

The Honourable Jaclyn Symes

Attorney-General

The Honourable Danny Pearson

Minister for Government Services

Minister for WorkSafe

Minister for TAC

Assistant Treasurer

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By email: attorney-general@justice.vic.gov.au
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Dear Attorney-General and Minister

Discriminatory WorkCover policies won't make workplaces safer

We write with grave concerns regarding the proposed amendments to WorkCover policies. While we understand the sustainability of the WorkCover scheme is crucial, this should not come at the expense of worker rights and wellbeing.

The creation of Return to Work Victoria and the implementation of Psychological Health Regulations under the *Occupational Health and Safety Act 2004* (Vic) are commendable. We support these efforts and the ongoing enforcement of these standards by WorkSafe. However, elements of these proposed reforms concern us.

Equality is non-negotiable in Victoria. In many respects, Victoria leads the way in promoting equality. We are also progressing mental health reforms, including improving mental health in workplaces, following the Royal Commission into Victoria's Mental Health System. The proposed changes to limit mental injury and bullying claims are incompatible with the right to equality under the *Charter of Human Rights and Responsibilities Act 2006* (Vic) and fail to meet the vision of the Royal Commission. Removing these protections will just shift the problem to other systems, such as our overburdened social security and mental health and wellbeing system. We are also concerned about the disproportionate impact that these changes may have on marginalized communities, including people with trauma, mental health issues and Aboriginal Communities.

Further primary prevention strategies, organisational incentives to reduce premiums for better performance and enhanced enforcement from WorkSafe are more sustainable approaches. If the system is broken, let's fix it. Not make the problem worse.

We look forward to working collaboratively with the Victorian Government on these reforms.

Warm regards,

Vrinda Edan, Consumer Academic, University of Melbourne

Simon Katterl, Consultant, Simon Katterl Consulting and former Consumer Advisor to the Royal Commission into Victoria's Mental Health System

Assoc Prof Bridget Hamilton, Director, Centre for Mental Health Nursing, University of Melbourne

Caroline Schmidli, Lived Experience Workforce Lead, Mid West Area Mental Health Services

Cat Van Remmen, Project Manager and Consumer Academic, University of Melbourne

Chris Gambian, Executive Director, Australians for Mental Health

Clare Jewell, Project Lead, VMIAC

Daniela Bradley, Consumer Worker

Dave Peters, Consumer Educator, Australian Catholic University

David Barclay, Consumer Workforce Development Coordinator, Centre for Mental Health Learning

Deb Carlon, Independent Consumer Advisor,

Dr Alicia King, Research Fellow, Central Clinical School, Monash University

Dr Caroline Lambert, Family & Carer Academic, RMIT

Dr Emma Spiel, Clinical Psychologist

Dr Kay Wilson, Post-Doctoral Research Fellow and Co-Convener of the Disability Law Network, Melbourne Law School, University of Melbourne

Dr Magenta Simmons, Senior Research Fellow, The University of Melbourne

Eila Lyon, Consumer Worker

Emeritus Professor Bernadette McSherry, Melbourne Law School, University of Melbourne

Flick Grey, Panel Member, Independent Review into Victoria's Compulsory Mental Health Assessment and Treatment Criteria and Alignment with Other Decision-Making Laws

Gabriel Aleksandrs, Policy & Research Lead, Victorian Mental Illness Awareness Council

George Skoufis – Senior Lived Experience Worker, St Vincent's Community Mental Health

Jo Farmer, Consumer Evaluator, Jo Farmer Consulting

Jo Szczepanska, Design Practice Lead, cohealth

Kelle Reid, Family Carer Workforce Development Coordinator, CMHL

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Rebecca Langman, Director of Consumer Lived/Living Experience, Alfred Mental Health and Addiction Health, Alfred Health

Sarah Jane Haywood, Former Senior Consumer Advisor, Royal Commission into Victoria's Mental Health System

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