



National Work Health and Safety Prosecutions Repository

Data Dictionary

JUNE 2025

Disclaimer

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Safe Work Australia works with the Commonwealth, state and territory governments to improve work health and safety and workers' compensation arrangements. Safe Work Australia is a national policy body, not a regulator of work health and safety. The Commonwealth, states and territories have responsibility for regulating and enforcing work health and safety laws in their jurisdiction.

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Data Dictionary

National Work Health and Safety Prosecutions Repository

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PURPOSE

The purpose of the Prosecutions Repository is to provide a central location for selected details about successful WHS prosecution decisions to improve WHS policy and practice.

SCOPE AND APPROACH

Included data

The Repository records selected details of criminal prosecutions for breaching a work health and safety (WHS) law or regulation in Australia, termed 'WHS prosecutions'.

Legal cases concerning negligence, workers' compensation or employment legislation or any other laws (including criminal manslaughter provisions in criminal law) are not included in the Repository. For example, if someone is injured at work there could be a related WHS prosecution and this prosecution will be recorded in the Repository. The same workplace injury could also involve a workers' compensation claim or a negligence claim, and they will not be recorded in the Repository.

Each defendant is listed separately in the Repository. This means that a single incident may be listed more than once.

The Repository includes selected details about WHS prosecution decisions (including sentencing) in all Australian jurisdictions – the Commonwealth, states, and territories – from 1 January 2020 onwards.

The Repository should not be relied on for research or other purposes as it is limited by the data available. For example, it should not be relied on to count the number of worker deaths or injuries prosecuted each year as it is reliant on what information is made publicly available (or provided to Safe Work Australia) by jurisdictions.

Table 1 shows the data that is collated.

Table 1: Reporting fields for National WHS Prosecutions Repository¹

Data category	Inclusions*
Case details	A. Jurisdiction B. Type of court C. Multiple defendants convicted Y/N D. Name of defendant E. Date of incident F. Date of decision*

¹ Fields with an Asterix* align with Recommendation 3 of the Senate inquiry report (Senate Education and Employment References Committee, 2018, p. vii).

	G. WHS Act* H. WHS Act Section* I. WHS Regulation J. WHS Regulation Section
Sentencing details	K. Main type of offence* L. Plea* M. Outcome* N. Financial penalty (Y/N) O. Amount of financial penalty P. Details of imprisonment and/or other penalty
Incident details	Q. Industry of defendant (ANZSIC Division) R. Industry of defendant (ANZSIC Subdivision) S. Type of Injury/ies T. Nature of most serious injury/disease (TOOCS Major Group) U. Nature of most serious injury/disease (TOOCS Code & Description) V. Highest injury level W. Details of incident/alleged Breach X. Link to case details

Collating the data

Most jurisdictions publish some information about WHS prosecutions on their websites. Safe Work Australia has used this data to compile the Repository.

The Agency will update the existing data (for example, to include decisions which may have been the subject of an appeal) and add new prosecutions (since the last collation) annually.

Safe Work Australia derives values for some data items by interpreting the jurisdiction's website information. For example, the industry of defendant may not be explicitly stated but may be deduced from the description on the jurisdiction's website. The Agency also uses publicly available court case reports (for example, from [Austlii](#), or from court websites) if available to fill information gaps.

Table 2 (below) lists the jurisdictions and links to their prosecution summary web pages. Since the Repository is only updated once per year, jurisdictional information may be more up to date. However, the value of the Repository is in having a national point in time snapshot of WHS prosecutions that jurisdictions have chosen to publish rather than the most contemporary information available.

Table 2: Source websites

Jurisdiction	Website link
Australian Capital Territory	List of Prosecutions - WorkSafe ACT

Northern Territory	Prosecutions NT WorkSafe
New South Wales	Prosecutions SafeWork NSW
Queensland	Court reports owhsp
South Australia	Prosecutions SafeWork SA
Tasmania	Court summaries - WorkSafe Tasmania
Victoria	Prosecution Result Summaries and Enforceable Undertakings - WorkSafe Victoria
Western Australia	Prosecutions Prosecutions Database Department of Commerce

Jurisdictions (such as the Commonwealth) that do not publish their prosecutions are requested to provide the information listed in [Attachment A](#) by Safe Work Australia each year for prosecutions completed in the preceding year. Jurisdictions are also asked to notify the Agency of any prosecutions that are overturned on appeal, as these would need to be deleted from the Repository.

Further information and feedback

If you have questions or require further information please email StatsOnline@swa.gov.au.

THE DATA DICTIONARY

The Data Dictionary provides standard data items, definitions, and guidelines for Safe Work Australia for creating and maintaining the Prosecutions Repository. Each item is mutually exclusive and clearly described.

Data definitions and guidelines

A. Jurisdiction

Description: The jurisdiction of the court – Commonwealth, state, or territory – where the prosecution was decided.

Response type: Drop down list (single selection).

Select one:

- Australian Capital Territory*
- Commonwealth*
- New South Wales*
- Northern Territory*
- Queensland*
- South Australia*
- Tasmania*
- Victoria*
- Western Australia*

B. Type of court

Description: WHS prosecutions are brought in different types of courts which vary between jurisdictions.

Comment: If the finding of guilt is the outcome of more than one hearing or appeal, the court of the final hearing is shown. 'Unknown' means the court type was not clear.

Response type: Drop down list (single selection).

Select one:

- County Court*
- District Court*
- Local Court*
- Magistrates' Court*
- South Australian Employment Tribunal (SAET)*
- Supreme Court*
- Federal Circuit Court*
- Federal Court of Australia*
- High Court of Australia*
- Unknown*

C. Multiple defendants convicted (Y/N)

Description:	Flag to indicate prosecutions where more than one defendant was found guilty.
Comment:	<p>WHS prosecutions may be brought against more than one defendant following a WHS incident.</p> <ul style="list-style-type: none">• 'Yes' indicates that more than one defendant was found guilty.• 'No' indicates only one defendant was found guilty i.e., if charges were brought against multiple defendants, but were later dropped/dismissed against all but one defendant, 'no' is used.• 'Unknown' means it was not clear whether multiple defendants were found guilty.
Response type:	Drop down list (single selection).
Select one:	<p>Yes No Unknown</p>

D. Name of defendant

Description:	Name of the defendant/s in the proceedings.
Comment:	Where the WHS proceedings involved multiple defendants, the name of each defendant is recorded in a separate row.
Response type:	Free text.
Instructions:	<p>Defendant's full name as provided in the published decision or otherwise reported.</p> <p>'Not recorded' indicates an individual or company name is not provided (for example, due to a suppression or pseudonym order, or other reasons). If a pseudonym is used, the name will be recorded as the pseudonym.</p>

E. Date of incident

Description:	The date, or last date, of the WHS incident that prompted the prosecution.
Comment:	<p>If the prosecution relates to more than one WHS breach occurring on different dates, the date of the last offence i.e., the date closest to the final prosecution decision, is recorded.</p> <p>For prosecutions with multiple defendants, <i>put the date of the incident that links them</i> (i.e., the original WHS breach, not subsequent breaches which may have occurred during investigations).</p> <p>'Not specified' indicates that details were not found for the date of the incident.</p>

Response type: Date in the format DD/MM/YYYY.

F. Date of decision/verdict

Description: The date of the court decision (i.e., the verdict of whether the defendant is found guilty).

Comment: Where the verdict and sentencing orders are made on separate dates, the date of the verdict is recorded.
Where there is more than one date of verdict and/or more than one defendant in the same legal proceedings, each defendant and date of verdict is recorded in a separate row.
Where a decision was appealed, if the original verdict was upheld (i.e., the appeal was dismissed) the date of the verdict is recorded.
'Not specified' indicates the date of the decision was not found.

Response type: Date in the format DD/MM/YYYY.

G. Name of WHS Act

Description: The Work Health and Safety (or related) Act under which the WHS prosecution was brought as described on the website.

Comment: 'Not applicable' is used if the prosecution was not brought under a jurisdiction's WHS Act (i.e., if it was under a WHS Regulation).
If the Act is not listed, or if the prosecution was brought under more than one Act, 'Other' is used, together with the name of the Act(s), for example: 'Other - Electrical Safety Act 2002 and WHS Act 2011 (Qld)'.
Not all jurisdictional WHS Acts are listed. If a WHS prosecution is brought under a WHS Act not currently listed, it will be added to the data dictionary when updates are made.

Response type: Drop down list (single selection).

Select one:

- Dangerous Goods Act 1985 (Vic)*
- Electrical Safety Act 2002 (Qld)*
- Mining and Quarrying Safety and Health Act 1999 (Qld)*
- Occupational Health and Safety Act 2004 (Vic)*
- Occupational Safety and Health Act 1984 (WA)*
- Petroleum and Gas (Production and Safety) Act 2004 (Qld)*
- Work Health and Safety (National Uniform Legislation) Act 2011 (NT)*
- Work Health and Safety Act 2011 (ACT)*
- Work Health and Safety Act 2011 (Cth)*
- Work Health and Safety Act 2011 (NSW)*
- Work Health and Safety Act 2011 (Qld)*
- Work Health and Safety Act 2012 (SA)*
- Work Health and Safety Act 2012 (Tas)*
- Workplace Injury Rehabilitation and Compensation Act 2013 (Vic)*
- Not applicable*
- Other – specify*

H. Relevant section

Description:	The section(s) from the WHS Act, as cited in the WHS prosecution.
Comment:	Prosecutions may be brought under one or more section(s) of an Act. The applicable Act section(s) are listed as shown in the example below. 'Not applicable' is used if no action was brought under a specified section of a WHS Act (i.e., if it was under a WHS Regulation).
Response type:	Free text to reference the specific sections.
Example:	19(1);31(1);32(2)

I. Name of WHS regulation

Description:	The jurisdictional WHS Regulation under which the WHS prosecution was brought, as described on the website.
Comment:	'Not applicable' is used if the prosecution was not brought under a WHS Regulation (i.e., if it was under a WHS Act). 'Other' is used if the Regulation is not listed, or if the prosecution was brought under more than one Regulation. Not all jurisdictional WHS Regulations are listed. If a WHS prosecution is brought under a WHS Regulation not currently listed, it will be added to the data dictionary when updates are made.
Response type:	Drop down list (single selection).
Select one:	<i>Electrical Safety Regulation 2013 (Qld)</i> <i>Equipment (Public Safety) Regulations 2007 (Vic)</i> <i>Occupational Health and Safety Regulations 2017 (Vic)</i> <i>Occupational Safety and Health Regulations 1996 (WA)</i> <i>Work Health and Safety (National Uniform Legislation) Regulations 2011 (NT)</i> <i>Work Health and Safety Regulation 2011 (ACT)</i> <i>Work Health and Safety Regulation 2011 (Qld)</i> <i>Work Health and Safety Regulation 2017 (NSW)</i> <i>Work Health and Safety Regulations 2011 (Cth)</i> <i>Work Health and Safety Regulations 2012 (SA)</i> <i>Work Health and Safety Regulations 2012 (Tas)</i> <i>Work Health and Safety (Petroleum and Geothermal Energy Operations) Regulations 2022 (WA)</i> <i>Work Health and Safety (General) Regulations 2022 (WA)</i> <i>Work Health and Safety (Mines) Regulations 2022 (WA)</i> <i>Not applicable</i> <i>Other – specify</i>

J. Relevant regulation

Description:	The specific regulation as cited in the WHS prosecution.
Comment:	Prosecutions may be brought under one or more regulation(s) of a jurisdiction's WHS Regulations. 'Not applicable' is used if no action was brought under a WHS Regulation.
Response type:	Free text to reference the specific regulations.
Example:	123(1)(ii);123(1)(iii);345(i)

K. Main type of offence

Description:	Main type of offence for which the defendant was prosecuted under the Act or Regulation, as cited in the WHS prosecution. Where the defendant was prosecuted for more than one offence, the main offence is the most serious offence they were charged with.
Comment:	<p>For model law jurisdictions, the category of breach² that best fits the main offence (i.e., the most serious offence) for which the defendant was prosecuted is selected from the following categories:</p> <ul style="list-style-type: none">• Category 1 offence (Section 31): A duty holder, without reasonable excuse, engages in conduct that recklessly or with gross negligence exposes a person to a risk of death or serious injury or illness.• Category 2 offence (Section 32): A duty holder fails to comply with a health and safety duty that exposes a person to risk of death or serious injury or illness.• Category 3 offence (Section 33): A duty holder fails to comply with a health and safety duty. <p>'Unknown' is used if the offence could not be categorised into one of these three categories.</p> <p>'Not applicable' is used for other jurisdictions (i.e., jurisdictions which had not implemented the model WHS laws in the year of prosecution).</p>
Response type:	Drop down list (single selection).
Select one:	Category 1: recklessly expose a person to risk of death or serious injury/illness Category 2: fail to comply exposes a person to risk of death or serious injury/illness Category 3: fail to comply Not applicable

² <https://www.safeworkaustralia.gov.au/law-and-regulation/whs-regulators-and-workers-compensation-authorities-contact-information/how-do-regulators-enforce-whs-laws>

Unknown

L. Plea

Description:	The plea of the defendant(s) when charged with WHS breach(es).
Comment:	<p>A defendant charged for breaching one or more WHS laws may enter different pleas for different charges and/or there may be more than one defendant.</p> <ul style="list-style-type: none">• If there is more than one charge and the pleas are different, the plea against each charge is recorded.• If there is more than one defendant, each name is recorded separately, on a separate row, with the corresponding plea(s). <p>'Unknown' means the plea is not stated on the website, or a plea was not made (for example, 'ex parte'/defendant absent from hearing).</p>
Response type:	Drop down list (single selection).
Select one:	<i>Guilty</i> <i>Not guilty</i> <i>Unknown</i>

M. Outcome

Description:	The outcome of the prosecution, including whether a conviction was recorded, and whether an appeal was made.
Comment:	<p>The Repository only records criminal prosecutions resulting in a finding of guilt (including pleas of guilty) whether or not a conviction is recorded.</p> <ul style="list-style-type: none">• If there are multiple defendants, the outcome(s) for each defendant is recorded in a separate row per defendant. <p>'Guilty (pending appeal)' is used if an appeal has been lodged and not yet decided.</p> <p>'Guilty (details unknown)' is used when the website records a guilty verdict, but other details (i.e., whether a conviction was recorded, or an appeal lodged) are unknown.</p> <p>'Guilty (spent conviction)' is used where Western Australia's 'spent convictions scheme' is applicable to the prosecution. This scheme provides for a 'Spent Conviction Order' which means the conviction will be spent immediately and will not appear on an individual's National Police Certificate.</p> <p>'Unknown' means the website had no information on the outcome.</p>
Response type:	Drop down list (single selection).
Select one:	<i>Guilty (conviction recorded)</i> <i>Guilty (conviction not recorded)</i> <i>Guilty (details unknown)</i>

Guilty (pending appeal)
Guilty (appeal dismissed)
Guilty (spent conviction)
Other - specify
Unknown

N. Financial penalty

Description: Whether a fine or other financial penalty was imposed by the court.

Comment: 'Yes' means the penalty included a fine or other payment (see below), and 'No' means there was no financial penalty imposed *excluding court costs*.

Response type: Drop down list (single selection).

Select one: Yes
No

O. Amount/details of financial penalty

Description: Amount of the fine and/or other financial penalty (for example, contribution to court fund, contribution to regulator and/or levy for affected individuals³). *Excludes court costs, as these are not always specified.*

Comment: This is the total sum of financial penalty, per defendant, after discounts and/or appeals (where applicable), *excluding court costs*.
Left blank if there was no financial penalty.
One row per defendant (consistent with the approach for recording the plea, outcome, and type of penalty).

Response type: Number, using the following format: \$250,000.

P. Details of imprisonment or other penalty

Description: Details of imprisonment and/or any other penalty imposed by the court (excluding court costs).
A recognisance is a promise entered into and recorded before a court as a form of penalty, similar to a good behaviour bond.
A WHS undertaking is a legally binding written commitment given by a person conducting a business or undertaking (PCBU) to implement effective health and safety initiatives that are designed to deliver tangible benefits for workers, industry and the community.

Comment: Brief description of the type and amount of any other penalty(ies).

³ In the Northern Territory, a person convicted of an offence may be required to pay a financial assistance levy for victim(s) of the breach (i.e., the injured worker, or family of a worker who was killed).

One row per defendant, showing details of the final penalty after discounts and/or appeals (where applicable), *excluding court costs*. Left blank if there were no other penalties.

- Response type: Number and/or free text, which uses the following formats for numbers:
- Imprisonment: 12 months, wholly suspended for good behaviour
 - court ordered WHS undertaking (12 months) and recognisance (\$5,000)
 - court ordered WHS project.

Q. Industry of defendant (ANZSIC Division)

Description: Industry Division that characterises the main activity of the defendant. This may differ from the activity of the injured worker.

Comment: ANZSIC Division for the main activity of the defendant entity, using the [*Australian and New Zealand Standard Industrial Classification, 2006*](#). If the defendant — i.e., the PCBU being prosecuted, not the affected worker (if different) — is a *labour hire company*, 'N - Administrative and support services' is used.

'Unknown' is used if there is insufficient information for ANZSIC coding.

Response type: Drop down list (single selection).

Select one:

- A - Agriculture, forestry & fishing
- B - Mining
- C - Manufacturing
- D - Electricity, gas, water & waste services
- E - Construction
- F - Wholesale trade
- G - Retail trade
- H - Accommodation & food services
- I - Transport, postal & warehousing
- J - Information media & telecommunications
- K - Financial & insurance services
- L - Rental, hiring & real estate services
- M - Professional, scientific & technical services
- N - Administrative & support services
- O - Public administration & safety
- P - Education & training
- Q - Health care & social assistance
- R - Arts & recreation services
- S - Other services
- Unknown

R. Industry of defendant (ANZSIC subdivision)

Description:	Industry Subdivision that characterises the main activity of the defendant. This may differ from the activity of the injured worker.
Comment:	ANZSIC Subdivision matching the main activity of the defendant entity, using the Australian and New Zealand Standard Industrial Classification, 2006 . If the defendant — i.e., the PCBU being prosecuted, not the affected worker (if different) — is a <i>labour hire company</i> , '72 - Administrative services' is used. 'Unknown' is used if there is insufficient information for ANZSIC coding.
Response type:	Drop down list (single selection).
Select one:	Refer to Attachment B list of ANZSIC Subdivisions .

S. Type of injury/ies or disease

Description:	The major harm(s) experienced by the worker (or other party), if applicable. Fatality is an incident that resulted in death. Injury is the harm or hurt experienced by the worker (or other party) – for example, a cut resulting from an incident with a knife or burns resulting from an acid splash. Disease usually results from repeated or long-term exposure to an agent or event – for example, loss of hearing because of long-term exposure to noise; a single exposure to an infectious agent; or multiple or uncertain causes.
Comment:	This information records whether an incident resulted in fatality, injury, or disease. It may provide information about how the injuries affected the worker (eg, surgery, hospital stay, impairment/work capacity). The information is sourced from the jurisdiction's website (if available), or from case details (if available). 'Not applicable' means there was no injury or other direct impact on a worker (for example, inspection identified a failure, but no injury caused). 'Unknown' means the information was not publicly available.
Response type:	Free text (see examples).
Examples:	<i>Fatal percussive pressure injuries following tyre zipper failure</i> <i>Fractured foot, two fractured wrists</i> <i>Burns to face, neck, hands, and ears (hospitalised)</i>

T. Nature of most serious injury or disease (TOOCS Major Group)

Description:	The broad category of most serious injury or disease that harmed the worker (or other party) in the incident which led to the prosecution.
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Fatalities are not classified in the TOOCS but are included in the Type of injury (T) and 'Highest injury level' (W) fields.

Comment: The Major Group which matches the *most serious injury* (excluding fatalities) to the worker (or other party), using the [Type of occurrence classification system \(TOOCS\) 3rd Edition May 2008](#).
'Unknown' means there was insufficient information to code.
'Not applicable' means there was no injury or disease.
Box 1 (below) explains how the most serious injury or disease is selected.

Response type: Drop down list (single selection).

Select one: Refer to [Attachment C list of Nature of Injury \(Major Group\)](#).

Box 1: Ranking of Injuries*

If more than one injury or disease is reported, the most serious is *the injury or disease likely to have the most serious effect on the worker's life* in terms of: reducing life expectancy; then in terms of the degree and length of interference with normal activities and lifestyle.

The 'multiple injuries' code is only used where it is impossible to determine the most serious injury, such as where a person has suffered several different, serious injuries (such as serious motor vehicle incidents and severe crushing). The multiple injuries code is not used for several minor injuries.

The Ranking of Injuries list (below) is used only to resolve *uncertainty* about the most serious injury. For example, burns that result in permanent disfigurement is generally considered more serious than a minor limb fracture.

Ranking of injuries list:

1. Brain injury
 - Fracture of skull
 - Broken neck
 - Spinal cord injury or lesion
2. Internal injury of abdomen, chest, or pelvis
3. Other head injury
 - Open wound of neck or chest
 - Traumatic amputation of limbs
4. Fracture of limb
5. Burn
6. Other injuries

*<https://www.safeworkaustralia.gov.au/system/files/documents/1702/typeofoccurrenceclassificationsystemtoocs3rdeditionrevision1.pdf> (page 5)

U. Nature of most serious injury or disease (TOOCS code and description)

- Description: Where applicable, the code for the most serious injury or disease (excluding fatalities) that harmed the worker (or other party) in the incident which led to the prosecution.
- Comment: The TOOCS code and description which characterises the most serious injury to the worker (or other party), using the [Type of occurrence classification system \(TOOCS\) 3rd Edition May 2008](#). '999 Not Known' indicates there was insufficient information to code. 'Not applicable' indicates there was no injury or disease.
- Response type: Drop down list (single selection).
- Select one: Refer to [Attachment C \(TOOCS Nature of Injury Code and Description\)](#).

V. Highest injury level⁴

- Description: The highest level of injury associated with the breach, as described by the jurisdiction and/or in the case details.
- Comment: As a guide, 'serious' means at least one of the following: requires hospitalisation for more than a day; results in a fracture of a major bone (except simple fractures of fingers, toes or nose); lacerations which cause severe haemorrhage, nerve, muscle or tendon damage, or amputation of any limb (including fingers or toes); injury to any internal organ; second or third degree burns, or any burns affecting more than 5 per cent of the body surface; exposure to infectious substances or injurious radiation.
- 'Minor' is used for any other injury, for example an injury that does not require hospitalisation.
- Use 'none' if type of injury (T) and nature of most serious injury (U) is 'not applicable'.
- Response type: Drop-down (single selection).
- Select one: *Fatal*
Minor
None
Serious
Unknown

⁴Adapted from Australian Transport Safety Bureau injury categories in [ATSB Investigations](#).

W.Details of the incident/alleged breach (website)

- Description: Link to jurisdictions' website information about the work health and safety breach, which describes what happened and what the outcomes were for the worker and the defendant.
- Comment: For some jurisdictions it is only possible to link to lists of prosecutions per year (e.g., NT and Tas), per month, or as otherwise provided by the jurisdiction.
- 'Not found' is used if the prosecution was not found when checking supplied information with jurisdictions' website information.
- Response type: Web address in plain text.

X. Link to case details (if available)

- Description: Link to case details if publicly available on jurisdiction's website, or if published elsewhere on the web.
- Comment: Many courts publish their decisions online and many cases are also published by The Australasian Legal Information Institute ([AustLII](#)).
- 'Not found' is used if case details were not found on the web. This is common with WHS prosecutions which are often brought in courts that do not publish their decisions.
- Response type: Web address in plain text.

Attachment A: Data fields for National WHS Prosecutions Repository

Column	Field name	Example of content
A.	Jurisdiction	New South Wales
B.	Type of Court	Magistrates' Court
C.	Multiple defendants	N
D.	Name of defendant	Joe Bloggs Construction Pty Ltd
E.	Date/s of Incident/s	20/02/2020
F.	Date of Decision/Verdict	19/01/2021
G.	Name of WHS Act	Work Health and Safety Act 2011 (Cth)
H.	Relevant section	26(1)
I.	Name of WHS Regulation	Work Health and Safety Regulation 2017 (NSW)
J.	Relevant Regulation	79(2); 165(1)
K.	Main type of offence	Category 3: fail to comply
L.	Plea	Guilty
M.	Outcome	Guilty (conviction recorded)
N.	Financial penalty	Yes
O.	Amount/details of penalty	\$50,000
P.	Details of imprisonment and/or other penalty	Imprisonment: 12 months, wholly suspended for good behaviour
Q.	Industry of defendant (ANZSIC Division)	C - Manufacturing
R.	Industry of defendant (ANZSIC Subdivision)	14 - Wood Product Manufacturing
S.	Type of Injury/ies or disease	Leg fractures, and injuries to soft tissue and ligaments of right hand
T.	Nature of most serious injury/disease (TOOCS Major Group)	C - Wounds, lacerations, amputations, and internal organ damage
U.	Nature of most serious injury/disease (TOOCS Code & Description)	139 Traumatic amputation
V.	Highest injury level	Serious
W.	Details of Incident/Alleged Breach [web address with hyperlink to website]	https://www.comcare.gov.au/about/news-events/news/whs-act-penalty-after-army-cadet-injured
X.	Link to case details (if available)	https://www.caselaw.nsw.gov.au/decision/17ad09d654c6b3d3be26a1fa

Attachment B: List of industry divisions and subdivisions (ANZSIC, 2006)⁵

Division	Subdivision
A - Agriculture, forestry & fishing	01 - Agriculture
	02 - Aquaculture
	03 - Forestry & Logging
	04 - Fishing, Hunting & Trapping
	05 - Agriculture, Forestry & Fishing Support Services
B - Mining	06 - Coal Mining
	07 - Oil & Gas Extraction
	08 - Metal Ore Mining
	09 - Non-Metallic Mineral Mining & Quarrying
	10 - Exploration & Other Mining Support Services
C - Manufacturing	11 - Food Product Manufacturing
	12 - Beverage & Tobacco Product Manufacturing
	13 - Textile, Leather, Clothing & Footwear Manufacturing
	14 - Wood Product Manufacturing
	15 - Pulp, Paper & Converted Paper Product Manufacturing
	16 - Printing (including the Reproduction of Recorded Media)
	17 - Petroleum & Coal Product Manufacturing
	18 - Basic Chemical & Chemical Product Manufacturing
	19 - Polymer Product & Rubber Product Manufacturing
	20 - Non-Metallic Mineral Product Manufacturing
	21 - Primary Metal & Metal Product Manufacturing
	22 - Fabricated Metal Product Manufacturing
	23 - Transport Equipment Manufacturing
	24 - Machinery & Equipment Manufacturing
	25 - Furniture & Other Manufacturing
D - Electricity, gas, water & waste services	26 - Electricity Supply
	27 - Gas Supply
	28 - Water Supply, Sewerage & Drainage Services
	29 - Waste Collection, Treatment & Disposal Services
E - Construction	30 - Building Construction
	31 - Heavy & Civil Engineering Construction
	32 - Construction Services
F - Wholesale trade	33 - Basic Material Wholesaling
	34 - Machinery & Equipment Wholesaling
	35 - Motor Vehicle & Motor Vehicle Parts Wholesaling
	36 - Grocery, Liquor & Tobacco Product Wholesaling
	37 - Other Goods Wholesaling
	38 - Commission-Based Wholesaling
G - Retail trade	39 - Motor Vehicle & Motor Vehicle Parts Retailing
	40 - Fuel Retailing
	41 - Food Retailing
	42 - Other Store-Based Retailing
	43 - Non-Store Retailing & Retail Commission-Based Buying and/or Selling
H - Accommodation & food services	44 - Accommodation
	45 - Food & Beverage Services
	46 - Road Transport

⁵ Australia and New Zealand Standard Industrial Classification (ANZSIC), 2006:
<https://www.abs.gov.au/AUSSTATS/abs@.nsf/mf/1292.0>

Division	Subdivision
I - Transport, postal & warehousing	47 - Rail Transport
	48 - Water Transport
	49 - Air & Space Transport
	50 - Other Transport
	51 - Postal & Courier Pick-up & Delivery Services
	52 - Transport Support Services
	53 - Warehousing & Storage Services
J - Information media & telecommunications	54 - Publishing (except Internet & Music Publishing)
	55 - Motion Picture & Sound Recording Activities
	56 - Broadcasting (except Internet)
	57 - Internet Publishing & Broadcasting
	58 - Telecommunications Services
	59 - Internet Service Providers, Web Search Portals & Data Processing Services
K - Financial & insurance services	60 - Library & Other Information Services
	62 - Finance
	63 - Insurance & Superannuation Funds
L - Rental, hiring & real estate services	64 - Auxiliary Finance & Insurance Services
	66 - Rental & Hiring Services (except Real Estate)
M - Professional, scientific & technical services	67 - Property Operators & Real Estate Services
	69 - Professional, Scientific & Technical Services (Except Computer System Design & Related)
N - Administrative & support services	70 - Computer System Design & Related Services
	72 - Administrative Services
O - Public administration & safety	73 - Building Cleaning, Pest Control & Other Support Services
	75 - Public Administration
	76 - Defence
P - Education & training	77 - Public Order, Safety & Regulatory Services
	80 - Preschool & School Education
	81 - Tertiary Education
Q - Health care & social assistance	82 - Adult, Community & Other Education
	84 - Hospitals
	85 - Medical & Other Health Care Services
	86 - Residential Care Services
R - Arts & recreation services	87 - Social Assistance Services
	89 - Heritage Activities
	90 - Creative & Performing Arts Activities
	91 - Sports & Recreation Activities
S - Other services	92 - Gambling Activities
	94 - Repair & Maintenance
	95 - Personal & Other Services
Unknown	96 - Private Households Employing Staff & Undifferentiated Goods- & Service-Producing Activities
	Unknown

Attachment C: List of nature of injury/disease major group and sub-divisions (TOOCS, 2008)⁶

TOOCS3.1 - Nature of Injury/Disease*	
Major Group	Code and Description
A - Intracranial injuries	101 Brain injury
	108 Other intracranial injury, not elsewhere classified
	109 Intracranial injury, unspecified
B - Fractures	111 Fractured skull and facial bones
	112 Fracture of vertebral column without mention of spinal cord lesion
	118 Other fractures, not elsewhere classified
	119 Fractures, unspecified
C - Wounds, lacerations, amputations, and internal organ damage	129 Internal injury of chest, abdomen, and pelvis
	139 Traumatic amputation
	145 Injury to major blood vessel
	149 Laceration or open wound not involving traumatic amputation
	154 Medical sharp/needle-stick puncture
	159 Superficial injury
	169 Contusion, bruising and superficial crushing
D - Burn	171 Electrical burn
	172 Chemical burn
	173 Cold Burn
	174 Hot burn
	175 Friction burn
	178 Combination burn or burn not elsewhere classified
	179 Burns, unspecified
E - Injury to nerves and spinal cord	181 Quadriplegia involving spinal cord injury
	182 Paraplegia involving spinal cord injury
	188 Injuries to nerves and spinal cord, not elsewhere classified
	189 Injuries to nerves and spinal cord, unspecified

⁶ Source: <https://www.safeworkaustralia.gov.au/doc/type-occurrence-classification-system-toocs-3rd-edition-may-2008>

TOOCS3.1 - Nature of Injury/Disease*	
Major Group	Code and Description
F - Traumatic joint/ligament and muscle/tendon injury	201 Dislocation
	218 Trauma to joints and ligaments, not elsewhere classified
	219 Trauma to joints and ligaments, unspecified
	222 Traumatic tearing away part of the muscle/tendon structure, avulsion
	223 Trauma to muscles
	224 Trauma to tendon
	228 Trauma to muscles and tendons, not elsewhere classified
	229 Trauma to muscles and tendons, unspecified
	239 Soft tissue injuries due to trauma or unknown mechanisms with insufficient information to code elsewhere
G - Other injuries	301 Foreign body on external eye, in ear or nose or in respiratory, digestive, or reproductive tract
	302 Poisoning and toxic effects of substances
	309 Audio shock, audio shriek
	311 Electrocution, shock from electric current
	312 Traumatic deafness from air pressure or explosion
	313 Heat stress/heat stroke
	314 Hypothermia and effects of reduced temperature
	319 Effects of weather, exposure, air pressure and other external causes, not elsewhere classified
	329 Multiple injuries
	349 Other specified injuries, not elsewhere classified
H - Musculoskeletal and connective tissue diseases	399 Unspecified injuries
	401 Osteoarthritis/osteoarthrosis
	402 Inflammatory arthritis/arthropathies
	403 Infectious arthritis/arthropathies
	404 Arthropathies, not elsewhere classified
	405 Arthropathies, unspecified
	406 Meniscus degenerate/detached/retained/chronic tear
	407 Acquired musculoskeletal deformities
	409 Other chronic joint and ligament diseases

TOOCS3.1 - Nature of Injury/Disease*	
Major Group	Code and Description
	418 Joint and other articular cartilage diseases, not elsewhere classified
	419 Joint and other articular cartilage diseases, unspecified
	422 Disc displacement, prolapse, degeneration or hernia
	423 Infectious diseases involving the spine
	459 Back pain, lumbago, and sciatica
	479 Neck pain, cervicalgia
	488 Spinal vertebrae and intervertebral discs diseases, not elsewhere classified
	489 Spinal vertebrae and intervertebral discs diseases, unspecified
	501 Synovitis and tenosynovitis
	503 Ganglion, trigger finger, Dupuytren's contracture
	518 Diseases of synovium and related tissue, not elsewhere classified
	519 Diseases of synovium and related tissue, unspecified
	526 Tendinitis
	527 Epicondylitis
	531 Frozen shoulder (adhesive capsulitis)
	532 Fasciitis
	533 Muscle/tendon strain (non traumatic)
	538 Diseases of muscle, tendon, and related tissue, not elsewhere classified
	539 Diseases of muscle, tendon, and related tissue, unspecified
	541 Bursitis
	542 Occupational overuse syndrome
	548 Fibromyalgia, fibrositis and myalgia
	557 Complex regional pain syndrome
	568 Other specified soft tissue diseases, not elsewhere classified
	571 Osteopathies and chondropathies
	579 Soft tissue diseases due to non-traumatic causes with insufficient information to code elsewhere
	599 Musculoskeletal and connective tissue diseases, unspecified
	702 Post-traumatic stress disorder

TOOCS3.1 - Nature of Injury/Disease*	
Major Group	Code and Description
I - Mental diseases	703 Anxiety/stress disorder
	704 Depression
	705 Anxiety/depression combined
	706 Short term shock from exposure to disturbing circumstances
	707 Reaction to stressors – other, multiple, or not specified
	718 Other mental diseases, not elsewhere classified
	719 Mental diseases unspecified
J - Digestive system diseases	721 Hernias
	722 Ulcers and gastritis
	738 Diseases of the digestive system, not elsewhere classified
	739 Diseases of the digestive system, unspecified
K - Skin and subcutaneous tissue diseases	741 Contact dermatitis
	742 Other and unspecified dermatitis or eczema
	758 Other diseases of skin and subcutaneous tissue, not elsewhere classified
	759 Diseases of skin and subcutaneous tissue, unspecified
L - Nervous system and sense organ diseases	761 Diseases of the brain, spinal cord, and peripheral nervous system
	762 Diseases of nerve roots, plexuses, and single nerves
	763 Carpal tunnel syndrome
	764 Diseases of the conjunctiva and cornea
	769 Other diseases of the eye
	771 Deafness
	777 Other diseases of the ear and mastoid process
	778 Diseases of the nervous system and sense organs, not elsewhere classified
	779 Diseases of the nervous system and sense organs, unspecified
M - Respiratory system diseases	781 Asthma
	782 Legionnaires' disease
	783 Asbestosis
	784 Silicosis
	785 Pneumoconiosis due to coal dust
	786 Pneumoconiosis excluding asbestosis, silicosis, and coal workers' pneumoconiosis
	787 Other respiratory conditions due to substances
	788 Chronic bronchitis, emphysema, and allied conditions

TOOCS3.1 - Nature of Injury/Disease*	
Major Group	Code and Description
	798 Other diseases of the respiratory system, not elsewhere classified
	799 Other diseases of the respiratory system, unspecified
N - Circulatory system diseases	801 Ischaemic heart disease
	802 Other heart disease excluding ischaemic heart disease
	803 Cerebrovascular disease
	804 Arterial disease
	805 Vibration white finger - secondary Raynaud's Disease
	806 Hypertension
	807 Venous thromboembolism
	808 Venous disease, not elsewhere classified
	818 Other diseases of the circulatory system, not elsewhere classified
	819 Other diseases of the circulatory system, unspecified
O - Infectious and parasitic diseases	821 Intestinal infectious diseases
	822 Anthrax
	823 Brucellosis
	824 Q-fever
	825 Leptospirosis
	826 Other zoonoses, not elsewhere classified
	827 Protozoal diseases
	828 Specified sexually transmitted diseases excluding HIV/AIDS
	831 Hepatitis A
	832 Hepatitis B
	833 Hepatitis C
	834 Viral hepatitis, not elsewhere classified or unspecified
	835 Human immunodeficiency virus (HIV)/AIDS
	836 Viral diseases, not classified elsewhere
	837 Fungal conditions (mycoses)
	838 Meningococcal disease
	847 Bird flu/Avian flu/Avian influenza
	848 Infectious and parasitic diseases, not elsewhere classified
	849 Infectious and parasitic diseases, unspecified
	855 Novel Coronavirus (COVID-19)
P - Neoplasms (cancer)	861 Malignant neoplasm of mesothelium (mesothelioma)
	862 Malignant melanoma of skin

TOOCS3.1 - Nature of Injury/Disease*	
Major Group	Code and Description
	863 Other malignant neoplasm of skin
	864 Malignant neoplasm of lymphatic and haematopoietic tissue
	865 Carcinoma in situ of skin
	866 Other malignant neoplasms and carcinomas
	867 Benign neoplasm of skin
	868 Other benign neoplasms
	879 Neoplasm, not specified as benign or malignant
Q - Other diseases	941 Other diseases, not elsewhere classified
	945 Adverse reaction to receiving vaccination
	949 Unspecified diseases
R - Other claims	951 Exposure to substances without current injury or disease apparent
	952 Exposure to substances and tested for Novel Coronavirus (COVID-19) without disease apparent
	961 Damage to artificial aid(s)
	999 Not Known

Attachment D: Definitions⁷

More information and definitions on terms used in this Data Dictionary may be found on the Safe Work Australia [website](#), including in the [Glossary](#).

⁷ <https://www.safeworkaustralia.gov.au/glossary>

References

- Australian Government. (2018, December). Australian Government Response to the Senate Education and Employment References Committee Report: *They never came home - the framework surrounding the prevention, investigation and prosecution of industrial deaths in Australia.*
- Boland, M. (2018). *Review of the model Work Health and Safety Laws*. Creative Commons.
- Safe Work Australia. (2018). Members' Meeting 42 (9 August 2018) Paper for Agenda Item 9.
- Safe Work Australia. (2018). Safe Work Australia Members' Meeting 42 (9 August 2018) Minutes.
- Safe Work Australia. (2019). Members' Meeting 44 (16 April 2019) Agenda Item 7 - Attachment A.
- Safe Work Australia. (2019). Members' Meeting 44 (16 April 2019) Minutes and Paper for Agenda Item 7.
- Safe Work Australia. (2021). Members' Meeting 63 (19 August 2021) Minutes.
- Safe Work Australia. (2022). Members' Meeting 66 (7 April 2022) Agenda Item 8 - Attachment 8A.
- Safe Work Australia. (2022, April). Members Meeting 66 (7 April 2022) Minutes.
- Senate Education and Employment References Committee. (2018). *They never came home - the framework surrounding the prevention, investigation and prosecution of industrial deaths in Australia.*