**Assessment 1: Research**

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| **Student Name** |  |

**Part 1**

**Instructions**

When your supervising lawyer returns to the office, you sit down to discuss Mr Smith’s case.

Your supervisor asks you to do some legal research to help her to prepare the case.

She would like a report based on your research to be ready when she meets with Mr Smith next Wednesday.

Format your report according to the workplace’s guidelines for correspondence. This means use the **Research Template** (below).

To prepare this report:

* Conduct your research
* Provide answers to these questions in a Word Document using the **Research Template**
* Attach the screen shot of the Safe Work Australia report
* Check the spelling, vocabulary and grammar of your draft
* Format your report according to the workplace’s guidelines for correspondence. This means use the Research Template.
* Check through your report to ensure its accuracy and readability.

Your report must include the following:

1. Using either of the following legal databases

<https://www.austlii.edu.au/>

 or

<https://legislation.nsw.gov.au/>

locate section 31 of the **Work Health and Safety Act 2011 (NSW).**

* What is the definition of gross negligence or reckless conduct?
* What is the maximum penalty for a ‘Reckless conduct: Category 1’ offence?

2. Locate the report prepared by Safe Work Australia that details the ***‘Key Work Health and Safety Statistics 2023’*** to find the following

<https://data.safeworkaustralia.gov.au/insights/key-whs-stats-2023>

* Total serious claims?
* Median compensation paid?
* Median time lost per serious claim?
* Take a screenshot of the page of the report where this information is located.

3**.** Using either of the following legal databases

<https://www.austlii.edu.au/>

 or

<https://legislation.nsw.gov.au/>

locate sections 34, 36 & 37 of the ***Workers Compensation Act 1987* (NSW)**

* What is the maximum weekly compensation amount?
* What % of the worker’s pre-injury average weekly earnings is to be paid during the first entitlement period (13 weeks)?
* How long does the second entitlement period go for?

**Research Template**

Prepared by:

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Date:

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Submitted to:

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Client name:

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Topic:

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* Total serious claims

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* Median compensation paid

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* *Median time lost* per serious claim.

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* How long does the second entitlement period go for?

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