



My
News

Local

QLD

National

World

Opinion

Business

Entertainment

Lifestyle

Sport



[News](#) [Queensland](#) [Mackay](#) [Police & Courts](#)

Carborough Downs Mine hearing into death of Brad Duxbury delayed

A ruling into the death of Central Queensland mine worker Brad Duxbury has been delayed. Here's why.



Lillian Watkins [Follow](#)

 @lillwatkins  less than 2 min read December 13, 2021 - 5:00AM

Police & Courts

Don't miss out on the headlines from Police & Courts. Followed categories will be added to My News.

[Follow](#)

called to an area near Emerald around midnight after a section of the wall and the ceiling caved in. A 60 year old was pronounced dead at the scene while a second man,...

Lawyers for the senior executives charged after a father was crushed to death at a Central Queensland mine have attempted to quash charges on a technicality.

Specialist workplace health and safety prosecutor Aaron Guilfoyle initially brought the action against two of Carborough Downs Mine's senior executives Russel Clive Uhr and Jeremy David Futeran, and the mine operator for the death of Brad Duxbury.

They are charged with failing to discharge health and safety obligations.



Brad Duxbury was killed at Carborough Downs mine site on November 25, 2019.

Mr Duxbury, a 57-year-old underground electrician, was crushed to death from falling coal while fixing machinery at Carborough Downs mine, about 20km east of Moranbah, on November 25, 2019.

The hearing for the matters began on December 9 in Mackay Magistrates Court where Mr Uhr's barrister Christopher Murdoch and Mr Futeran's barrister Peter Roney brought an application to dismiss the matter on the argument the complaint was invalid.

Mr Murdoch began his submissions alleging Mr Guilfoyle's staffer had lodged the original complaint in Mackay Magistrates Court rather than the Industrial Magistrates Court.

The pair argued this meant the complaint was invalid because it was not brought into a court with the jurisdiction to hear the matter resulting in a contest of legislative interpretation between them and Work Health and Safety's barrister Glen Rice.

More Coverage

[Man's eye sliced in horror alleged glassing attack](#)

[Seven days unleash 'horrific injuries'](#)

**savage dogs unleash horrific injuries
on meter readers**

Acting Magistrate Athol Kennedy adjourned the matter for lawyers to make further written submissions. The case was listed for January 17.