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## **Abstracts from the Law and Social Justice Interest Group**

### **Industrial Manslaughter**

Rick Sarre

*University of South Australia*

#### **Abstract**

While a corporation is deemed to be a legal person for the purposes of the criminal law, corporations cannot be tried in Australia for an offence that can only be punished by imprisonment. This notion is set to change. Legislation in this country is now being drafted and enacted to catch situations where, despite the existence of documentation that appeared to require and ensure compliance with the law, the reality was that non-compliance was expected or the key players were indifferent about compliance. That is, if the persons who made the error of judgment or who acted in a callous way could be shown to be the 'guiding mind' of the corporation, then sentences of imprisonment may apply. The framers of the Criminal Code Act (Cth), and the Crimes (Workplace Deaths & Serious Injuries) Bill (Vic) appear to have had this in mind. This article reviews these legislative experiments.