

The Secretariat
Education and Employment Committee
Department of the Senate
By email: eec.sen@aph.gov.au

Dear Committee Members

Thank you for your invitation for the Tasmanian Government to participate in the Senate Education and Employment References Committee hearing for the inquiry into the prevention, investigation and prosecution of industrial deaths in Australia (the Inquiry).

I note the Tasmanian Government did not make a submission to the Inquiry.

As a signatory to the *Inter-Governmental Agreement for Regulatory and Operational Reform in Occupational Health and Safety*, the Tasmanian Government is committed to maintaining harmonised work health and safety (WHS) laws to achieve national uniformity with respect to the WHS regulatory framework complimented by a nationally consistent approach to associated activities.

The 2018 review of national model WHS laws (the Review), is examining how the model WHS laws are operating in practice, whether they are achieving the objectives stated in the model WHS Act or if they have resulted in unintended consequences. Given the relevance of the Review outcomes to terms of reference for the Inquiry, the Tasmanian Government has determined it appropriate to consider recommendations arising from the Review in forming a position on the relevant matters.

With respect to the incidence of workplace related fatalities in Tasmania, I advise the following:

	2013-14	2014-15	2015-16	2016-17	2017-18	5 year average
Total workplace fatalities	7	10	16	4	13	10
Non-work related fatalities	0	0	3	1	6	2
Work related fatalities	7	10	13	3	7	8
Work related – bystander	1	2	4	1	3	2
Work related – worker	6	8	9	2	4	6
Work related – worker (on public road)	0	1	4	0	1	1
Work related – worker (not on public road)	6	7	5	2	3	5
Fatality incidence rate*	2.7	3.3	2.3	0.9	1.3	2.1

* work related – worker – not on public road; fatalities / 100,000 workers

To assist the Committee's understanding of the figures provided above, I note that 'workplace fatalities' includes all fatalities that are reported to WorkSafe Tasmania, including deaths in workplaces that are not work related (for example, if a worker dies of a medical condition that is not related to their work). 'Work related fatalities' by contrast includes fatal events where the activity of the workplace is deemed to be a key factor in the incident. This category does not include medical incidents in the workplace and vehicle incidents where the work vehicle was not at fault.

The fatality incidence rate is based on the number of work fatalities, or workers, that are not on public roads. Use of this data to determine the fatality incidence rate is consistent with Safe Work Australia methodology and excludes work related incidents that occurred on a public road.

While the five-year average fatality incidence rate in Tasmania, of 2.1 sits above the most recent national five-year average released by Safe Work Australia, of 1.3 deaths per 100,000 workers (for the period 2011-12 to 2015-16), I note that the most recent two years in Tasmania have been below the national five-year average, and notably lower than the Tasmanian rate for the previous three years.

I wish the Committee well in undertaking the Inquiry.

Yours sincerely

Kathrine Morgan-Wicks
Secretary

27 July 2018