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Workplace Manslaughter Bill Needs to be Fair for All Victorians: HIA

The Victorian Government's Bill to introduce a workplace manslaughter offence is expected to be debated in Parliament this week.

The Bill includes fines of up to \$16.5 million and jail sentences of up to 20 years.

"The potential penalties under the Bill are significant. This make it critical for the government to get these laws right," said Fiona Nield, HIA Executive Director Victoria.

"HIA remains concerned with key aspects of the Bill that need to be addressed to make it fairer on businesses and to provide a genuine focus on safer outcomes for all Victorians at work."

HIA supports the Victorian Coalition's intent to amend the Bill and its commitment to moving a series of amendments.

"The exclusion of most employees from these laws would be inconsistent with the current Occupational Health and Safety laws and would fail to recognise that safety is a shared responsibility in the workplace.

"While HIA has no desire to see any person, including employees, charged under these laws, it is unacceptable that the proposed offence would not include a group of people who are a critical contributors to workplace safety by making them unaccountable for a death in the workplace.

"The Bill should also maintain current protections against self-incrimination to ensure that anyone who is being prosecuted has the same rights as afforded in the criminal system. A person charged with common law manslaughter is not subject to the limitation proposed in this Bill.

"The proposed offence will have a disproportionate impact on small businesses, especially family businesses. Consideration must be given to exclude those who have lost a family member in a workplace death from prosecution.

The Victorian Parliament has a chance this week to amend these proposals to continue to make safety a priority in the workplace and ensure a more equitable outcome from this Bill. Changes are vital for all Victorians as the current proposal may not improve workplace safety and will unfairly impact small businesses as they will be most vulnerable to this new offence.

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