

Department of Education and Training faces trial over metal fabrication workshop accident.

This month a recent case in Victoria has highlighted the need for all workshop teachers and supervisors to re-evaluate the risk management systems in place at their workplace. As can be read from the extract below, core risk management aspects in this case have been identified including: safety training record keeping, visual safe work procedures and posters, supervision, plant condition and maintenance and quality safety training. [Read below >>>>](#)

The Victorian Department of Education and Training has been committed to stand trial over a metal fabrication class exercise in which a year nine student lost parts of two fingers in September 2005. The student injured her hand while using a pedestal grinder on September 1, 2005. Her pinkie finger was amputated to the first knuckle, and while doctors attempted to save her ring finger by using a rod, there was not enough bone so it was cut down to the second knuckle.

The Victorian Workcover Authority, under the Occupational Health and Safety Act, has charged the Department of Education and Training. Workcover senior investigator Barry Phillips said there were five offences under the Occupational Health and Safety Act that the Department of Education and Training was being charged with. Appearing for the VWA, Michael Tovey, QC, said the case centred on a number of particulars. These included:

1. Whether a proper record of training procedures was kept at the school;
2. Whether safe working procedures and practices were posted around the classroom;
3. The degree of supervision while students were operating the machinery;
4. The condition of the grinder; and
5. The adequacy of the instruction and training.

According to testimony given at the hearing, the school girl had not been told to wear protective earmuffs when operating the machinery, and had done only 20% of the theory classes associated with the metal fabrication workshop.

Lawyers for the Department of Education and Training have pleaded not guilty to the five charges of failing to ensure a person is not exposed to risk. The case is set to go before a jury in Bendigo County Court next year.

The Magistrate, Mr Gibb told the court enough evidence had been presented that a reasonably instructed jury could convict the Department of Education and Training. The matter will next be heard during a case conference in early December. A trial is expected to begin next year.

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