



**Australian Government**

**Comcare**

**Media Release**

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## **COMCARE TO PROSECUTE LINFOX FOR W.A. FORKLIFT INCIDENT**

Comcare, Australia's federal safety regulator, today initiated proceedings in the Federal Court of Australia against Linfox Australia Pty Ltd in relation to a forklift incident at Welshpool, Western Australia.

The incident resulted in serious crush injuries to a Linfox employee.

The proceedings allege that Linfox contravened federal workplace safety laws by failing to take all reasonably practicable steps to protect the health and safety at work of its employees.

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

The proceedings arise from an incident on 19 December 2007 in which a Linfox forklift operator was using an Omega forklift to move a loaded rail container which weighed approximately 32,000kg.

During this activity, the container struck a stack of stationary rail containers. At the time of this impact, the forklift was carrying the container at a height of at least 8 metres above the ground. The impact resulted in the Omega forklift over-turning, crushing the forklift cabin with the employee inside. The employee sustained severe crush injuries to his legs and left arm.

Comcare CEO Paul O'Connor said "This court action demonstrates Comcare's commitment to take any necessary enforcement action, including prosecution, to ensure employers keep a focus on safety."

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Media enquiries:

Ph: 1300 366 979 or 0419445631

Email: [media@comcare.gov.au](mailto:media@comcare.gov.au)