist you, please let us know. Would you like to make an opening statement to the committee?

**Mr M. Murrie:** Basically, we are just here because we want to change things. Things have to change. Luke was killed 12 years ago and there are just workers getting killed left, right and centre and it has got to change. I have not got anything written out, because I get lost and I cannot keep my head on the same page; I just go all over the joint. Basically, that is why we are here; things have to change. This country accepts killing workers and things have got to change. Basically, that is it; it has got to change.

**Mrs J. Murrie:** We wanted to share with you that it was 12 years ago—2007. We had dealings with WorkSafe and we just wanted to share those experiences with you so that you can understand where we were at and how it affected us. We would like to see change happen. That is basically why we have come here now.

**The ACTING CHAIR:** The questions should delve into that, but if at any time you want to expand on something, please feel free to do so. Can you please tell the committee, in your own time, about the circumstances of Luke’s death?

---

**Mr M. Murrie:** It was 9 October 2007; he was working for D&G Cranes. They were the tower crane operators around town. Those tower cranes come into the country in containers, in dismantled packs. The square column that you see around the crane is like two triangles—they overlap when they are in the container. There are eight pieces, and the first one is strapped to the second one, the second to the third, and the fourth to the fifth and so on. When they are lifting, the chain should have gone through the centre and around back up on the chain and encapsulated the whole load. The first witness in the trial, because they had about an eight or 10-day trial, they asked the first operator or the first rigger to just draw it on the board, because they are not allowed to lead the bloke; it has to be his own words. So he drew the pack. Then he put the chain on the bottom of each corner—like one chain on the bottom of each corner. The magistrate says, “How would you prefer to do it?” or, “How should it have been done?” Then he drew, like I said, the chain going through the whole lot. She said to him, “Why did you do that? Why did you do it that way?” He said, “It’s how we were told to do it.” They were told to do it that way. They were young kids. One of the other witnesses—he had been in construction for a while—she said to him, “Why did you do that? Why didn’t you do it the right way? Why didn’t you speak up?” He said, “Because I didn’t want to lose my job.” Anyway, they were lifting the pack, and because there is no support in it, it let go. Then when you have got weight on a crane and then the weight goes, it just flies up. There were two of them down there. One bloke ran one way, Luke ran the other way, and then the packs just followed him and killed him. This happened at 10 o’clock in the morning. Then I got a phone call at 14.02 in the afternoon from the police assisting the coroner, I think their department was. His terms were, “There’s been an accident this morning, and he had passed away.” Anyone would start asking questions. I said, “Hang on a minute, mate. I’ve got to get to my wife”, because I did not want her hearing it on the media. He said, “Oh, look, I’ll try and suppress it, but it’s all over town. The media are all over it.” So I stopped where I was in Jandakot and I flew into where she was working in West Perth. Now, you try not to speed, because you do not want to get pulled over, because that will take longer. I get to Janice; I tell her what happened. Of course she is a mess. That is one thing you do not want to do, mate, is tell a mother that her son has been killed. Then we went to the coroner’s office to see the poor buggar laying on a slab—or the morgue or whatever you call it. Then we had to get—we had another son working down in Henderson. We had to get hold of him and let him know, because we do not want him finding out in the media. Then after that, you go through the rest of the family. Then, I think a couple of days later the union rang to see if they could come around and talk or see how we are going. They came around. It was about four days later—three or four or five days later, WorkSafe rang and said they want to come around. It was Keith Traynor, who was the investigator, and I do not know what her surname is—it is Carla Van something. I think she was a department head. They came with a few photos of the area, because they had been there. When Keith had the photos on the kitchen bench and he was saying, “This is what happened and this is how they were lifting”, I said to him, “Well, that’s wrong.” He shut up then; he would not say much more. He just sat there looking at me with this blank face. I said to him, “Mate, I’ve been driving for 30, 40-something years. When I come across an accident, I know what’s happened before I get out of the cab.” I said, “You know what’s happened here. What happened?” I said, “I can accept if you can’t tell me for legal reasons, but if you just tell me you don’t know what happened, that’s not right.” Then he said that it was for legal reasons he could not elaborate.

[11.10 am]

That was the first encounter we had with WorkSafe. We had quite a long investigation. It was easy to get the company, because obviously there was a fatality so there was a breach, but the more they looked into it—the directors were hands on; their offices were in the yard. The investigation had been going on for quite a while, maybe 12 months or something. It must have been 12 months,

because up at Solidarity Park there was a 12-month little get together. A couple of the workers then were coming to us saying, “They’re blaming us.” Then they started to open up a bit to us and told us that this had happened—this pack had broken apart—in the past. That had been pushed under the carpet. I told WorkSafe that. I think that actually prolonged the investigation. The workers do not feel comfortable in opening up, so they had to get a bit of information off this bloke and then go to the other bloke and say, “We know this, so what happened?” They eventually got the whole story. Then they went after the directors and they got them. They had the trial. They appealed. First at the trial, they handed down the sentence. It was, I think, \$90 000 for the company and \$45 000 for each director, and guilty. Then they appealed that. They had 28 days to appeal. I think on the afternoon of the twenty-seventh day, they lodged their appeal. Then they set a date for that and then they had that appeal. At that appeal, the guilty was still upheld, but the company’s fine and the directors’ fine was cut down—it went down to \$10 000 for each director and I think the company came down to about \$40 000 or something like that. Going back to the start—the very first court appearance—WorkSafe said to us, “Usually if you plead guilty, you will get a lesser fine, but if you plead not guilty and go through and then get a guilty finding, you’ll get a higher fine.” They were saying, “The evidence is that overwhelming that we’re pretty sure they’ll plead guilty.” Well, they did not. The fine they got was probably 25 per cent of the maximum. For a start, there is no deterrent there. If I go back to their first appeal, they were knocked down but they were still guilty, but they wanted not guilty, so they appealed again. WorkSafe also appealed, because \$10 000 for a fatality, in WorkSafe’s eyes, was no good. Then it went back up to the original \$45 000 for each director and \$90 000 for the company, but they were still guilty. Then that was the end of the court.

**The ACTING CHAIR:** So it ended up back where it started on the first appeal.

**Mr M. Murrie:** Yes. I mean, \$45 000 or \$90 000 for the two directors, but they spent more than that on their legal team. Plus, they get covered by insurance. They walked out of there paying a fine that was covered and we get a life sentence, purely because they chose to do it a cheap way. He is dead because they chose to do it a cheap way. I am with industrial manslaughter. If I am jumping ahead or going all over the place —

**The ACTING CHAIR:** No, that is fine.

**Mr M. Murrie:** You need to deter people. When we come down from Kalbarri, if I am going to pass something, I will go over 110 to get around it because it is a \$100 fine, but I will not pick my bloody mobile phone up and use it because it is a \$900 fine or a \$1 000 fine. There is a deterrent there. I am 62. I have been working since I was 15 and I have never once seen a WorkSafe inspector walk into a place. I have never heard of a WorkSafe inspector walking into a place. I have been pulled over by the cops for RBTs and random checks. I have got a boat. We go out and we get Fisheries pulling you over and checking you. You get the Department of Transport pull you over and check your safety equipment. All that goes on, but never once in my whole life have I seen a WorkSafe inspector walk in or heard of anybody else say, “I’ve had a WorkSafe inspector come in.” They need more money. Like Ashlea said, you need to have it out there—“If you’re going to have an unsafe workplace, we’re going to get you.” It is a deterrent. It needs a deterrent. You have got to change it.

**The ACTING CHAIR:** I am just curious about Luke’s profession at the time and how much experience he had.

**Mr M. Murrie:** He had eight weeks.

**The ACTING CHAIR:** Eight weeks’ experience.

---

**Mr M. Murrie:** He was killed, and then two weeks later in the mail a card comes to say he is suitable to work in a high-risk area.

**The ACTING CHAIR:** So his high-risk licence arrived?

**Mr M. Murrie:** Yes; two weeks after he was killed.

**The ACTING CHAIR:** So at the time, he did not have a high-risk licence issued?

**Mr M. Murrie:** He probably had passed the test, because I think they do their stuff online.

**The ACTING CHAIR:** Okay; it was the actual card.

**Mr M. Murrie:** The actual card; it is like a driver's licence card. That was great, going to the mailbox and finding that!

**The ACTING CHAIR:** Wow. Prior to starting that job, was there any other experience in the construction industry?

**Mr M. Murrie:** He had worked for Pyramid, which was a construction company, and AT, which was a construction company, but they were cowboy outfits. I hope you do not put that in—I will get sued for defamation or something.

**The ACTING CHAIR:** No, it is okay.

**Mr M. Murrie:** He had questioned the safety at that place. Pyramid I think was the last one he had worked at. He had questioned the safety there. Because of the way they employ their people, or their short-term contracts I think is what they call it, he did not get another go with them. If you open your mouth, that is the end of it. That is how it is in this country. Look at the royal commission into aged care. That is one of the first things they said—the workers do not speak up because they will not get any more shifts. That is how it is in the workplace.

**The ACTING CHAIR:** Can you describe to the committee what dealings you had with WorkSafe following Luke's death but before the case came to trial in 2011?

**Mr M. Murrie:** They came—it would have been in the first week. Three or four days later, those two people came. Then they said the investigation has to start. I had the numbers, so I could ring them, but it was a slow, drawn-out process. I think a lot of that was because after they started investigating, they realised they could get the two directors. It is very hard to get directors, so I think they kept looking. Also, when we said that the incident with the packet had happened before, I think that also extended the time out. They were open. They would tell you what was going on, but usually it was nothing yet, nothing yet.

**Mrs J. Murrie:** That became very frustrating, because it ended up being, I think, three years from the time Luke was killed to the final finishing of the court. The waiting to hear from WorkSafe—you knew that they were probably trying to do their best. I was not in a good place, because the waiting is terrible to add on top of your grief. Everyone kept saying, "It'll go to court and you'll get closure," which of course you do not get. Him walking back in the door would be great closure, but that is not going to happen. It got so bad that I rang WorkSafe one day, because I was just frustrated because they kept saying, "Nothing yet. We're looking into it." I think it was Nathan Fry who answered the phone. I just paid out on him, I was so angry. Then I felt bad after that. I was able to meet Nathan Fry when we went to court and I did apologise, and he said there was nothing to apologise for. But that is how it got you in the end. Added on top of our grief was this waiting and waiting and waiting. I cannot criticise WorkSafe, but I had even gathered then that they were obviously understaffed. We had an initial lawyer with WorkSafe. We got introduced to him, then he got gobbled up by the private sector. Then they brought Andrea in, and it was like David taking on Goliath. She was this young girl. She was amazing. They brought in their team of a million people. They were very

intimidating. I got the impression from the minute they came in that they thought they were going to win. She lost weight. She had sleepless nights. She jokingly said at the end of it, “I needed to lose weight anyway.” She worked so hard. It was very difficult. Had they had more funding or more people, we would not have been as stressed.

[11.20 am]

**The ACTING CHAIR:** Just to clarify for time line’s sake, that was around 2010?

**Mr M. Murrie:** What Janice is talking about now?

**The ACTING CHAIR:** Yes, what Janice is talking about.

**Mr M. Murrie:** That would have been two years.

**The ACTING CHAIR:** About 2009?

**Mrs J. Murrie:** Yes. Sorry, it is hard to remember.

**The ACTING CHAIR:** That is okay.

**Mrs J. Murrie:** A lot of it just melts. I was out to it for quite a while.

**The ACTING CHAIR:** I have some specific questions. Do you know how many times you had contact with WorkSafe initiated by yourself or by them? I know it was a long time ago.

**Mr M. Murrie:** I could not give you a number, mate, honestly.

**The ACTING CHAIR:** Did you ever speak directly to an inspector who was doing the investigation?

**Mr M. Murrie:** Yes, Keith Traynor, he was an inspector, and I think Carla van—whatever her name—I think she was a department head.

**The ACTING CHAIR:** At any time when you were asking for information, did WorkSafe advise you of freedom of information to access —

**Mr M. Murrie:** No. This is 12 years ago. I do not know whether that was—no, I cannot —

**The ACTING CHAIR:** Any information that was available, they were happy to share with you?

**Mrs J. Murrie:** Nothing was too much trouble. When we went to court, it is very intimidating going to court. I understand why they frisk you because I would have shot the directors when they got up and gave evidence. But a lot of the time when they are talking and handing down the appeals or whatever, I got a bit lost because you get so stressed being there. WorkSafe said to us, and the guy who was speaking, whoever he is, the lawyer guy —

**Mr M. Murrie:** That was at the appeals. Craig someone.

**Mrs J. Murrie:** He just said, “Anything you don’t understand, I’ll explain it to you.” I never felt we were left in the dark. I always felt that they were trying the best they could, but you knew that they were up against it—very much up against it.

**The ACTING CHAIR:** Did you have any contact with WorkSafe after the trial?

**Mr M. Murrie:** Yes, because we had the appeals. All through the appeals.

**The ACTING CHAIR:** After the appeals?

**Mr M. Murrie:** Maybe one or two “How are you going?”—type phone calls.

**Mrs J. Murrie:** I think we spoke to Nathan Fry. He was going to come up to Kalbarri or something.

**Mr M. Murrie:** Yes.

**Hon DARREN WEST:** Were you contacted at all by the employer before, during or afterwards?

---

**Mr M. Murrie:** Yes. I think the day after it happened, he rang me and he said, “There’s a lot of speculation in the media about what happened. It’s all wrong.” But I actually think in hindsight that was damage control. D&G had a service for Luke. It happened in the yard. Their workers —

**Mrs J. Murrie:** Were traumatised.

**Mr M. Murrie:** The crane driver went missing for six weeks. They could not find him. They were all traumatised. A counsellor came in—it might have been a minister; a church fellow—they had a service, and at that service there was a counsellor for the CFMEU. He ended up helping Janice a lot.

**Mrs J. Murrie:** Because at the start —

**Mr M. Murrie:** Sorry, mate, what was your question?

**Mrs J. Murrie:** D&G were very helpful at the start.

**Hon DARREN WEST:** Had you had contact? The next question is: where did you get support?

**Mr M. Murrie:** Sorry, mate, my head goes all over the joint.

**Hon DARREN WEST:** You are doing really well.

**Mrs J. Murrie:** At the very start they were so sorry that this has happened. They came to the service for Luke because they said they wanted to keep an eye on their workers.

**Mr M. Murrie:** They segregated their workers at the pub. We went to the pub after the service. He put all his blokes over here in this room. I think in hindsight it was to stop them from talking.

**Mrs J. Murrie:** Yes.

**Mr M. Murrie:** Everything was fine until —

**Mrs J. Murrie:** We started asking questions. A few workers came up and said to us there had been a couple of near misses. Then D&G cut off all contact.

**Mr M. Murrie:** Mind you, we did not want to speak to them either.

**Mrs J. Murrie:** We did not want to.

**Hon DARREN WEST:** Understood.

**The ACTING CHAIR:** I think you have explained it here, but in the Senate committee you expressed a lot of admiration for WorkSafe staff and how hard they worked day and night on Luke’s case.

**Mr M. Murrie:** Yes.

**Mrs J. Murrie:** They were truly amazing. I do not know anything about the legal, and I never want to go to court ever again—but I watched Andrea and she had to be very careful. We were told by WorkSafe that you have to be very careful. You are not allowed to lead the witnesses because you had people up there who had seen Luke killed. She was trying to ask them, “What did you see?” A few of them got really upset: “What do you want me to do, give you graphic detail or what?” The other lawyers seemed to be able to ask any questions at all. Andrea had to be very careful that she did not do anything wrong. I really admired her that she was really pushing shit up hill. The chances of getting the directors was not going to look good except that their officers were saying they did not know—the actual officers—where they were lifting. They were amazing.

**The ACTING CHAIR:** You have said quite a couple of times already, and expressed a view before the Senate committee, about resources for WorkSafe. Would you like to expand on that?

**Mr M. Murrie:** Actually, it was the day that Janice got up Nathan because he said then that someone was on holidays and they had other cases that they were doing. They were under-resourced. They need more funding. For a start, they need more funding to investigate. They need to be out there. I

---

did not even know until today, when you were talking to Ashlea, about the hotline. I did not know they had a hotline. You know there is dob-in-a-drug dealer and there is Crime Stoppers and all that, because that is publicised. Call me cynical, I do not care, but if you increase safety, you affect the bottom line. That is my view of safety in this country. It is the bottom line. If those two directors had been looking at manslaughter, they would have changed the way they lifted in that yard.

**The ACTING CHAIR:** Can I ask a bit of a question on that: the charge that they were charged with —

**Mr M. Murrie:** Unsafe workplace or something.

**The ACTING CHAIR:** Do you know what level charge that was?

**Mr M. Murrie:** No, I do not, mate.

**The ACTING CHAIR:** Under the act currently, there is a level 4 gross misconduct charge which carries with it—I will stand corrected but I believe it is a two-year jail sentence as a max penalty.

**Mrs J. Murrie:** That is correct.

**The ACTING CHAIR:** Do you have any understanding on why that charge was not put?

**Mr M. Murrie:** No, mate. They did mention because they are spending taxpayers' money, they have to be pretty sure that they are going to get a conviction. I am only guessing here—possibly that was too hard to prove whereas they had gone for what they can prove, or had a good chance of getting.

**The ACTING CHAIR:** They were successful in a prosecution?

**Mr M. Murrie:** Yes.

**Mrs J. Murrie:** Yes.

**The ACTING CHAIR:** You have expressed it straightaway as well that you are in favour of the introduction of some sort of industrial manslaughter laws.

**Mr M. Murrie:** Yes.

**The ACTING CHAIR:** I believe you have on record what you want to say. Is there anything you want to add to that at all?

**Mr M. Murrie:** Like Ashlea said, it is not going to be the be-all and end-all; the culture needs to change. We were in Melbourne last week. An ABC interviewer had been out to Amazon's warehouse. She interviewed these workers. They are timed to the second to run around and do all this picking. They do not even have time to go and get the ladder to go up the ladder to get the top bit. They are working through their lunch break. They are not the only ones in this country doing that. It has to change. Get this hotline out there. In the act, I think it is section 18 or section 19 or something, the worker is allowed to speak up and say "Something is going wrong here." Although it is there, they get penalised. You need to be able to say, "Hang on a minute, I want this looked at" without any fear of retribution.

[11.30 am]

**The ACTING CHAIR:** I might delve into that a little bit. Would you say that same statement for a full-time employee?

**Mr M. Murrie:** Anyone, yes. Anyone.

**The ACTING CHAIR:** So it would not be different for a labour hire versus a direct employee; you believe all employees are under a threat of retribution?

**Mr M. Murrie:** Yes, all employees are in the same boat, because the full-time worker has a house, a mortgage, kids at school. He cannot afford to lose his job. I have spoken to blokes who do fly in, fly

---



out. They go up there and they just hope to Christ they get their two weeks out of the way without getting killed, then they leave. Then they go back for another two weeks.

**The ACTING CHAIR:** That is in the mining industry?

**Mr M. Murrie:** Yes.

**The ACTING CHAIR:** Education has been a main point that you have spoken to.

**Mr M. Murrie:** Yes.

**The ACTING CHAIR:** You believe in industrial manslaughter laws. Are there any other points that you think need to change within WorkSafe?

**Mr M. Murrie:** Penalties. You have your manslaughter, then all your other penalties need to skyrocket.

**The ACTING CHAIR:** The current penalties now I think are harmonised with Australia, but you believe they need to increase again?

**Mr M. Murrie:** Absolutely. Like I said to you, with the mobile phone, I am not going to use a mobile phone because I do not want to get pinged.

**The ACTING CHAIR:** Just to clarify for the record what I was referring to: gross negligence level 4 under the current act states \$550 000 fine and five years' imprisonment, also individual fines of \$680 000. That is in the current act, but it did seem as though you covered that off by saying they were after getting a prosecution.

**Mr M. Murrie:** Yes, that is my take on it, because they are spending taxpayers' dollars. They cannot go chasing pie in the sky. They have to be pretty sure of what they are doing.

**Mrs J. Murrie:** Look, I am his mother, but they knew what they were doing. The directors knew the way they were lifting was wrong. They were not deterred by it at all because the fines in WA really are just so low. I believe they should be sitting in jail. They took our son away. I did not find out until only recently that their fines were probably going to be covered by insurance. You can take out insurance for fines. I did not know that.

**Mr M. Murrie:** There are already insurance companies and employer groups talking over east about trying to cover for this industrial manslaughter. We did not find that out until we were over there in Canberra.

**The ACTING CHAIR:** Wow.

**Mr M. Murrie:** Yes. That is not looking at how to stop killing workers; that is looking at when we kill them, how do we get away with it?

**The ACTING CHAIR:** Do you think, if there were industrial manslaughter and fines attached to it, it would be more suitable for that person to have to pay the fine and not be allowed to have anyone else pay it for them?

**Mrs J. Murrie:** Yes. I cannot believe that you can take out insurance to cover a fine. I look back and think, "Well, it did not hurt them at all."

**Mr M. Murrie:** We got the life sentence, mate.

**Mrs J. Murrie:** Yes. I was also told that because it was a criminal conviction, they can never enter certain countries. I spoke to someone the other day and they said, no, there are ways around that.

**Mr M. Murrie:** What is the penalty?

---

**Mrs J. Murrie:** What actually hurt them? Nothing. Our son will never come back, and they are just off doing whatever they want to do. I have said before: you do not frighten these employers. They are not frightened at all. When Gino was sitting, giving evidence, they said to him, “With the fence, did you think at any time maybe you could cut a gate in the fence, and then you would not have to have lifted it over and it would be safer?” He sat back with his arms like this. He said, “Do you know how expensive that fence is?” If I had had a gun, I would have killed him, really. There is no deterrent. He never showed a moment’s remorse. From my point of view, I do not think there was any justice, so to have him sitting in jail would suit me fine.

**The ACTING CHAIR:** Thank you very much for that. Firstly, I want to say thank you so much for giving your evidence today. Again, it has been very powerfully delivered, and it is absolutely in honour of your son.

On behalf of the committee, I would like to thank you for your attendance today. The committee will forward the transcript of evidence to you, along with any additional requests for information. I cannot thank you enough. The evidence has been very, very good today. Thank you very much for your time.

**Mr M. Murrie:** Where does this all go now?

**The ACTING CHAIR:** The committee is obviously still doing the inquiry as we speak. Once we are completed, we will report to Parliament and a report will be published, and that will be available on the public record.

**Hon DARREN WEST:** The report will have a series of things that we have found over the course of the inquiry. We will make some recommendations to the Parliament about what we have found, so there will be a report, and we will make sure that you have a copy of that.

**Mr M. Murrie:** Do you have any power to push it?

**Hon DARREN WEST:** The committee does not have the power to change the laws—that is ultimately the government’s responsibility—but this report will, I hope, assist with that.

**Mr M. Murrie:** You have got to do something, mate. We are killing workers at too high a rate.

**Mrs J. Murrie:** That is what frightens you: the amount of people that have been killed already this year. As Ashlea said, it is only March.

**The ACTING CHAIR:** When this gets tabled, that will be debated within the house, no doubt.

**Mrs J. Murrie:** The other thing I wanted to say was it is important that WorkSafe are out there going to the workplaces. There had been a couple of near misses prior to Luke being killed that they were too scared to say anything about. Had they had the power, had workers felt comfortable to come forward, and had WorkSafe had the people there to go and check what was going on, Luke would still be here. It is as simple as that. That needs to change. You have to stop it so that you do not have to put anyone in jail; you stop the unsafe act in its tracks.

**Mr M. Murrie:** Stop it before it happens.

**The ACTING CHAIR:** Yes, absolutely. Thank you very much. I appreciate it.

**Mrs J. Murrie:** Thanks.

**Hearing concluded at 11.36 am**

---