

I am the broken father of Jayden Zappelli. My son 18 years of age was electrocuted on the 8th February 2013 whilst on unpaid work experience. Totally avoidable and a preventable death.

Whilst the Boland Review into Workplace Deaths is important it Lacks in so many ways. For myself it is hard to understand and lacks the real journey for affected families. We are the ones that truly understand the changes required to make positive work health and safety laws in this country.

I believe Safe Work Australia should more so take into account the 34 Senate Enquiry Recommendations from the (They Never came home--the framework surrounding the prevention, investigation and prosecution of industrial deaths in Australia)and support all 34 recommendations

Some Factors into Jayden's Death and its affect on us

- The electrical company JCW Electrical (Jay & Cherrie Woolhead) had no safety procedures in place at the time of Jayden's death, even though the company JCW Electrical had been operating for 6 years.
- Which enabled the supervising electrician Dale Francis Mortley to create bad work practise habits and thus resulting in Jayden's death.
- Inadequate penalty - \$38,000 of a possible \$200 000 for the company JCW Electrical and \$6800 of a possible \$20000 for the supervising electrician Dale Francis Mortley (The company ran around town telling everyone and us that this is not our fault and all our safety was in place and we have done nothing wrong 'throwing the employee under the bus"

Lie after lie in self preservation all the way through. They walk into a court house plead guilty and say they are remorseful and the Judge says good citizen and discounts the penalty by over 80%) also we informed the judge that the companies legal's and penalties would be covered by insurance and provide her with two cases where this had been the case in other prosecutions that had been handed max penalty when the judge found insurance was covering the legal's and fines. Our Magistrate Dianne Scaddens reply to this is while this penalty does not cover Jayden loss of life and his value to his family and friends, I have no control over who pays the fines and legal's when we depart this court today.

Someone needs to give me some answers here??

- JCW Electrical & Dale Mortley's fines were covered by an Insurance company provided by Master Electricians
- Worksafe's investigation into Jayden's death wasn't satisfactory – the interviews were conducted by the police on the day of Jayden's death, though Worksafe didn't conduct any interviews for 3 or 4 months later giving everyone involved time to forget, change or adjust their story.
- Worksafe's investigation reported that Jayden was employed by JCW Electrical for 2 days without being able to supply any evidence to support this fact, other than the fact the employer asked us for Jayden's bank account details the day after his death. I have read the police reports and the coroner findings and the death certificate all state that Jayden was work experience, no mention of employment. I believe that Worksafe and the Government of the day were wanting Jayden to be employed, to avoid the extra heat being placed on them from Media and the public if Jayden had

been a work experience kid killed on a work site. To the Government of the Day, Attorney General Michael Mischen and Worksafe, you disgust me and I want this fixed and all paper work changed. Also Jay and Cherrie Woolhead were fraudulent and lied about Jayden's employment to be covered by insurance. I WOULD LIKE ANSWERS NOW PLEASE

- <https://prosecutions.commerce.wa.gov.au/prosecutions/view/1454>
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- Disgusted that Master Electricians supply their members through an insurance company that paid the penalties and legal costs for the electrical company and supervising electrician. This insurance was part of a safety package that taken out by JCW Electrical on November 1st 2012, the company had not implemented the safety programme at the time of Jayden's death and still receive the insurance to cover court cost and penalties.
- I would estimate this 6 and a half year journey we are out of pocket to the tune of about \$ 900,000 from medical costs, jobs that were never invoiced and jobs never completed, loss of clients and much more. We sued the company and received about 1/4 of our loss. That being said and not included above, what are the future losses and damages to us going forward in the future. Could someone answer where is the justice here. The business owner was more looked after than us.

The whole process of Jaydens' death and up to the current day, has left me broken and struggle to work in our family business, my wife has had to pick up the pieces and is also struggling to maintain the business. We have had to outlay all of our out of pocket expenses – counselling, psychiatrist's appointments, medication, time off work, travel to Perth, Jobs within our business not completed due to mental state, invoices for work completed not invoiced due to mental state.

This is just a small piece of the broken jigsaw puzzle. There is so much more that we have endured and have felt totally abandoned by the system.

We believe that the Boland Review is important, though I believe Safe Work Australia should more so take into account the 34 Senate Enquiry Recommendations from the (They Never came home-- the framework surrounding the prevention, investigation and prosecution of industrial deaths in Australia)

especially to implement a workable deterrent of Industrial Manslaughter Penalty to protect workers lives.

This is not about putting people in jail, but more of a deterrent to employers. To make sure that employers implement their safety to protect their employees and to hold employees accountable for rolling the dice and putting money in their pockets in front of their employees' lives. Stop the band-aid fixes that the governments do and start doing what is right for the employees and families who want their loved ones to come home after work.

It's been six and a half years since Jayden's death and the deaths keep happening, it's time to act NOW and stop these tragedies from happening. Peoples lives matter before money and big business. Something that the governments who have the power to make change need to make this happen now.

I have so much more to share as this is only a snippet but all I am capable of at the moment.

I am available and would like to discuss to discuss this submission further; I struggle to put pen to paper.

If we don't change past system failures, others will be forced to travel this unbearable journey that we and other families have had to endure AND THIS WOULD BE WRONG

Thanking you

Greg Zappelli

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