



Minister for Police; Road Safety;
Training and Workforce Development; Women's Interests

Our Ref: 45-13566
Your Ref: Petition 70



Hon Simon O'Brien MLC
Chairman
Standing Committee on Environment and Public Affairs
Parliament House
PERTH WA 6000

Dear Mr O'Brien *Simon*

Thank you for your letter of 18 February 2015 regarding the Western Australia Police investigation of fatal and critical crashes involving trucks.

WA Police advise where any death or critical injury resulting from any vehicle collision (truck, car or otherwise) occurs on a road it is investigated by WA Police and recorded as a road fatality.

WA Police apply the same practices to all fatal and critical crashes that occur on roads, irrespective of the vehicle type, by investigating the causes of the crash and determining and apportioning any criminal liability that may apply. The scope of the investigation does not consider any matters pertaining to workplace safety as this is a matter for the safety regulator Worksafe WA.

Where a truck has been involved in a crash, and was being operated for hire, reward or payment of a wage, Worksafe WA have the capacity to request access to the WA Police investigation files in order to conduct their own inquiries. If the crash resulted in death, access to the investigation files can be requested through the State Coroner. Alternatively, if a critical injury occurred, access to the investigation files can be requested utilising the legislative powers given to Worksafe WA under the *Occupational Safety and Health Act 1984*.

If Worksafe WA determines that it wishes to increase investigations into fatal and serious truck collisions that occur on roads then WA Police will work with them to facilitate a mechanism to notify the regulator when an investigation is being conducted that may meet their criteria.

Thank you for bringing this matter to my attention and trust the information provided is of assistance.

Yours sincerely

A handwritten signature in cursive script that reads "Liza Harvey".

**LIZA HARVEY MLA
MINISTER FOR POLICE; ROAD SAFETY;
TRAINING AND WORKFORCE DEVELOPMENT; WOMEN'S INTERESTS**

20 MAR 2015