



30 July 2010

COMCARE TO PROSECUTE RAIL CORP OVER SA BRIDGE DEATHS

Australia's federal safety regulator Comcare today launched Federal Court proceedings against Australian Rail Track Corporation over the deaths of two members of the public on an ARTC access road near Bowmans Bridge South Australia in 2008.

The proceedings allege that ARTC contravened federal workplace safety laws by failing to take all reasonably practicable steps to protect the health and safety of members of the public, who were using an ARTC access road and bridge at the time of the deaths.

The access road and bridge are owned by ARTC and used to maintain its national rail network.

The proceedings arise from an incident on 20 September 2008 in which Comcare alleges that two members of the public were driving along an ARTC private access road at night when their vehicle struck a concrete pillar on a bridge over the Wakefield River, causing their vehicle to fall some seven metres off the unprotected edge of the bridge.

The matter has been filed today and will be heard at a date yet to be determined by the court.

Comcare Work Health and Safety General Manager Neil Quarmby said all employers had a duty to the general public to ensure that workplaces were safe at all times.

"Comcare takes very seriously such tragic deaths and works hard to ensure that employers are aware of their responsibilities and put measures in place to cover all reasonably foreseeable contingencies."

The ARTC has responsibility for the management of over 10,000 route kilometres of standard gauge interstate rail track across four states, including South Australia.

The maximum penalty for this type of legislative breach by a body corporate is \$242,000.

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