

23 April 2025

Tracey Horsfall

Admin & Project Officer

Mental Health Review

By email to: mentalhealthreview@pc.gov.au

Dear Tracey

Re: Supportive submission - Safety Regulation for Gendered Violence Prevention - National Mental Health & Suicide Prevention Agreement Review

This submission is made in support of Victorian Women Lawyers Association Inc (**VWL**)'s submission dated 4 April 2025 (**VWL Submission**) to the Australian Government Productivity Commission Review of the National Mental Health And Suicide Prevention Agreement (**National Agreement**).

The National Agreement recognises that workplaces provide a critical opportunity for prevention and that Governments at all levels should support and promote a legislative framework for work-related psychological health, ensuring that psychological health and safety is as important as physical health and safety (see paragraph 3 on page A-3 of the National Agreement).

We support VWL's observations that:

1. A key gap in the National Agreement is the absence of express commitments for nationally consistent safety regulatory controls for occupational violence, bullying, and sexual and gender-based harassment, which disproportionately impact women.
2. Women comprise 57.8% of all serious claims for mental health conditions and are disproportionality impacted by bullying, harassment and occupational violence (Safe Work Australia, 2024).
3. In 2021 - 2022, women accounted for the majority (59%) of accepted workers' compensation claims for occupational violence (Safe Work Australia, 2024).
4. Work-related gendered violence can contribute to serious physical and mental injury, leading to feelings of isolation, anxiety, depression, PTSD, heart disease, and, in the worst cases, even suicide (WorkSafe Victoria, 2022).
5. Currently, compliance is left to guidelines and codes of practice which do not impose minimum mandatory controls in all businesses. Instead, codes of practice are admissible "after-the-fact", in safety prosecutions, as evidence of what should have been known about hazards and risks, and the means of controlling them.
6. Safety regulations can provide minimum mandatory controls to prevent the risk of harm. Safety regulatory controls have been found to halve the rate of injury if they are complied with (Gun, R, T, 1993).
7. It has been estimated that the current cost of inactivity on work-related gendered violence is \$30 billion per year (Ballard, A, & Bozin, D, 2023). The significant cost associated with the absence of express controls for work-related gendered violence, and the comparatively lower cost of regulation, suggests that there could be significant social and economic benefits for Australia if these behavioural hazards, which disproportionately impact women, are properly regulated, with minimum enforceable regulatory controls.

Recommendation: Governments at a Federal, State & Territory level should commit to developing nationally consistent model safety regulatory controls to prevent occupational violence, bullying, and sexual and gender-based harassment, which disproportionately impact women.

Safety regulatory controls, achieved via amendments to model safety laws, and implemented Federally, and in each State and Territory, would be distinct from and complement protections under the Sex Discrimination Act 1984 (Cth).

**WORKING
WOMEN'S
CENTRE
AUSTRALIA**

Yours faithfully

A handwritten signature in black ink, appearing to read 'Abbey Kendall', with a stylized flourish at the end.

Abbey Kendall
CEO
Working Women's Centre Australia