

Foreword

The Honourable Frank Marks is one of the best-qualified persons I know to write a text on occupational health and safety law. Frank Marks was a judge of the Industrial Court of New South Wales for 19 years until his retirement in 2012 as the senior puisne judge of the Court. In that time he dealt with countless prosecutions under the State's occupational health and safety laws and has an intimate knowledge of how the laws work and how they are to be applied.

Frank Marks is also the author or co-author of "Industrial Accidents: Employers' Liability and Damages", "Understanding the Occupational Health and Safety Act 1983 (NSW)", "Understanding New South Wales Occupational Health and Safety Legislation" and "Workers Compensation Law in New South Wales".

Together with Debbie Dinnen and Lauren Fieldus, Frank Marks has produced a new text, "The New Work, Health and Safety Legislation - A Practical Guide".

The text is true to its title. It is, indeed, a practical guide to the model package of uniform laws adopted by the Commonwealth, the States (other than Victoria for the time being and Western Australia) and Territories in a bid to harmonise work health and safety laws. Unlike what might be expected of a former judge, the book is not aimed primarily at lawyers, although those new to this area of practice would derive considerable insight from it. One can imagine also that students would find the book enormously helpful as a supplement to texts that focus on the black letter law.

Because the new laws have such a broad reach - affecting anyone who conducts a business or undertaking, officers of corporations, workers and customers and members of the public who may be present in a workplace - this book has wide appeal. Moreover, the new laws provide for criminal sanctions against those who contravene them. The financial penalties are high both for corporations and individuals. I would have thought it imperative for employers and workers to be familiar with the new laws and in that respect this book fills that need.

The beauty of the book is that it is written in plain language by someone with years of practical experience and with an eye to what is important for those directly impacted by the legislation. It is not cluttered with case law and extensive quotes from the statutes, but is elegant in its simple and consistent layout and explanatory style, which is what makes the book such a valuable contribution to a workplace understanding of the new laws.

I commend the book and congratulate the authors on a fine piece of work.

Roger Boland
*Industrial Court of New South Wales
President's Chambers, Sydney
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