

The Secretariat
Standing Committee on Education and Employment

2 October 2018

PO Box 6100
Parliament House
Canberra ACT 2600

Dear Secretariat

On behalf of the Victorian Government and Paul Fowler, I would like to thank you for the opportunity to appear before the Standing Committee on Education and Employment (Standing Committee) in respect to its inquiry into the framework surrounding the prevention, investigation and prosecution of industrial deaths in Australia.

We have reviewed the transcript provided by email on 4 September 2018, and have identified some minor typographical errors.

In accordance with the instructions provided in the above email, we have attached a hard copy marking the changes to the transcript in red, at **Attachment 1**.

In addition, we wish to clarify a number of aspects of Mr Fowler's evidence to assist the inquiry. These clarifications are attached at **Attachment 2**.

Finally, we note on page 48 of the transcript, Mr Fowler states that he will come back to the inquiry on the entitlements available to families upon the death of a family member.

WorkSafe can confirm that families may be entitled to the following compensation under the *Workplace Injury Rehabilitation and Compensation Act 2013* (Vic):

- the cost of any medical services the deceased required prior to death, such as ambulance, hospital or medical;
- the reasonable cost of family counselling services (up to \$5870 per claim);
- reasonable burial or cremation expenses (up to \$15,230); and
- travel and accommodation expenses of (up to \$5,110) for family members to attend a burial or cremation service.

Eligible dependant family members may also be provided with a lump sum (up to \$611,430 shared between all eligible dependent family members). Partners may receive a weekly pension for three years from the date of the worker's death. Dependent children may also receive a weekly pension from 14 weeks after the date of death until the child turns 16.

Where a deceased worker leaves no dependant family members, non-dependant family members may seek reimbursement of expenses in cases of financial hardship up to an amount of \$36,470.

1 Malop Street Geelong VIC 3220
PO Box 279 Geelong 3220
Telephone 03 4243 7000
Fax 03 4243 9321
worksafe.vic.gov.au



Finally, dependants are able to recover damages up to \$998,970 under the *Wrongs Act 1958* (Vic) (Wrongs Act). Any amounts paid by WorkSafe will be deducted from damages received under the Wrongs Act.

If you have any questions regarding the suggested changes please contact Ranya Shahwan, Manager, Policy and Strategy Services

Yours sincerely

Angela Jolic
Director
Legislation, Policy and Information Services
WorkSafe Victoria