

Comparative Performance Monitoring Report

**Part 2 – Work Health and Safety
Compliance and Enforcement Activities**

19th Edition - December 2017

Comparison of work health and safety and workers' compensation schemes in Australia and New Zealand



safe work australia

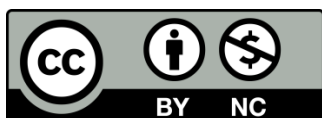
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Important Notice

Safe Work Australia provides the information given in this document to improve public access to information about work health and safety information generally. The vision of Safe Work Australia is Australian workplaces free from injury and disease. Its mission is to lead and coordinate national efforts to prevent workplace death, injury and disease in Australia.

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Foreword

The Labour Ministers' Council released the first Comparative Performance Monitoring (CPM) report in December 1998. The CPM project was transferred to Safe Work Australia when it was established in 2009. The CPM reports provide trend analysis on the work health and safety and workers' compensation schemes operating in Australia and New Zealand. This is the 19th annual report of the CPM project.

The CPM is complemented by the *Australian Workers' Compensation Statistics* report, which provides more detailed analysis of national workers' compensation data using key variables such as occupation, industry, age and sex with supporting information on the circumstances surrounding work-related injury and disease occurrences. The CPM is also complemented by the *Comparison of Workers' Compensation Arrangements in Australia and New Zealand*, which discusses the way that each scheme deals with key aspects such as coverage, benefits, self-insurance, common law and dispute resolution. The publications can be found on the Safe Work Australia website.

Statement of purpose

The role of the CPM report is to facilitate improving work health and safety, workers' compensation and related service outcomes in Australian and New Zealand schemes through an accessible report that:

- (a) monitors the comparative performance of jurisdictions over time, and
- (b) enables benchmarking across jurisdictions and the identification of best practice to support policy making.

Data

The data used in this report were supplied by jurisdictions for the 2015–16 financial year plus updates back to 2010–11. Readers should be aware that the data presented here may differ from jurisdictional annual reports due to the use of different definitions and the application of adjustment factors to aid in the comparability of data. Explanatory commentary on the data items is contained within each chapter with additional information included in Appendix 1 – Explanatory Notes, at the end of this publication.

The data in this report were collected from:

- workers' compensation schemes and work health and safety authorities as follows:
 - New South Wales — State Insurance Regulatory Authority and SafeWork NSW
 - Victoria — WorkSafe Victoria
 - Queensland — Workplace Health and Safety Queensland, Office of Industrial Relations – Queensland Treasury, Queensland Workers' Compensation Regulator and WorkCover Queensland
 - Western Australia — Department of Mines, Industry Regulation and Safety - WorkSafe
 - South Australia — Return to Work South Australia and SafeWork SA
 - Tasmania — WorkSafe Tasmania and WorkCover Tasmania
 - Northern Territory — NT WorkSafe, Department of Attorney-General and Justice
 - Australian Capital Territory — Access Canberra, Worksafe ACT within Chief Minister Treasury and Economic Development Directorate
 - Australian Government — Comcare

- Seacare — Seacare Authority (Seafarers Safety, Rehabilitation and Compensation Authority), and
- New Zealand — Accident Compensation Corporation and WorkSafe New Zealand
- the National Data Set for Compensation-based Statistics and the Work-related Traumatic Injury Fatalities data set compiled by Safe Work Australia. Further information on these data sets can be found on the [Safe Work Australia](#) website
- the Return to Work Survey that replaced the Return to Work Monitor previously published by the Heads of Workers' Compensation Authorities. The full results of which can be accessed at [Safe Work Australia](#) website, and
- the Australian Bureau of Statistics (ABS) which provides estimates of the number of employees and hours worked based on the Labour Force Survey, the Survey of Employment and Earnings and data provided by Comcare. Further adjustments are performed using data from the Census, the Forms of Employment Survey and the Survey of Employment Arrangements, Retirement and Superannuation.

Coordination

This report has been compiled and coordinated by Safe Work Australia with assistance from representatives of all work health and safety and workers' compensation authorities in Australia and New Zealand. In this report the name 'Australian Government' is used for indicators relating to the Australian Government jurisdiction in work health and safety and workers' compensation matters, while 'Comcare' is used to describe Comcare – the entity for indicators relating to scheme performance.

Through a partnership of governments, employers and employees, Safe Work Australia leads the development of national policy to improve work health and safety and workers' compensation arrangements across Australia.

Comparative Performance Monitoring Report

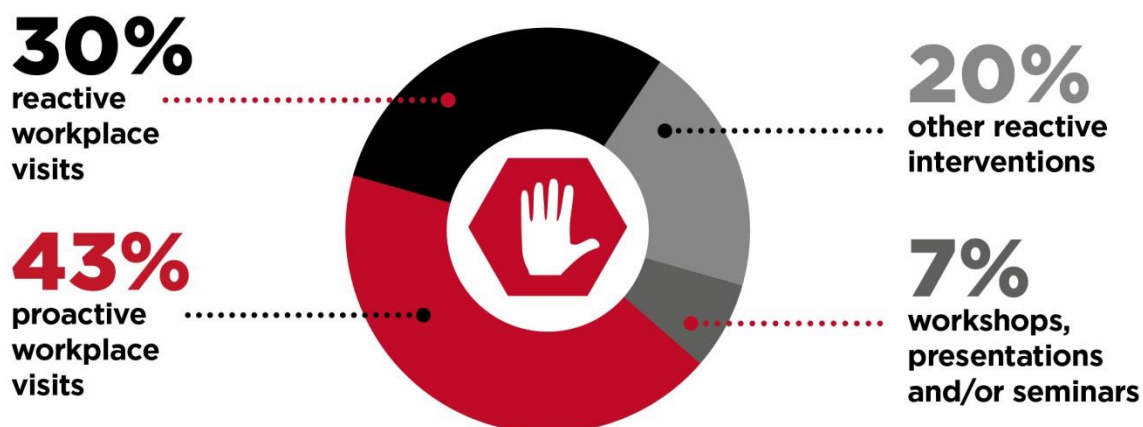
Part 2 – Work Health and Safety Compliance and Enforcement Activities

Key findings

Workplace interventions



Breakdown of workplace interventions in Australia



Inspectors



Notices issued



Comparative Performance Monitoring Report

Part 2 – Work Health and Safety Compliance and Enforcement Activities

Key findings

Enforceable undertakings



**Australian regulators accepted
35 enforceable undertakings**



The number of enforceable undertakings has risen by

250% since 2011-12

Legal proceedings in Australia



232

legal proceedings

resulted in a conviction, order or agreement

↓ 35%

drop in legal proceedings

resulting in a conviction, order or agreement
(from 2011-12 to 2015-16)

Fines in Australia



\$12.2 million

the total amount of fines
awarded by Australian courts



22% decrease from the previous year

1. Work health and safety compliance and enforcement activities

Jurisdictions encourage work health and safety compliance using a variety of mechanisms ranging from education, advice and information through to prosecution. Inspectors appointed under legislation may visit workplaces for the purpose of providing information, presentations, training and advice, investigating incidents or dangerous occurrences and ensuring compliance with work health and safety legislation. Where breaches are detected, the inspector, based on risk, may issue notices or escalate the action to formal procedures that are addressed through the courts for serious contravention of the legislation.

Indicator 12(a to d) provides details on specific work health and safety compliance and enforcement activities undertaken by jurisdictions each year from 2011–12 to 2015–16. The reader should note that the compliance and enforcement data for Indicator 12 do not include the mining sector. Mine inspectors have a different mechanism for enforcement measures and have been excluded from the data due to different legislation operating across jurisdictions. Due to this exclusion, it is possible that the number of field active inspectors shown in this report may differ from inspectorate numbers shown in jurisdictional reports.

A summary of the compliance and enforcement activities in 2015–16 shows that there were:

- 89,645 proactive workplace visits around Australia
- 61,642 reactive workplace visits around Australia
- 1,111 field active inspectors employed around Australia
- 43,025 notices issued by Australian jurisdictions
- 35 enforceable undertakings accepted by Australian jurisdictions
- 275 legal proceedings against duty holders finalised
- 232 legal proceedings resulting in a conviction, order or agreement, and
- \$12.2 million in fines issued by Australian courts.

1.1 Interventions

In 2015–16, overall jurisdictional work health and safety authorities undertook over 207,036 workplace interventions. Of these, there were 89,645 proactive workplace visits, up by 6 per cent from the previous year, and 61,642 reactive workplace visits, an increase of 12 per cent from the previous year. In addition, there were 13,791 proactive workshops, presentations or seminars and 41,958 other reactive interventions.

A high proportion of intervention activities in New South Wales seek to resolve issues through workplace visits, office-based follow up and stakeholder engagement. New South Wales integrates components of proactive prevention programs with reactive activities to ensure greater coverage. Indicator 12a shows that the number of proactive workplace visits decreased by 8 per cent and the number of proactive workshops, presentations and seminars showed a substantial increase (up 27 per cent) in 2015–16 compared to the previous year. The number of reactive workplace visits increased by 1 per cent, while the number of other reactive intervention activities recorded a substantial decrease (down 45 per cent) in 2015–16 compared to the previous year.

In Victoria the number of proactive and reactive workplace visits increased in 2015–16 by 9 per cent and 20 per cent, respectively, compared to the previous year.

South Australia recorded an increase in both reactive visits (up 30 per cent) and other reactive interventions (up 17 per cent) in 2015–16 compared to the previous year. The number of proactive workplace visits decreased by 16 per cent during the same period. This was due to an increased

focus on education and prevention activities in 2015–16. This focus resulted in substantial increase in the number of proactive workshops, presentations and seminars (up by 126 per cent) compared to the previous year. In addition, in 2014–15, SafeWork SA reassessed what it counts as a reactive intervention to better ensure it aligns with the nationally agreed definitions.

Since the model laws came into effect Queensland started to apply a triaging framework 'WHSQ Response Activity Process (WRAP)' to all incident notifications, complaints and statutory requests resulting in a better reporting system for categorising matters between reactive and proactive interventions.

Before the introduction of WRAP a proportion of reactive work (namely response assessments) was obscured in proactive work within the Queensland inspectorate activity database due to limitations of the system at the time. This resulted in considerably lower reporting of reactive workplace visits prior to 2013–14. Queensland has developed a new, more contemporary methodology and has provided Safe Work Australia with updated inspectorate data based on this new methodology. This not only includes site visits and site monitoring activities related to events and investigations, but also those related to response assessments and a newly introduced collection code that did not exist prior to WRAP.

The Australian Capital Territory recorded a substantial increase in the number of proactive workplace visits (up 224 per cent) compared to the previous year. This was due to increased levels of engagement and education activities combined with inspection of retail spaces and visits to events. The number of reactive workplace visits increased by 27 per cent during the same period.

The Northern Territory recorded an increase in the number of proactive workplace visits (up 21 per cent). The introduction of harmonised laws has resulted in increased focus on education and advice activities, which has been reflected in the increase in proactive visits. The number of reactive workplace visits did not show any change compared to the previous year.

Indicator 12a – Work health and safety intervention activity by jurisdiction

Activity	Financial year	NSW	Vic	Qld	WA	#SA	#Tas	NT	ACT	Aus Gov	Seacare	^a Total Aus	NZ
Number of workplace visits: Proactive	2011-12	6,577	^b 21,945	^c 26,343	^d 5,226	9,201	4,442	946	433	3,324	49	78,486	^f 7,790
	2012-13	10,162	^b 21,040	^c 27,844	^d 5,245	8,409	3,224	935	195	3,091	43	80,188	^f 8,436
	2013-14	19,505	^b 22,721	^c 18,818	^d 5,663	8,915	3,439	1,514	490	2,856	57	83,978	^f 13,029
	2014-15	25,164	^b 22,403	^c 17,775	^d 5,113	6,157	2,823	1,793	442	2,953	97	84,720	^f 17,313
	2015-16	23,089	^b 24,369	^c 22,467	^d 5,847	5,157	2,185	2,166	1,430	2,842	93	89,645	^f 17,601
Number of workshops/ presentations / seminars: Proactive	2011-12	1,065	u/a	4,593	^e 282	345	172	102	218	1,703	13	8,493	269
	2012-13	223	u/a	2,876	^e 328	377	257	94	168	1,776	u/a	6,099	219
	2013-14	644	u/a	2,815	^e 308	279	125	51	159	2,001	u/a	6,382	u/a
	2014-15	649	u/a	5,138	^e 340	2,287	n/a	157	100	2,000	u/a	10,671	u/a
	2015-16	831	u/a	5,028	^e 308	5,177	878	271	173	1,125	u/a	13,791	u/a
Number of workplace visits: Reactive	2011-12	13,652	18,567	2,533	^d 4,446	9,510	3,230	2,889	1,574	244	u/a	56,645	^f u/a
	2012-13	12,782	19,782	1,711	^d 4,576	9,698	3,298	2,875	1,886	536	u/a	57,144	^f u/a
	2013-14	10,403	18,845	6,212	^d 4,151	9,338	3,623	3,514	2,384	384	u/a	58,854	^f u/a
	2014-15	10,818	18,317	6,026	^d 3,273	7,988	2,717	3,499	2,247	308	u/a	55,193	^f u/a
	2015-16	10,937	21,897	6,552	^d 3,178	10,357	1,668	3,850	2,861	342	u/a	61,642	^f u/a
Other reactive interventions	2011-12	26,244	u/a	12,342	17,562	11,869	0	u/a	0	1,426	0	69,443	5,363
	2012-13	28,777	u/a	8,924	19,737	8,110	0	357	0	3,098	0	69,003	^g 5,080
	2013-14	17,019	u/a	6,424	20,368	9,278	0	259	0	2,372	0	55,720	^g 1,083
	2014-15	13,227	u/a	6,437	20,014	* 3,684	0	u/a	0	3,323	0	46,685	^h 800
	2015-16	7,269	u/a	6,340	20,728	4,317	0	u/a	0	3,304	0	41,958	527

u/a – Data unavailable as some jurisdictions do not collect this information. For rest of footnotes, please refer to Appendix 1 – Explanatory Notes.

1.2 Inspectors

The number of field active inspectors employed around Australia remained relatively stable between 2011–12 and 2015–16, as shown in Indicator 12b. Field active inspectors are defined as gazetted inspectors whose role is to spend the majority of their time ensuring compliance with the provisions of the work health and safety legislation. In some jurisdictions inspectors engage in other activities to improve the work health and safety capabilities of businesses and workplaces (i.e. a compliance field role). They include investigators (where applicable) who are appointed to work with the enforcement provisions by doing worksite visits, gathering evidence and drawing conclusions. They also include current vacancies and staff on extended leave, managers of the inspectorate regardless of whether undertaking field active work, and auditors (who are gazetted as inspectors) who are responsible for creating an audit template, completing the auditing process and providing feedback. Staff involved in giving advice and information packs from the office, and business advisory officers and community education officers, have been excluded.

The number of field active inspectors remained stable since 2011–12 in New South Wales, Queensland, the Australian Government, and South Australia. In line with the recommendations of the *Getting Home Safely* report, the Australian Capital Territory Government funded additional inspector positions for WorkSafe ACT in 2013–14, resulting in a substantial increase in the number of field active inspectors in the Australian Capital Territory (up 30 per cent) since 2011–12. The number of field active inspectors in Australia increased slightly (up 1 per cent) in 2015–16 compared to the previous year.

Although repeat visits and the number of inspectors in attendance are counted separately for both proactive and reactive workplace intervention measures, this is not the case in Western Australia where inspectors in attendance are not counted separately. Please refer to the Explanatory notes for more details.

Indicator 12b – Work health and safety inspectorate activity by jurisdiction

Activity	Financial year	NSW	Vic	Qld	WA	#SA	#Tas	NT	ACT	Aus Gov	Seacare	^a Total Aus	NZ
Number of field active inspectors	2011-12	315	ⁱ 240	216	103	93	31	12	23	44	4	1,081	146
	2012-13	315	ⁱ 261	210	103	93	31	17	22	44	1	1,097	^h 135
	2013-14	315	ⁱ 261	211	103	93	31	17	30	46	0	1,107	160
	2014-15	315	ⁱ 261	210	103	93	23	25	30	46	2	1,108	181
	2015-16	315	ⁱ 264	217	93	93	25	26	30	46	2	1,111	181
Number of field active inspectors per 10 000 employees	2011-12	1.0	0.9	1.1	1.0	1.3	1.5	1.1	2.0	1.2	5.0	1.1	0.8
	2012-13	1.0	1.0	1.1	0.9	1.3	1.5	1.5	1.8	1.1	1.2	1.1	0.7
	2013-14	1.0	1.0	1.0	0.9	1.3	1.5	1.4	2.4	1.2	0.0	1.1	0.8
	2014-15	1.0	1.0	1.0	0.9	1.3	1.1	2.0	2.3	1.2	1.5	1.0	0.9
	2015-16	1.0	1.0	1.0	0.8	1.3	1.2	2.1	2.0	1.2	2.9	1.0	0.9
Number of other staff undertaking non-inspectorate activities	2011-12	36	u/a	57	^j 5	11	0	0	4	28	2	143	12
	2012-13	35	u/a	71	^j 4	11	0	0	4	27	2	154	0
	2013-14	0	u/a	81	^j 5	12	0	0	4	36	2	140	0
	2014-15	0	u/a	86	3	13	0	0	3	41	2	148	0
	2015-16	0	u/a	67	3	11	0	0	4	49	2	136	0

u/a – Data unavailable as some jurisdictions do not collect this information. For rest of footnotes, please refer to Appendix 1 – Explanatory Notes.

1.3 Notices

Where inspectors identify a breach under their work health and safety legislation a notice may be issued. Indicator 12c shows that Australian jurisdictions issued 43,025 notices in 2015–16, comprising 166 infringement notices (up 9 per cent), 3,032 prohibition notices (down 16 per cent) and 39,827 improvement notices (up 3 per cent) compared to the previous year.

Data on notices cannot be compared directly across jurisdictions as notices are issued differently in each jurisdiction. For example, in some instances a single notice may be issued for multiple breaches of the legislation, while in other instances separate notices are issued for each breach identified.

In 2015–16, there was a substantial increase from the previous year in the number of notices issued by the Australian Government (up 73 per cent), Seacare (up 26 per cent), Tasmania (up 13 per cent), New South Wales (up 10 per cent), the Northern Territory (up 8 per cent) and Victoria (up 6 per cent). By contrast, decreases were recorded in the Australian Capital Territory (down 61 per cent), South Australia (down 12 per cent), Queensland (down 8 per cent) and Western Australia (down 2 per cent). New Zealand recorded a 36 per cent decrease in the total number of notices issued.

In line with the requirements under the model work health and safety laws, some jurisdictions have created infringement notice schemes, but for certain offences only. The national compliance and enforcement policy sets out the offences for which infringement notices can be issued and in some jurisdictions this may be less than were able to issued under previous legislation. This may, at least partly, explain the substantial decrease (down 73 per cent) in the national number of infringement notices issued in 2015–16 compared to 2011–12. The Australian Capital Territory did not issue any infringement notice in 2015–16 compared to 13 infringement notices issued in the previous year..

1.4 Enforceable undertakings

An enforceable undertaking is a legally binding agreement entered into as an alternative to having the matter decided through legal proceedings for contravention of a work health and safety law. An enforceable undertaking provides an opportunity for significant work health and safety reform to be undertaken. Typically the activities associated with an undertaking are substantial and must aim to deliver tangible benefits to the workplace, industry or the broader community.

Enforceable undertakings are an important compliance tool under the model work health and safety legislation. An enforceable undertaking will generally not be accepted where the offence relates to reckless conduct or where an infringement notice has been issued for the contravention.

There were 35 enforceable undertakings accepted by regulators in 2015–16, compared to 23 in the previous year and 10 in 2011–12, as shown in Indicator 12c.

Indicator 12c – Work health and safety notices and enforceable undertakings by jurisdiction

Activity	Financial year	NSW	Vic	Qld	WA	#SA	#Tas	NT	ACT	Aus Gov	Seacare	^a Total Aus	NZ
Number of infringement notices issued	2011–12	357	^k u/a	207	^k n/a	^k n/a	44	0	4	^k n/a	0	612	21
	2012–13	124	^k u/a	61	^k n/a	0	18	0	29	^k n/a	0	232	54
	2013–14	55	^k u/a	58	^k n/a	2	22	0	43	^k n/a	0	180	101
	2014–15	92	^k u/a	30	^k n/a	2	14	1	13	^k n/a	0	152	100
	2015–16	88	^k u/a	60	^k n/a	1	14	3	0	^k n/a	0	166	35
Number of improvement notices issued	2011-12	8,859	17,907	7,049	8,212	2,295	79	68	282	26	28	44,805	1,399
	2012-13	6,118	16,137	5,495	11,959	1,951	105	138	544	19	31	42,497	2,048
	2013-14	5,098	15,834	4,430	12,568	1,347	160	108	832	20	32	40,429	4,947
	2014-15	6,545	15,730	1,752	12,039	1,728	241	74	369	8	43	38,529	5,807
	2015-16	7,266	16,733	1,746	11,897	1,575	308	103	130	18	51	39,827	3,709
Number of prohibition notices issued	2011–12	601	645	1,759	401	857	132	72	135	13	0	4,615	552
	2012–13	551	476	1,363	553	832	122	109	177	18	1	4,202	1,149
	2013–14	498	499	1,222	550	629	121	122	195	14	0	3,850	2,424
	2014–15	673	542	759	427	832	106	131	133	7	0	3,610	2,045
	2015–16	718	527	536	279	688	85	117	71	8	3	3,032	1,314
Number of enforceable undertakings	2011-12	0	4	6	^l n/a	n/a	n/a	n/a	n/a	u/a	n/a	10	n/a
	2012-13	0	6	17	^l n/a	0	0	0	0	0	n/a	23	n/a
	2013-14	1	13	10	^l n/a	0	0	0	0	0	n/a	24	n/a
	2014-15	5	8	7	^l n/a	1	0	0	2	0	n/a	23	n/a
	2015-16	12	5	10	^l n/a	4	0	3	1	0	n/a	35	n/a

u/a – Data unavailable as some jurisdictions do not collect this information. For rest of footnotes, please refer to Appendix 1 – Explanatory Notes.

1.5 Legal proceedings

A conviction, order or agreement is defined (with or without penalty) once it has been recorded against a company or individual in the judicial system. All legal proceedings recorded in the reference year are counted regardless of when the initial legal action commenced. Data for Victoria and the Australian Capital Territory is limited to the number of successful prosecutions resulting in a conviction, fine or both. Prior to the introduction of the model work health and safety legislation in January 2012 which allows for enforceable undertakings, Queensland legislation did not allow for such agreements. Western Australian legislation does not provide for orders or agreements.

Indicator 12d shows that most Australian jurisdictions recorded a decrease in both the number of legal proceedings finalised and the number of legal proceedings resulting in a conviction, order or agreement. Across Australia there was an 11 per cent fall from the previous year in the number of legal proceedings finalised and a 16 per cent fall in the number of legal proceedings resulting in a conviction, order or agreement. The Australian Capital Territory recorded a substantial increase (up 40 per cent) in the number of legal proceedings finalised, followed by South Australia (up 21 per cent). Western Australia recorded a substantial increase (up 31 per cent) in the number of legal proceedings resulting in a conviction, order or agreement, followed by South Australia (up 12 per cent).

In New Zealand, there was a slight decrease (down 2 per cent) in both the number of legal proceedings finalised and the number of legal proceedings resulting in a conviction, order or agreement compared to the previous year.

1.6 Fines

The total amount of fines awarded by the courts in 2015–16 was \$12.2 million, a 22 per cent decrease from the previous year, as shown in Indicator 12d. In some instances the courts declare that penalty amounts are to remain confidential. Therefore the data recorded in Indicator 12d are only those amounts known publicly.

In 2015–16, New South Wales recorded a substantial decrease (down 42 per cent) in the amount of fines awarded by the courts compared to the previous year, followed by Queensland (down 39 per cent), the Australian Government (down 37 per cent) and the Australian Capital Territory (down 23 per cent). All other jurisdictions showed increases in the amount of fines awarded by courts.

Western Australia recorded a substantial increase in the total amount of fines (up 17 per cent) awarded by the courts in 2015–16 compared to previous year, followed by Victoria (up 9 per cent) and South Australia (up 6 per cent). The Northern Territory and Tasmania did not record any fines in 2014–15, however, they recorded total fines of \$152 000 and \$75 000, respectively in 2015–16.

The total amount of fines ordered by the courts in New Zealand was \$3.5 million during 2015–16, which was 23 per cent lower than that reported in 2014–15.

Indicator 12d – Work health and safety legal proceedings and fines by jurisdiction

Activity	Financial year	NSW	Vic	Qld	WA	#SA	#Tas	NT	ACT	Aus Gov	Seacare	^a Total Aus	NZ
Number of legal proceedings finalised	2011-12	^m 84	112	98	54	40	10	4	2	2	0	406	52
	2012-13	^m 85	85	98	28	29	8	1	3	2	1	340	58
	2013-14	^m 46	109	53	19	27	5	1	4	5	0	269	97
	2014-15	^m 91	113	54	19	19	0	0	5	7	0	308	98
	2015-16	^m 61	105	48	18	23	6	3	7	4	0	275	96
Number of legal proceedings resulting in a conviction, order or agreement	2011-12	^m 84	96	78	47	36	7	4	1	5	0	358	46
	2012-13	^m 83	71	78	24	23	7	1	2	1	1	291	47
	2013-14	^m 41	94	47	16	21	5	1	4	2	0	231	83
	2014-15	^m 88	104	42	13	17	0	0	4	7	0	275	90
	2015-16	^m 45	98	42	17	19	2	1	4	4	0	232	88
Total amount of fines ordered by the courts (\$'000)	2011-12	\$7,922	\$5,946	\$3,161	\$1,735	\$1,825	\$175	\$336	\$15	\$890	\$0	\$22,005	\$1,315
	2012-13	\$5,259	\$4,182	\$2,470	\$666	\$1,386	\$60	\$120	\$48	\$120	\$180	\$14,491	\$1,464
	2013-14	\$2,481	\$3,673	\$1,910	\$423	\$956	\$33	\$5	\$58	\$470	\$0	\$10,009	\$3,529
	2014-15	\$7,012	\$4,097	\$1,800	\$547	\$737	\$0	\$0	\$311	\$1,072	\$0	\$15,576	\$4,590
	2015-16	\$4,063	\$4,451	\$1,104	\$639	\$778	\$75	\$152	\$238	\$680	\$0	\$12,180	\$3,521

u/a – Data unavailable as some jurisdictions do not collect this information. For rest of footnotes, please refer to Appendix 1 – Explanatory Notes.

Appendix 1 — Explanatory notes

Enforcement data

In 2009–10, Safe Work Australia, in collaboration with the Heads of Workplace Safety Authorities (HWSA) and states and territories reviewed a number of compliance and enforcement definitions. A number of changes to these definitions were proposed and have been implemented since the eleventh edition of the report. They include:

- the number of legal proceedings finalised is now requested in place of legal proceedings commenced
- the HWSA definition of the number of legal proceedings resulting in a conviction, order or agreement is implemented in place of the number of prosecutions resulting in a conviction
- the number of field active inspectors has been amended to include managers of the field inspectors. The data also include investigators (where applicable) who are appointed to work with the enforcement provisions. Staff on extended leave are also included
- proactive workplace intervention is now split into two measures: (A) Workplace visits and (B) Workshops\Presentations\Seminars Forums and data are now supplied separately, and
- reactive workplace intervention is also split into two measures: (A) Workplace visits and (B) Other reactive interventions.

Data provided by Western Australia in relation to proactive and reactive interventions include the number of visits (including repeat visits) for investigations with a completion date within the reporting period. In an effort to provide stable and reliable data and to prevent double counting, visits pertaining to open investigations have been excluded.

Indicator 12 – Footnotes

Footnotes for Indicator 12a

* In 2014–15, SafeWork SA reassessed what it counts as a reactive intervention. SafeWork SA will recalculate previous figures (2011–12 to 2013–14) to align with reassessed reactive intervention data.

- (a) Totals only include jurisdictions that supplied the relevant data.
- (b) Does not include industry forums/ presentations where an inspection also occurs.
- (c) Queensland provided updated enforcement data following a major review conducted during 2016–17 involving inspectorate data collection. The updated data provided goes back to the 2011–12 financial year.
- (d) The number of inspectors in attendance in WA is not counted separately.
- (e) WA figures may be inflated when inspectors and community education officers, on occasions, present or attend the same event. It is not possible to identify and separate such events from these figures. In addition, the ThinkSafe Small Business Program officially ceased in March 2014. Program data is included in figures up to 2013-14 for this activity, and as such, data reported in 2014-15 and beyond are not directly comparable to previous years.
- (f) The numbers provided were the number of total workplace assessments.
- (g) Other reactive intervention activities mean investigation activity. The definition of investigation was changed in July 2013.

(h) The drop is due to budget cuts.

Footnotes for Indicator 12b

(h) The drop is due to budget cuts.

(i) Amended to include managers of inspectorate.

(j) Data provided up to 2013-14 include FTE figures for external consultants, the ThinkSafe Small Business Manager, and Community Education Officers. The ThinkSafe Small Business Program officially ceased in March 2014. Therefore, data reported in 2014-15 and beyond are not comparable to previous years.

Footnotes for Indicator 12c

(k) There is no legislative requirement for infringement notices in Western Australia, Victoria and the Australian Government, while in South Australia it commenced in January 2013 under its WHS legislation.

(l) Enforceable undertakings are included in Western Australia under their 2004 OSH Act but none have been accepted since then.

Footnote for Indicator 12d

(m) Data are for number of defendants in successful work health and safety prosecutions.

Appendix 2 – Jurisdictional contact information

Jurisdiction	Organisation	Contact details
New South Wales	State Insurance Regulatory Authority SafeWork NSW Customer Service Centre	www.sira.nsw.gov.au www.safework.nsw.gov.au 13 10 50
Victoria	WorkSafe Victoria	Advisory Service 1800 136 089 info@worksafe.vic.gov.au www.worksafe.vic.gov.au
Queensland	Workplace Health and Safety Queensland – Office of Industrial Relations – Queensland Treasury	Infoline 1300 362 128 www.worksafe.qld.gov.au
Western Australia	WorkCover WA Department of Mines, Industry Regulation and Safety – WorkSafe	(08) 9388 5555 www.workcover.wa.gov.au 1300 307 877 www.dmirs.wa.gov.au
South Australia	Return to WorkSA (rtwsa) SafeWork SA	13 18 55 www.rtwsa.com 1300 365 255 www.safework.sa.gov.au
Tasmania	WorkSafe Tasmania	Helpline 1300 366 322 (inside Tas) (03) 6166 4600 (outside Tas) wstinfo@justice.tas.gov.au www.workcover.tas.gov.au www.worksafe.tas.gov.au
Northern Territory	NT WorkSafe	1800 019 115 ntworksafe@nt.gov.au www.worksafe.nt.gov.au
Australian Capital Territory	Access Canberra WorkSafe ACT within Chief Minister Treasury and Economic Development Directorate	(02) 6207 3000 www.worksafe.act.gov.au
Seafarers	Seacare Authority	(02) 6275 0070 seacare@comcare.gov.au www.seacare.gov.au
Australian Government	Comcare	1300 366 979 www.comcare.gov.au
New Zealand	Accident Compensation Corporation	64 7 848 7400 www.acc.co.nz