



Prosecution Result Summaries

Introduction

Defendant: Barro Group Pty. Limited **ABN / ACN:** 005 105 724

Industry: Manufacturing, Logistics and Agriculture **Defendant Type:** Company (ACN)

Date of Offence: 15/07/2005 **Date of Determination:** 30/11/2009

Incident: Crush Injuries

Fatalities **Judge / Magistrate:** Judge Coish

Incident Summary: Barro Group Pty. Limited ("Barro") is an integrated resource, manufacturing and distribution organisation, which among other things, supplies premixed concrete, quarry products and other construction materials. Barro operates a number of quarries, concrete plants and other businesses, both in Victoria and interstate. At one such quarry site in Donnybrook, routine maintenance is conducted on a C12 rock crusher, which involves removing the fixed jaw liner from the machine. On 15 July 2005, a 39 year old quarry worker, was conducting routine maintenance on the C12 rock crusher when the 1.3 tonne fixed jaw liner fell from its mounts and fatally injured him. The deceased was a qualified boilermaker and had worked in the trade for over twenty years and had been contracted to Barro, for over eight years.

Court Number: C0605418.1D **Jurisdiction:** County Court

Charges

Act & Section [Maximum Penalty]	Count(s)
OH&S Act 2004 - s 21(1) & (2)(a) Employer failed to provide & maintain so far as was practicable for employees a safe working environment - plant & systems of work [1800 penalty units individual 9000 penalty units body corporate] Indictable offence triable summarily	1
OH&S Act 2004 - s 21(1) & (2)(b) Employer failed to provide & maintain so far as was practicable for employees a safe working environment - use handling storage & transport of plant & substances [1800 penalty units individual 9000 penalty units body corporate] Indictable offence triable summarily	1
OH&S Act 2004 - s 21(1) & (2)(e) Employer failed to provide & maintain so far as was practicable for employees a safe working environment - information instruction training & supervision [1800 penalty units individual 9000 penalty units body corporate] Indictable offence triable summarily	1

Plea: Not Guilty **Fine:** \$650,000.00

Result: Conviction

Fine (Convicted & fined \$400,000 on count 1, \$250,000 on count 3 and no further order was made with respects to count 2)
