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2 December 2022

Coroner Simon McGregor
Coroners Court of Victoria
65 Kavanagh Street
SOUTHBANK, VICTORIA, 3006

Dear Coroner McGregor

Response to investigation into the death of John Disley

I refer to your recommendations under section 72(2) of the *Coroner's Act 2008* addressed to the Australian Competition and Consumer Commission (**ACCC**) in relation to the death of John Disley resulting from injuries sustained in a fall from a ladder.

The ACCC offers the following responses to your recommendations.

Recommendation 1.

That the Australian Competition and Consumer Commission (ACCC) and the Victorian Department of Health continue their Ladder Safety Matters campaign, including the dissemination of updated messages via relevant media, including social media channels.

Actions taken

The ACCC has recently undertaken a social media campaign called "Spring has Sprung". It included specific content to remind consumers of the hazards of using ladders that are unsafe, or using ladders incorrectly, with tips on how to stay safe. The content was delivered 18 November 2022 through social media posts from our ACCC Product Safety Facebook and Twitter accounts, linking directly to the ladder safety content on the Product Safety Australia website. Internet URLs for these resources are as follows:

- Ladder safety on the Product Safety Australia website:
<https://www.productsafety.gov.au/products/outdoor/workshop/ladders>
- 'Spring has Sprung' ladder safety Facebook post:
<https://www.facebook.com/240314342663734/posts/511127604376086>
- 'Spring has Sprung' ladder safety Twitter tweet:
<https://twitter.com/ACCCProdSafety/status/1593378603399401472>

The ACCC has also corresponded at high-level with the Victorian Department of Health regarding coordination of our respective activities.

Actions under consideration

The ACCC will also be considering the following actions to promote ladder safety messaging:

- (a) Reviewing, and where necessary, updating consumer safety education materials relating to ladders on the Product Safety Australia website
- (b) Incorporating ladder safety use messaging for consumers into further cyclical education campaigns (for example, campaigns relating to safety over the summer and Easter holiday periods)
- (c) Exploring options for amplification and further dissemination of the Ladder Safety Matters campaign and safety information, and/or updated ladder safety materials, through ACCC's channels and other trusted organisations
- (d) Exploring options to increase the reach of consumer messaging, including via the Consumer Education Network (CEN), which includes Commonwealth, state and territory consumer law regulators, and engagement with other relevant organisations.

The ACCC will also continue engaging with the Victorian Department of Health for information and opportunities to align our messaging.

Recommendation 2.

That the ACCC and the Victorian Department of Health review the impact and effectiveness of the Ladder Safety Matters campaign.

Actions taken

The 2016 national Ladder Safety Matters national campaign was coordinated through the Australian Consumer Law (ACL) Education and Information Advisory Committee (now CEN), and led by the Queensland Office of Fair Trading. The campaign underwent a detailed evaluation after its implementation, and overall, the evaluation found the campaign to be relevant, memorable and motivating. The campaign evaluation report was circulated to ACL regulators in 2017.

Actions that will be implemented

The ACCC will evaluate recent and future ladder safety messaging disseminated through ACCC channels, to assess the reach and engagement with messaging.

The ACCC will use this information, as well as the 2016 campaign evaluation, to inform approaches to future messaging on ladder safety. The ACCC will seek CEN engagement to revisit and, if necessary, update ladder safety messaging.

As there is no mandatory product safety standard in place for the supply of ladders, actions that the ACCC will take in consideration of both the Recommendations will focus on safe use messages for consumers.

Thank you for your findings and for giving the ACCC the opportunity to consider this matter. If you would like to discuss this matter further, please do not hesitate to contact Amanda Dadd, Director Consumer Product Safety Division on amanda.dadd@accc.gov.au or 02 6243 1060.

Yours sincerely



Neville Matthew
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