



30 January 2012

Mark Baker
Coroner's Registrar
Coroners Court of Victoria
Level 1
436 Lonsdale Street
MELBOURNE VIC 3000

By email: cpuresponses@coronerscourt.vic.gov.au

Dear Registrar

DAVID WILLIAM HERBERT SPENCE
COURT REFERENCE: 801/2010

Further to my letter emailed on 21 June 2011, I would like to provide a further response to the Court in relation to aspects of two of the recommendations made by the Coroner following the inquest into the death of Mr Spence.

Recommendation 2

ESV should also review its website and publication strategies, with a view to placing further emphasis upon risks to public health and safety, especially to the ordinary home owner or occupier which arise in circumstances illustrated by Mr Spence's death. Also review its presentation of, and commitment to, the Home Safety Inspection program.

Further ESV response

Energy Safe Victoria (**ESV**) previously committed to running a household electrical safety campaign in Spring 2011. Due to unforeseen circumstances, the campaign – which will focus on raising community awareness of the dangers of metallic split conduit and older wiring in homes – will now be run in February/March 2012.

The campaign will include:

- advertisements on online real estate sites including Domain.com and Realestate.com
- advertisements in the property sections of *The Age* and *Herald Sun*;

- advertisements in suburban and regional papers/magazines with strong real estate sections, such as the Melbourne Weekly, with supporting editorial;
- media interviews and stories to promote the campaign;
- promotion on the ESV website;
- further warnings in *EnergySafe* magazine about the risks of old wiring;
- an article in the Real Estate Institute of Victoria magazine to alert real estate agents to the risks;
- letters to the editor from the Director of Energy Safety to be sent to all regional and suburban papers.

Recommendation 2 also recommended that ESV review its Home Safety Inspection (HSI) program.

In light of a very low rate of take-up, ESV decided to discontinue the HSI program and has notified approved Home Safety Inspectors accordingly. However, in support of ESV's community safety messages, ESV will make the HSI report template available to all Victorian registered electrical contractors free of charge.

A forthcoming edition of *EnergySafe* magazine - which is sent to thousands of licensed electrical workers and registered electrical contractors across Victoria - will carry an article publicizing this initiative.

Recommendation 3

It is a prudent and sensible step for any person who may be considering the purchase of a home, either constructed before the 1960's, or at all, to consider a pre-purchase electrical inspection. Such steps are not uncommon with retention of builders or engineers to advise of structural risks and maintenance or repair costs which may come with a property. Similar identification of safety and costs risks with respect to electrical safety should be considered by purchasers and those who advise them.

To the extent solicitors are involved in advising purchasers of homes and buildings, regarding proper enquiries upon, or disclosure by Vendors, any practice, either undertaken informally within the legal profession, or otherwise by additional formal legal procedure, should be considered.

In this context, I recommend that any Conveyancing Committee or Property Law Group within the Law Institute of Victoria, and ESV, give consideration to the merits of Vendor Certificates of electrical safety, and/or regular procedures for enquiry or investigation of electrical safety by purchasers of specific (or all)

buildings and/or for other review strategies upon sale and purchase of relevant buildings. To minimize or avoid risks to health and safety as occurred here.

Further ESV response

Having given further consideration to the recommendation, ESV has contacted the Law Institute of Victoria with a view to coordinating a response to the recommendation.

Please do not hesitate to contact me on 03 9203 9700 if you have any queries.

Yours sincerely



Andrew Padanyi
SOLICITOR CORPORATE