

## Father of killed quarry worker Sean Scovell gutted that company director escapes jail time

ABC Tropical North / By [Angel Parsons](#) and [Johanna Marie](#)

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Brett and Bonnie Scovell have been through a "harrowing" experience. (ABC News: Emilia Terzon)

As Queensland's mine and quarry industry grapples with a rising number of on-site deaths, the parents of a young worker killed on the job say the sentence handed to the man found responsible "is not even comparable" to what they have endured.

Sean Scovell, 21, died at the South Moranbah Quarry, north-west of Rockhampton, in 2012 after becoming entangled in a running conveyor belt.

In May last year, company director William McDonald from MCG Quarries was sentenced to 18 months' prison for breaching safety obligations.

He appealed the conviction and was on bail pending the outcome.

The Industrial Court of Queensland has now upheld the guilty verdict for three of four charges against McDonald and sentenced him to 12 months' prison, wholly suspended for three years.

### Key points:

- Sean Scovell, 21, died in an accident at a Central Queensland quarry in 2012
- Company director William McDonald is found guilty of breaching safety obligations but escapes jail time
- Sean's father, Brett Scovell, says he's gutted at the outcome after eight years of court proceedings

Photos of Sean Scovell at his parents' home in Biggenden, south of Rockhampton. (ABC News: Emilia Terzon)

Sean Scovell's father, Brett, said he was gutted.

"The sentence me and my wife have had to pay, not that it's a sentence, but our whole life has been turned upside down," he said.

"What we've gone through is so harrowing, and what he's going through is not even comparable."

The conveyer Sean Scovell was working on when he was killed in 2012. (Supplied: Scovell family)

Mr Scovell said his son's death affected every aspect of life for he and his wife.

"She walked up the street and heard children laughing and she just collapsed and started crying, hysterically," he said.

"The lives it's changed is not just only my family but so many more people.

"I feel sorry for all the other people at the accident site that were there when Sean died; I don't know how I'd get that picture out of my head."

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The court found multiple health and safety obligation failures contributed to Sean Scovell's death.

These included McDonald failing to ensure a guard was fitted to the conveyor belt and failing to ensure appropriate risk assessment and adequate training.

In handing down his findings, court president Justice Glenn Martin said it was a difficult case.

"Mr McDonald's culpability was clear," the findings read.

But they added that McDonald had no criminal history and had a long and unblemished record in the industry.

"He is well regarded in the community and performs public works for the community," Justice Martin wrote.

Brett and Bonnie Scovell at a memorial for their son in their yard. (ABC News: Emilia Terzon)

**'I don't think it sends a good message'**

Brett Scovell said it was a disappointing end to an eight-year battle.

"It was way, way too long for a little outcome as far as I'm concerned," he said.

"A lot of other people I've talked to ... who have had similar situations, six years seems to be an average timeframe and I can't understand why.

"It just seems so drawn out and you need answers quickly ... it just keeps dredging things back up again."

Mr Scovell said he doubted the outcome was enough to deter similar safety breaches.

"I don't think it sends a very good message," he said.

"If they see someone can blatantly go against work and health safety standards ... and in the long run they say, 'I know you've taken a life, but you be good for 12 months and we'll forget all about it' — it doesn't make sense to me."

Queensland's resources safety regulator said it hoped the judgment deterred the behaviours and decisions that led to the failures identified by the court.

"The vision of the regulator is zero serious harm, and we have zero tolerance for unsafe worksites and practices," executive director Mark Stone said in a statement.