This information sheet provides information about WorkSafe investigations following a workplace incident. The main purpose of WorkSafe's involvement after a workplace incident (including a fatality) is to establish whether or not there was a breach of the *Occupational Health and Safety Act 2004* (OHS Act) and/or other Victorian OHS laws.

**What is the OHS Act 2004?**
The OHS Act aims to:
- ensure that all Victorians are safe at work
- eliminate or minimise risks to the health and safety of all employees and other persons in the workplace
- ensure that all members of the public are safe and not placed at risk by the activities of employers or self-employed persons.

**What is the purpose of a WorkSafe investigation?**
In general, WorkSafe's Enforcement Group investigates the circumstances of work-related deaths or serious injuries. The purpose of an investigation is to identify possible breaches of the OHS Act and/or Victoria's other OHS laws that lead to the death or serious injury.

**What happens in an investigation?**
A WorkSafe investigator carries out an investigation at the site of a workplace incident. The investigator may interview people, such as witnesses, other employees and the employer to help establish facts about the incident. Occasionally, family members may be asked to make a statement to help in the investigation process.

Industry experts may be consulted and the investigator may collect evidence about the incident. Sometimes employment, training and medical records are also required.

A WorkSafe investigation is complex and can take many months or longer to complete. WorkSafe will try to provide as much appropriate information as possible to families about the incident, but please be aware that some information may be legally privileged and therefore cannot be disclosed. Details about evidence collected in an investigation must be kept confidential because disclosure of even a part of the evidence collected may jeopardize the entire investigation.

Once the investigation is complete it will be sent to the WorkSafe legal team for legal review. The purpose of this legal review is to decide whether there is enough evidence to bring a prosecution, or whether other enforcement action (such as a formal caution) is appropriate.

**Who will keep you informed?**
WorkSafe's Information Officer will keep you informed throughout the process. They can be contacted on 1800 136 089.

**What is the role of the Information Officer?**
The Information Officer is a liaison point for families and injured workers throughout the WorkSafe investigation and legal process.

The Information Officer can:
- give you information about the progress of the investigation and legal case and explain court processes
- attend court with you and provide support on the day
- connect you with other support services.

Please note the Information Officer is not able to provide crisis support, if you require urgent counselling please contact Lifeline on 13 11 14, in an emergency please call 000.
Further Information

WorkSafe Publications
- Information about: prosecutions
- Information about: the legal process
- Information about: victim impact statements in WorkSafe prosecutions
- Information about: being a witness
- Information about: the court process
- Information about: support that is available to you
- Information about: WorkSafe, the media and going to court

WorkSafe Agents
Agent contact details are available at worksafe.vic.gov.au/agents

WorkSafe Advisory Service
Free call 1800 136 089
Phone (03) 9641 1444
Email info@worksafe.vic.gov.au.

Law Institute of Victoria
Find a lawyer legal referral service can be accessed at liv.asn.au/find-a-lawyer

For information in your own language
- 廣東話 1300 559 141
- Ελληνικά 1300 650 535
- Македонски 1300 661 494
- Italiano 1300 660 210
- 普通話 1300 662 373
- Српски 1300 722 595
- Español 1300 724 101
- Türkçe 1300 725 445
- Vịệt Ngữ 1300 781 868
- العربية 1300 554 987
- English 1300 782 442
- Other 1300 782 343

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