

21 February 2023

## Media Release

Robyn Pearce, Work Health and Safety Regulator,  
WorkSafe Tasmania

### **WORKSAFE SEEKS SUPREME COURT INTERVENTION TO PROTECT HILLCREST INVESTIGATION**

- WorkSafe Tasmania has commenced proceedings in the Supreme Court to prevent documents it considers privileged in the Hillcrest investigation from being handed over to the Coroner.
- As an independent regulator, WorkSafe Tasmania is investigating the incident to determine whether there have been any breaches of the *Work Health and Safety Act 2012*.
- WorkSafe has also worked closely with the Coroner to assist in its coronial investigation, but is concerned that the disclosure of certain information gathered as part of its investigation may compromise any potential prosecutions for serious offences under our work health and safety laws.
- The Work Health and Safety Regulator, Robyn Pearce said her focus was to ensure a fair and just outcome for the families of the victims, as well as for individuals involved that may have had responsibilities under the *Work Health and Safety Act 2012*.
- 'This investigation is unprecedented in its nature and scope. While a decision is yet to be made on whether there will be any prosecutions as a result of what happened at Hillcrest, it has not been common in Tasmania for an inquest to precede a prosecution,' she said.
- 'We have the utmost respect for the coronial process and by commencing this proceeding we hope to clarify our legal duties so that justice is achieved.'
- WorkSafe Tasmania's investigation file, containing approximately 40 thousand documents, has been provided to the Director of Public Prosecutions for a decision to be made whether any charges should be laid under the *Work Health and Safety Act 2012*.
- While the matter is before the Court no further information or comment can be provided.

**ENDS**

#### **Background**

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The proceeding, *Pearce v McTaggart & Williams* (No 96 of 2023), has been commenced in the Supreme Court at Hobart. Requests for any documents should be directed to the Court's Registry.

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