

Media Release

The Hon Jill Hennessy MP

Attorney-General

Minister for the Coordination of Justice and Community Safety – COVID-19

Minister for Workplace Safety



Wednesday, 1 July 2020

VICTORIAN WORKPLACE MANSLAUGHTER LAWS NOW IN EFFECT

Workplace manslaughter is now a criminal offence in Victoria with tough new laws introduced by the Victorian Government coming into effect today.

Negligent employers now face fines of up to \$16.5 million and individuals face up to 25 years in jail, sending a clear message to employers that putting lives at risk in the workplace will not be tolerated.

Too many Victorians have had their lives tragically cut short after simply going to work, with 25 people across the Victoria tragically losing their lives in workplace incidents so far this year.

The new offence of workplace manslaughter will be investigated by WorkSafe Victoria, using their powers under the Occupational Health and Safety Act 2004.

The offence applies to employers, self-employed people and 'officers' of the employer. It also applies when an employer's negligent conduct causes the death of a member of the public.

The Government is also delivering on its commitment to reform workplace safety in Victoria by broadening the criteria that defines a workplace death.

From today, fatalities that occur on the road while working, suicides attributable to a workplace health and safety failure, deaths from industrial diseases such as silicosis, and workplace deaths resulting from a criminal act, will all be recognised in the WorkSafe toll.

The change means more Victorians will be entitled to WorkSafe family support services following the death of a loved one at work and broader reporting will bring increased focus to workplace health and safety issues.

The Government has helped small and medium-sized businesses to prepare for the new laws prior to their commencement via a wide-ranging education campaign.

The laws are supported by a \$10 million package to improve investigation and enforcement of workplace safety laws, including a specialist WorkSafe team to lead investigations and prosecutions, and two additional WorkSafe Victoria Family Liaison Officers to give families more support.

A Workplace Incidents Consultative Committee will be established to develop further reforms to provide support to those affected by workplace fatalities and serious incidents. This will be supported with \$4 million in funding and include people who have lost a family member at work or have suffered a serious workplace injury or illness.

Quotes attributable to Minister for Workplace Safety Jill Hennessy

"If an employer's negligence costs someone their life, they will be prosecuted and may go to jail – that's now the law."

"We're increasing the support available to families who have lost someone at work, as well as establishing a new committee led by families who know the pain of such a tragic event, to drive further reforms."

"Broadening the definition of a workplace fatality will help better identify and address the true extent of workplace health and safety issues in Victoria."

Media contact: Jamila Fontana 0409 741 279 | jamila.fontana@minstaff.vic.gov.au