

Christiana Paterson



30th June 2020

Standing Committee on Legislation  
Parliament House  
4 Harvest Terrace Perth WA 6005

By email: [lccl@parliament.wa.gov.au](mailto:lccl@parliament.wa.gov.au)

Dear Committee,

**Submission in relation to *Work Health and Safety Bill 2019***

I write as a bereaved partner in relation to the review of the *Work Health and Safety Bill 2019*. I am writing to express my strong support for section 30B of the Bill, Industrial Manslaughter – simple offence.

**Chris Patrick, 27 Years Old**

**Nature of Injury:** Severe head injury and severe chest injuries.

**What Happened:** Chris was working as a surveyor on land at Karratha Airport that was being prepared for a future carpark in partnership with a grader driver who was operating a heavy earth-moving machine to level the ground. The grader driver reversed over Chris, trapping him under the machine.

**Nature of the Safety Breach:** The safety process required the surveyor, Chris, to stand 15 metres out of the trimming zone, make eye contact and use a walkie talkie to give a signal to the grader driver to commence reversing before the grader driver reversed. The coronial report stated the grader driver used mirrors to check if the worksite was clear and began to reverse the machine. Site supervisors, and other workers, were not looking and the agreed walkie talkies were not used.

**Prosecution:** No criminal investigation or prosecutions.

**Process:** Coronial investigation was completed in 2017, three years after Chris' death. Civil action was undertaken by myself at the age of 25 and completed in 2020, six years after Chris' death.

**Proceedings:** No criminal proceedings or further investigations. Civil proceedings were settled out of court in 2020.

**Penalty:** No penalty to the companies involved. Compensation only received from the Insurance Commission of WA because the grader was road registered, meaning it was road users who paid. The grader driver, site supervisors, and the companies involved, walked away in 2014.

**Why Industrial Manslaughter is important:** Before this accident happened, I believed justice existed, that if you were a good person, good things would happen to you, and that we, as human beings, mattered. Chris' death shattered those beliefs. The insufficiency of the investigation into Chris' death, implied that he meant nothing. If this same death happened in an already built carpark, with a different vehicle, Chris' death would have been investigated in a totally different manner. The grader driver broke the rules and the supervisor did not maintain a safe site, but they walked away.

The failure to use walkie talkies was uncovered by my privately hired lawyers, not the WorkSafe investigator. You can stop shattering people's lives. Bring in Industrial Manslaughter.

**Loved ones left behind:** Partner, Christiana, much loved mum and dad, Gina and Charlie, brother Tom, countless friends, and our beloved puppy Willow.

I want to believe our lives mean something. That your life means something, that my life means something. I don't want anyone else to go through what I did, alone at the age of 25. You have the power to make change and to do good. Be that person.

### **30B Industrial Manslaughter – simple offence**

IM is not a silver bullet that will resolve all work place deaths, but part of a part of a broader strategy needed to make sure workers go home safety.

But it is an important first step. And a step that will delivery real consequences and justice to families like ours.

Thank you again for the opportunity to comment on this important Bill, I urge the Standing Committee on Legislation to recommend that the Bill be passed in its current form. Please contact me if you require further information or explanation.

Yours Sincerely,

Christiana Paterson