

## Inquest into the death of Matthew Trent Ross

Matthew Trent Ross died on 11 July 2013 at the Princess Alexandra Hospital. Matthew sustained a fatal electrical shock whilst working to install guttering and fascia at a construction site. The coroner found the source of the electrical current was a light fitting timed to activate at dusk which came into contact with the scaffolding Matthew was holding.

Deputy State Coroner John Lock delivered his findings of inquest on 13 April 2018.

The Queensland Government responds to recommendations directed to government agencies at inquests by informing the community if a recommendation will be implemented or the reason why a recommendation is not supported.

The departments named in this response will provide implementation updates until the recommendation is delivered. Further information relating to the implementation of recommendations can be obtained from the responsible minister named in the response.

### Recommendation 1

The Electrical Safety Office reconsider the various options for the extension of the requirement for the mandatory fitting of residual current devices (including cost benefit analysis), and a draft discussion paper be circulated to key stakeholders and the public for consultation prior to finalisation of its policy position or advice to state government.

Response and action: implementation of the recommendation is in progress.

Responsible agency: Office of Industrial Relations.

On 9 December 2019 the Minister for Education and Minister for Industrial Relations responded:

The Office of Industrial Relations is continuing to evaluate options for responding to this recommendation.

### On 4 June 2020 the Minister for Education and Minister for Industrial Relations responded:

On 23 July 2019 the Honourable Grace Grace MP, Minister for Education and Minister for Industrial Relations wrote to the Commissioner for Electrical Safety requesting he convene an industry roundtable to discuss: safety in the solar farm industry, options for legislative amendment to ensure the *Electrical Safety Act 2002* (Qld) (ES Act) keeps pace with this fast growing industry, and emerging technologies and matters that should be addressed in a long term review of the ES Act. The roundtable met three times on 7 August 2019, 9 October 2019 and 20 November 2019.

On 20 January 2020 the commissioner delivered his report, *Improving Electrical Safety in Queensland*, to the Minister for Education and Minister for Industrial Relations. The report makes nine recommendations aimed at ensuring Queensland's electrical safety laws keep pace with emerging technologies and improving electrical safety in Queensland. The Minister for Education and Minister for Industrial Relations has referred the report and its recommendations to the Office of Industrial Relations for analysis and advice on next steps.

### On 9 September 2020 the Minister for Education and Minister for Industrial Relations responded:

The Office of Industrial Relations analysed the report of the Commissioner for Electrical Safety, *Improving electrical safety in Queensland*. The report's nine recommendations include a wide-reaching review of the *Electrical Safety Act 2002*, and in that context, a focus on residual current device requirements. The report's

recommendation for a review of the *Electrical Safety Act 2002* has been accepted and the Office of Industrial Relations are now planning the review process.

**On 26 April 2021 the Minister for Education, Minister for Industrial Relations and Minister for Racing responded:**

An independent reviewer, Mr Dick Williams, was appointed in December 2020 to conduct the review of the *Electrical Safety Act 2002*. Mr Williams has over 40 years' experience in the electrical industry and is the current chair of the Queensland Building and Construction Commission Board. Mr Williams will be undertaking extensive consultation with stakeholders in industry, unions and the community, to inform the content of the review. This will include an open, public consultation process, providing an opportunity for all interested parties to deliver written submissions to the review. The review is to be completed by December 2021.

Stakeholder consultation is expected to commence in early 2021. The review report is expected to be delivered in December 2021 for government consideration.

**On 14 October 2021 the Minister for Education, Minister for Industrial Relations and Minister for Racing responded:**

The independent reviewer of the *Electrical Safety Act 2002*, Mr Williams, undertook extensive consultation with stakeholders in industry, unions and the community, to inform the content of the review.

An issues paper was published online on 4 March 2021 that set out the purpose and scope of the review. The issues paper also invited written submissions to the review between 5 March and 18 April 2021. The review is currently working on drafting recommendations based on consultation activities, with a final report containing recommendations due to the minister in December 2021.

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**On 11 May 2022 the Minister for Education, Minister for Industrial Relations and Minister for Racing responded:**

The independent review of the *Electrical Safety Act 2002* was completed, with a report and recommendations delivered to the minister in December 2021. The Office of Industrial Relations is currently analysing the report and recommendations to inform ministerial consideration of the recommendations and a government response.

**Recommendation 2:**

The Office of Industrial Relations in conjunction with the Electrical Safety Office review the circumstances of this case and consider if there should be amendments to the *Demolition work Code of Practice 2013* and/or the *Managing electrical risks in the workplace Code of Practice 2013* that mandate:

- an electrical isolation certificate be obtained by the principal contractor for any demolition or dismantling working in any building structure
- further that any electrical isolation certificate should provide sufficient information (a plan may be one solution but there may be others) to identify the precise area that has been isolated, including any cabling and fittings which have been removed, and if there is any remaining cabling and fittings of the relevant area, as well as details of the method of isolation, including use of lockout and tag-out means and testing to prove de-energised protocols
- a further electrical isolation certificate be mandatory where there is any extension of the scope of demolition and dismantling work.

Response and action: the recommendation is agreed to. How the recommendation will be implemented is under consideration

Responsible agency: Office of Industrial Relations.

On 9 December 2019 the Minister for Education and Minister for Industrial Relations responded:

The Office of Industrial Relations supports the coroner's recommendation to consider whether there should be amendments to the *Demolition Work Code of Practice 2013* and/or the *Managing electrical risks in the workplace Code of Practice 2013* in light of the circumstances of this case.

The Office of Industrial Relations is developing a work program for the five-yearly review of all 40 codes of practice. The recommendations regarding possible amendment to the *Demolition work Code of Practice* and/or *Managing electrical risks in the workplace* will be considered in the context of the review of the codes.

**On 4 June 2020 the Minister for Education and Minister for Industrial Relations updated:**

As reported in December 2019 the recommendations regarding possible amendments to the *Demolition work Code of Practice* and/or *Managing electrical risks in the workplace* will be considered when these codes are next reviewed in the work program for the five-yearly review of all 40 codes of practice.

**On 9 September 2020 the Minister for Education and Minister for Industrial Relations responded:**

The *Managing electrical risks in the workplace* code of practice and *Demolition work* code of practice both reflect national model codes of practice. In 2019, Safe Work Australia completed its first review of the model codes of practice. The national review was limited to examining technical accuracy, readability and usability of the codes. Substantive content updates were not within the scope of the review and therefore broader changes could not be considered. The Office of Industrial Relations has been working towards adopting the revised codes to reflect, in the current codes, the minor changes made as a result of the national review. It is intended the revised codes will be approved and current codes will be revoked by the beginning of October 2020.

As previously reported in response to recommendation 1, on 23 July 2019 the Commissioner for Electrical Safety was requested to convene an industry roundtable on broad issues of electrical safety. On 20 January 2020 the commissioner delivered his report, *Improving electrical safety in Queensland: A report by the commissioner for electrical safety*. The report makes nine recommendations aimed at ensuring Queensland's electrical safety laws keep pace with emerging technologies and improving electrical safety in Queensland, including a wide-reaching review of the *Electrical Safety Act 2002*. The report's recommendation for a review of the *Electrical Safety Act 2002* has been accepted and the Office of Industrial Relations are now planning the review process.

Changes to the codes of practice regarding electrical safety that are specific in nature are best considered following the substantive review of the *Electrical Safety Act 2002*. This broader review may effectively meet the intent of this recommendation or may lead to subsequent changes to regulations or codes of practice to accomplish the same.

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An independent reviewer, Mr Dick Williams, was appointed in December 2020 to conduct the review of the *Electrical Safety Act 2002*. Mr Williams has over 40 years' experience in the electrical industry and is the current chair of the Queensland Building and Construction Commission Board. Mr Williams will be undertaking extensive consultation with stakeholders in industry, unions and the community, to inform the

content of the review. This will include an open, public consultation process, providing an opportunity for all interested parties to deliver written submissions to the review. The review is to be completed by December 2021.

Stakeholder consultation is expected to commence in early 2021. The review report is expected to be delivered in December 2021 for government consideration.

**On 14 October 2021 the Minister for Education, Minister for Industrial Relations and Minister for Racing responded:**

Between January and July 2021, the independent reviewer of the *Electrical Safety Act 2002*, Mr Williams, undertook extensive consultation with stakeholders in industry, unions and the community, to inform the content of the review. An issues paper was published online on 4 March 2021 that set out the purpose and scope of the review. The issues paper also invited written submissions to the review between 5 March and 18 April 2021.

The review is currently working on drafting recommendations based on consultation activities, with a final report containing recommendations due to the minister in December 2021.

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