




Speech By
Jarrold Bleijie

MEMBER FOR KAWANA

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WORK HEALTH AND SAFETY AND OTHER LEGISLATION AMENDMENT BILL

 **Mr BLEIJIE** (Kawana—LNP) (4.24 pm): The minister has just given her second reading speech. She would have us believe that this bill is all about workplace health and safety and the safety of those on worksites. Yes, the bill introduces a new law called industrial manslaughter as a punishment for particular offences committed. Let us not kid ourselves. This issue was not on the government's radar. This issue was not on the government's agenda. This issue was not in the government's review. This issue was not in the terms of reference that the government had when it was reviewing workplace health and safety. At the last election, the offence of industrial manslaughter was never promised by the Labor government. With all due respect, what this bill is about is highlighted by the member for Bundamba's Facebook post today. For the benefit of those opposite, I table a copy of the Facebook post of the member for Bundamba.

Tabled paper: Extract, undated, from the Facebook page of the member for Bundamba, Mrs Jo-Ann Miller MP [[1997](#)].

In that Facebook post the member stated—

The ALP is the political wing of the Union movement, it was formed to represent the interests of working people and their representative unions.

Today, we see in the *Courier-Mail* an article about CFMEU members threatening to rape workers' children, about CFMEU members saying that, hopefully, workers will run into a tree on their way home. It is the absolute right of the union movement to protest. But it is also the right of the workers to go to work and not expect that sort of fear and intimidation. It is the worker's right to go to work and earn a dollar so that they can put food on the table for their family without having the vile abuse directed at them like we see reported today. It is the right of every worker to go to work without their colleagues saying to their face, 'I hope your children get raped.' It is the right of every worker to go to work and not have their colleagues say, 'I hope you hit a tree on your way home and never see your family again.'

The member for Bundamba says in her Facebook post, 'The ALP is the political wing of the Union movement.' The member for Bundamba is not saying that the union is the political arm of the Labor Party; she is saying that the Labor government is at the behest of the union movement. The union movement tells the Labor Party what to do. It is not that the union is a part of the Labor Party; it is that the Labor Party is a part of the union. The member for Bundamba is saying that the puppetmasters are the faceless men of the union movement. These people who sit opposite are like lemmings heading off a cliff. They just do what they are told.

This morning in this parliament when we asked questions about children being threatened with rape by CFMEU members we saw the aggression shown by the member for Mirani. Because we had the hide to ask questions or raise these issues in parliament, he got so offended.

Mrs MILLER: I rise to a point of order. The member for Kawana has been talking about my Facebook post. That is a matter of fact. I take offence at his comments in relation to my post and I ask him to withdraw.

Mr DEPUTY SPEAKER (Mr Elmes): Member for Kawana, will you withdraw?

Mr BLEIJIE: May I ask how one takes offence at their own words?

Mr DEPUTY SPEAKER: Member for Kawana, it would help if you withdrew.

Mr BLEIJIE: I withdraw. For the benefit of the House, I tabled the Facebook post from the member for Bundamba.

Let us not make any mistake about it. The minister came in here and would have everyone believe that this issue is so important that we need legislation relating to industrial manslaughter. It was not raised. The review—

Ms Grace: People are dying.

Mr BLEIJIE: I take that interjection. I say to the minister that, currently, people are being prosecuted. The current laws are working. Industrial manslaughter was not in the terms of reference of the review that was undertaken. The minister announced through executive council that the review was going to be headed by an independent person. This independent person turned out to be Mr Tim Lyons, a former ACTU official. That is how independent the review that was undertaken was. Was it any wonder where this review was going to end up? Was it any wonder that halfway through the review Mr Tim Lyons said, out of the blue, 'I think we need to introduce industrial manslaughter'? Hence we have a report from the independent review panel suggesting the government introduce industrial manslaughter. The terms of reference were changed halfway through the review being undertaken to include industrial manslaughter.

Make no mistake: this is a union payback. The members opposite will tweet this afternoon that the LNP opposition, in opposing this legislation, did not stick up for working families, particularly those families that have suffered fatalities. I worked with the families in the gallery, the Garrels family and the Fuller family, when I was the minister responsible for industrial relations. We worked on some common-sense laws and we saw, working together, the rates of fatalities in workplaces decrease across Queensland. I am not going to be pushed by politics into supporting legislation that is a payback to the union movement. Everything we have seen from this Minister for Industrial Relations, with her background in the union movement, indicates that the legislation is a pay-off to the union movement.

We see the comments in the *Courier-Mail* today by those on the picket line about raping children and hoping they have car crashes and we could not get one condemnation from the Labor government. We heard the word 'unacceptable'. I tell my kids it is unacceptable to do this and to do that, but to tell an organisation who has threatened to rape children that it is just unacceptable is the—

Mrs MILLER: I rise to a point of order. The member is misleading the House. The CFMEU did not tell anyone, not its members, to say those words, if in fact those words were said. I believe that the record should show that.

Mr DEPUTY SPEAKER (Mr Elmes): Order! There is no point of order.

Mr BLEIJIE: Let me refer to an article tabled by the Leader of the Opposition this morning with direct quotes from some of these individuals at the picket line. I say to the member for Bundamba that there is so much blacked out on this tabled document because it would be totally unparliamentary to utter the words.

Mr Pearce: It proves nothing!

Mr BLEIJIE: I take the interjection from the member for Mirani. It proves nothing, he says. He has no regard for the comments that were made. Workers trying to go to work are called 'parasites', 'vermin', 'shame', 'stinking scum', 'go back to the kennel, you dog', 'you coward', 'get out of here'. This is the culture of the union movement; it is the culture of the Labor Party. As the member for Bundamba has said on her Facebook post, the Labor Party is the political arm of the CFMEU.

Mrs Miller: No! Of the union movement. Read it properly.

Mr BLEIJIE: My apologies. The Labor Party is the political arm of the union movement—of all the unions! The Leader of the Opposition tabled that document this morning. Every week we now see officials of the union movement in court for breaking the law. At the moment there are 100 officials before courts throughout Australia for flouting Queensland's laws, but we see donation after donation, cheque after cheque and meeting after meeting between CFMEU officials and the minister opposite, the Premier, the Deputy Premier and members of the government.

Mr DEPUTY SPEAKER: Order! Member for Kawana, it might be advisable if we came back to the substance of the bill.

Mr BLEIJIE: If one was to look at the submissions through the committee process, the majority were issued by the union movement. The minister in her second reading speech congratulated the union movement for its advocacy for these laws. I am not only referring and responding to the minister's second reading debate; I am referring to the submissions made by the committee members throughout

the process. It is clear that the only reason we are debating these laws today is because of the relationship between the union movement and the Labor Party. The only reason we have to debate and rush these laws through the parliament is because of the imminent election and to make sure that the unions have their boxes ticked on their industrial relations legislation going through. Labour hire went through the other day and now we have the industrial manslaughter legislation.

Talking about the relationship between the Labor Party and the union movement and why these laws are coming through the parliament, I table a copy of a picture of the minister attending the CFMEU and BLF march.

Tabled paper: Photograph depicting a gathering of union members [1998].

Ms Grace: I have better ones if you want them.

Mr BLEIJIE: Ordinarily one could call a group of people gentlemen, but these are not gentlemen; these are thugs. The minister says she has better pictures than the one I tabled. I ask her to send them to me.

Ms Grace interjected.

Mr BLEIJIE: Any time, she says. Send them to me! Here is another one. This is the Premier meeting with the ETU thugs. I table a copy of that.

Tabled paper: Photograph depicting the Premier and Minister for the Arts, Hon. Annastacia Palaszczuk, with members of the Electrical Trades Union [1999].

Ms GRACE: I rise to a point of order. With all due respect to the member for Kawana and with all due respect to this House, I really fail to see how photographs of people attending union rallies, as great as those photographs are and I am more than willing to provide more, has any relevance to this bill. Tabling photo after photo only demonstrates the lack of depth of understanding of this bill by the member for Kawana. I ask that you bring the member for Kawana back to the details of the bill on relevance, please.

Mr DEPUTY SPEAKER: I will be listening with great interest to the member for Kawana and his debate on the bill.

Mr BLEIJIE: In relation to the linkage between the workplace health and safety laws, the union movement and the Labor government and this bill, which, if I can read from the long title of the bill, is to amend the Electrical Safety Act, the Safety in Recreational Water Activities Act, the Work Health and Safety Act and the Work Health and Safety Regulation for particular purposes, and the other elements I mentioned before, the committee submissions and the minister's own speech, there is a direct linkage between what the Labor government introduced into this parliament, the support the unions have given the government for this particular bill being passed in the parliament and the outcomes of this particular bill.

Workplace health and safety is a shared responsibility between everyone—employers, workers and the safety advocates. The LNP believes in the dignity of work and the right for all workers to go to work each day and come home safely to their families at the end of every shift.

An honourable member interjected.

Mr BLEIJIE: I have worked, I work now and I have children of my own. No-one in their right mind, other than the CFMEU condemning their own workers with what is in the paper today, and no sensible Queenslander would ever have any other view than that everyone should be able to go home from work safe. I had the honour of serving as the minister for industrial relations which has oversight of Workplace Health and Safety Queensland. As I outlined, in 2014 under the LNP workplaces were safer. In the first two years of our government, workplace fatalities reduced by 21.3 per cent, general injuries were down by 8.2 per cent and injuries were reduced by 6.1 per cent. It was under an LNP government that we saw an over 20 per cent reduction in workplace fatalities without this sort of legislation in place.

We increased investment in injury prevention programs and the government inspectors increased their inspection rate on worksites by 15.2 per cent. We appointed Shane Webcke as our workplace health and safety ambassador and worked with people such as Trevor Gillmeister to promote asbestos awareness. We launched education and awareness campaigns dealing with electrical safety in ceiling spaces following the pink batts disaster and quad bike safety in regional communities, and launched the statewide strategic plan for the safe management of asbestos in Queensland in partnership with the local governments. Since 2003, the number of workplace fatalities has reduced, as well as the rate of injury and death. The system is not perfect, but things have dramatically improved and work places are now safer than they were a decade ago.

As I indicated earlier, the bill gives effect to the recommendations contained in the *Best practice review of workplace health and safety in Queensland* report. I will not go through all of the elements of it, as the minister has already done so today. Under the terms of reference, the review specifically considered the appropriateness of Workplace Health and Safety's compliance and enforcement policy;

the effectiveness of WHSQ's compliance regime, enforcement activities and dispute resolution processes; WHSQ's effectiveness in relation to providing compliance information and providing work health and safety awareness and education; the appropriateness and effectiveness of the administration of public safety matters by WHSQ; and any further measures that can be taken to discourage unsafe work practices, including the introduction of the new offence of gross negligence causing death, as well as increasing existing penalties for work related deaths and serious injuries.

The review did not look into any issues in the resource sector or consider issues relating to mine safety. We have heard rumours. We know the mining industry has been given indications from the government that they were going to be contracted to form part of this legislation. Interestingly, in the past 24 hours we have not seen any amendments come through the parliament to deal with that, so I suspect the government has now swiftly taken that off the agenda to ensure that they obtain crossbench support to get the legislation through the parliament this week.

It is obvious where these laws come from: the mining division of the CFMEU. The amendments that have been flagged through the media and through the Queensland Resources Council were not subject to the review, were not subject to any committee analysis and were simply an afterthought following a closed-door discussion with union bosses as Dr Anthony Lynham tried to get back in the good books with the CFMEU after they called for his resignation in May this year. I have spoken to the honourable member for Hinchinbrook, our shadow minister with respect to natural resources. I know of the concern he will express if the mining sector is included in industrial manslaughter laws applicable to the mining sector. However, as I indicated, thus far the minister has put forward no amendments dealing with the mining sector.

The bill introduces to the Work Health and Safety Act a new offence of industrial manslaughter that includes both a senior officer offence and an employer offence where conduct negligently causes the death of a worker. The existing standard of proof in Queensland for criminal negligence will be applied to both offences. The maximum custodial sentence for an individual will be 20 years and the maximum penalty for a body corporate will be \$10 million. The bill makes equivalent amendments to include industrial manslaughter offences in the Electrical Safety Act 2002 and the Safety in Recreational Water Activities Act 2011.

The proposed offences seek to make it a criminal offence punishable by a maximum penalty of 20 years imprisonment for an individual or 100,000 penalty units for a body corporate, equalling \$12,615,000, where the conduct of a person conducting business or an undertaking—the PCBU—or a senior officer causes the death of a worker in the course of carrying out work for the business or undertaking; and the PCBU or senior officer is negligent about causing the death of the worker. Except for the Australian Capital Territory, no other Australian jurisdiction has an equivalent provision to the proposed offences.

The submissions on this issue were the most pointed remarks through the committee review of the proposed legislation. Master Builders Queensland states—

We believe that one of the outcomes of this Bill will be a decline in competitiveness, productivity and profitability of businesses, as well as an increase in unnecessary paperwork, policies and involvement of lawyers, which will only increase the internal business compliance measures for health and safety without any real impact on practical safety solutions.

The Government already has the ability to penalize all of those people who do not take safety seriously and whose workplaces are unsafe. These proposals do not add to these powers, but rather shift the focus of safety improvement from practical safety solutions and education to one of punitive action, fear and retribution. In an era where improving safety culture is proven to be the key to safer workplaces, and where industries are seeing the benefits of better safety leadership, we cannot understand why the Government is so intent on stifling this progress.

It further outlines in its submission—

In the early 2000s there was a substantial shift across all jurisdictions' regulators towards an educative and advisory approach to safety compliance rather than taking hard punitive actions. Since this shift there has been substantially improved safety culture across all industries which has resulted in a decline in workplace incidents. More specifically, the Best Practice Review, highlighted that Queensland had one of the highest decreases in traumatic injury fatalities between 2010 and 2015.

That means that the current laws are working and are having an impact. The submission continues—

Further to this, the worker fatality rates nationally have dropped substantially over the last 15 years, as highlighted in the table below from the Safe Work Australia Comparative Monitoring Report (18th Edition)—Worker Fatalities 2003-2015.

The Master Builders strongly opposes the new proposed offence of industrial manslaughter. It believes that the introduction of such an offence fails on the following grounds: that the current offences under the Work Health and Safety Act and the Criminal Code are sufficient; that a failure to prosecute or unsuccessful prosecutions do not justify legislative change; that there are consequences for all industries, not just priority industries, that must be considered; that the definitions of 'officer', 'senior officer' and 'executive officer' are not consistent; and that changing the enforcement framework will undermine national consistency.

The Chamber of Commerce & Industry, the CCIQ, lodged a submission to the committee and I understand that it has also contacted every individual member of parliament. Its detailed submission outlines its concerns with this legislation and specifically the new offence of industrial manslaughter. As the CCIQ indicates in its submission—

Legal experts have said that there is no legal gap, nor is there any injustice in the system. In other words, the current laws are both adequate and effective from a strict legal perspective.

It continues—

Similar industrial manslaughter legislation, which this Bill has been modelled on, is in place in the Australian Capital Territory (ACT) under the Crimes Act 2011. To date, no prosecution has been successfully brought under the ACT legislation further reinforcing both the practical and legal irrelevance of such a law.

It further states—

This additional offence will create an artificial delineation between senior management and officers and create a culture where only a select few will be viewed as responsible for the safety of workers. Work health and safety works best when all members work collectively to take responsibility for the safety of themselves and others, creating a safety culture.

The CCIQ, as well as other submitters, raises concerns about the provisions relating to the codes of practice. The CCIQ states—

The reinstatement of Codes of Practices to legislative status will see a return to the superseded Workplace Health and Safety Act 1995 (QLD) code system. CCIQ opposes this amendment as the provisions do not have the same effect as the 1995 provisions and impose a reverse onus of proof on the employer.

We see no reason why these changes should be reversed and go against the changes made by Labor in 2011 as part of adopting the national model laws. The CCIQ further states—

The mandatory nature of the provision will create the need for Codes of Practice to be extremely prescriptive which will reduce innovation and could result in a decrease of businesses striving to improve their safety practices. Extensively detailed, mandatory codes will stifle innovation and processes which could benefit safety and business practice. This is a disincentive for evolving a business and developing market led best practice.

In its submission to the committee, the CCIQ also expresses its support for the creation of a statutory prosecution business unit, removing prosecution decisions from policy directives.

The other submissions I want to raise in the debate deal with the legal aspect of the new offences and their interrelationship with the existing criminal laws. The Law Society considers that the introduction of a separate industrial manslaughter offence is not warranted. It states—

Offences addressing fatalities occurring at or in the course of work already exist in section 31 of the *Work Health and Safety Act 2011* and in the *Criminal Code*. Those who are responsible for the fatalities are capable of prosecution under these laws and we submit it is the responsibility of WHSQ to ensure that such prosecutions are being pursued or referred to the DPP.

The Law Society further outlines—

The creation of these new offences will not prevent these tragedies from occurring, especially where there are existing applicable offences. As stated above, and in previous submissions, WHSQ needs to be sufficiently resourced to engage with and educate employers and workplaces and, when needed prosecute those who breach the existing law.

The Queensland Law Society consider that it is unwise to overcomplicate the statute book with offences that cover the same acts and omissions. They submit that if there is evidence to suggest that there are those within a business who are culpable but are unable to be prosecuted then a review of duty holders and duties should be undertaken.

The Bar Association of Queensland submit that the proposed Queensland industrial manslaughter provisions do not refer to 'reckless'. Perhaps that is because the act already legislates against reckless conduct by a category 1 offence. Notably sections 49C and 490 of the ACT Crimes Act carry a maximum penalty of 2,000 penalty units for a body corporate, equating to \$1.5 million. Such a maximum is significantly less than the maximum penalty imposed by the Queensland bill. The Queensland bill proposes a maximum fine more than 10 times the present maximum penalty in the ACT Crimes Act. At the conclusion of their submission they outline their concerns as follows—

The Association has concerns with the proposed industrial manslaughter offences.

Criminal negligence is founded upon a breach of a duty.

Pursuant to the Criminal Code, to establish that the defendant is guilty of manslaughter through criminal negligence, the prosecution must therefore prove, beyond reasonable doubt, that the defendant owed the prescribed duty of care.

The Act also make it very clear that the existing offences are based upon persons having a health and safety duty imposed under the Act.

The industrial manslaughter offence in the Australian Capital Territory has reference to a duty.

However, this new offence makes no reference to any prescribed health and safety duty.

The review states that a new offence is considered necessary and appropriate to deal with the worst examples of failure causing fatalities, the expectations of the public and affected families where a fatality occurs and to provide a deterrent effect. It is clear that corporations can presently be held responsible for failures causing fatalities at workplaces in Queensland. The worst examples of failures causing fatalities could be prosecuted as a reckless conduct category 1 offence pursuant to section 31 of the act.

The reviewer, Mr Tim Lyons, as I indicated earlier to members, was appointed by the minister to undertake the best practice review and to consider and report on any potential measures, both operational and legislative, that could be taken to address the matters raised in the terms of reference. The reviewer was supported by a tripartite reference group which provided commentary and advice on the matters to be considered as part of the review.

As I indicated earlier, for the context of this debate, Mr Lyons is a former senior ACTU official. He quit in 2015 as assistant secretary after failing to replace general secretary Dave Oliver. Is it any wonder that employer organisations that were part of this review and reference committee thought this whole review was a stitch-up from the start? Just a cursory glance on the Twitter account of Mr Lyons indicates his partisan political bias and inherent views on these vexed policy issues, which need to strike a common-sense balance between the interests of workers and employers.

We should be striving and working where we can to achieve national consistency, particularly for many employers who operate across state boundaries. Improving workplace health and safety works when everyone works together to improve education, awareness and the safety culture throughout workplaces. As I indicated, this bill is not about improving safety; it is about keeping the CFMEU happy and getting their donations and support for the imminent state election campaign.

In 2011 the Labor government passed legislation harmonising workplace health and safety laws—nationally consistent laws. Cameron Dick was the minister for industrial relations at the time. I remember the debate. We were at regional parliament in Mackay at the time. Nationally consistent harmonised laws were passed. These laws passed the responsibility to the federal government. Some years later, because the CFMEU cannot convince the other jurisdictions in Australia to pass industrial manslaughter laws, this Labor government want to go it alone. We asked the question—

Dr Rowan interjected.

Mr BLEIJIE: I take the interjection from the member for Moggill. It is an absolute backflip.

An opposition member: Unacceptable.

Mr BLEIJIE: It is unacceptable. I take that interjection. To be more blunt about what this bill and this minister are about, I have to refer to media reports in July this year. Those reports in the media in July told the story about how the CFMEU was conducting a letterbox drop in the Minister for Industrial Relations electorate, as well as in the electorates of other cabinet ministers, referring to Labor's appalling record. I think the flyer was actually titled 'Health and safety neglected under Grace Grace's watch'. That was a CFMEU flyer being letterbox dropped in the member for Brisbane Central's electorate.

The minister responsible for IR, representing the Labor government, stands up in here and says Labor always does the right thing on workplace health and safety. Apparently the body that funds them, the CFMEU, does not think so. All of a sudden, when we had this letterbox drop from the CFMEU in the minister's electorate the terms of reference change and industrial manslaughter is put on the table, and now we are debating it today. I bet the next flyer from the CFMEU will be to thank the Minister for Industrial Relations for introducing industrial manslaughter laws in the state of Queensland. That is what this is about. Make no mistake.

I had a look at the ECQ donations register this morning. One just has to type in 'CFMEU' and I can guarantee people that there is no CFMEU donation to the Liberal National Party but there are plenty of CFMEU donations to the Labor Party. Week after week after week the CFMEU is donating to the Labor Party.

We can talk about perceptions of donations, perceptions of developer donations to councils and the state, but there is more than a perception of what unions get from this Labor government by legislation. Their preselections depend on it. Labor Party members are bullied by the CFMEU—'You will do this or we will oppose you in your preselection campaign.'

Mrs MILLER: I rise to a point of order, Mr Deputy Speaker. The member for Kawana is misleading the House. The CFMEU does not and never has bullied members of the Labor caucus.

Mr DEPUTY SPEAKER (Mr Elmes): There is no point of order. I would remind the member for Bundamba about frivolous points of order.

Mr BLEIJIE: The member for Bundamba is making my point today. She is a member of parliament representing Bundamba, but she has defended the CFMEU more today than her constituents.

Mrs Miller: My union.

Mr BLEIJIE: I take the interjection. She does not represent the people of Bundamba on behalf of her union. We are not beholden to associations that we might be a member of. I am a member of the Kawana Surf Club, but the Kawana Surf Club does not tell me what to do in this place. I will represent them, but I am not the sole spokesperson for them.

It is the right of any individual member of parliament to raise these concerns. It is clear that the member for Bundamba sees her responsibility in this place as defending what we would normally call the integrity of an organisation. I submit that there is no integrity in the CFMEU. There is no honour in the CFMEU. They are grubs. They are thugs. They put fear into workers and they intimidate workers. They have no place on workplaces. That behaviour has no place in Queensland and no place on Queensland construction sites.

We had the letterbox campaign from the CFMEU in the member for Brisbane Central's electorate. We all of a sudden have legislation dealing with industrial manslaughter. We saw earlier in the year the shoppies union cut a big cheque to the Labor Party. Then we saw legislation for Easter Sunday being a public holiday.

Mr Stevens: No union donations to you.

Mr BLEIJIE: No, the shoppies union have not given to the Liberal National Party either. We saw the shoppies union cut a big cheque to the Labor Party and then we had retail trading hours legislation debated.

Mr Stevens: The Katter party got one. The Katter party got a CFMEU cheque.

Mr BLEIJIE: I take that interjection from the member for Mermaid Beach. The only other political party in Queensland that is funded by the CFMEU is the Katter party. The Katter party receives CFMEU donations.

Mr Stevens interjected.

Mr DEPUTY SPEAKER (Mr Elmes): Member for Mermaid Beach, I remind you that you are under a warning.

Mr BLEIJIE: Mr Deputy Speaker, I submit to you that, if we are talking about the perception of political influence, if the Katter party vote for these laws then the Katter party are voting for these laws because they received donations from the CFMEU. That is why they will vote for these laws, if they do, because of the CFMEU donations—just like the Labor Party. The flyer which was distributed in the member for Brisbane Central's electorate, blaming the minister for not doing her job, says—

- ☒ Industrial Manslaughter laws not implemented
- ☒ Foreign employers allowed to ignore health and safety laws
- ☒ Soft regulator continuously fails to enforce health and safety laws in Queensland
- ☒ WHSQ Best Practice Health and Safety review corrupted by biased terms of reference

This is a union saying that a former ACTU union official is corrupted by bias. Well, I agree. It was corrupted by bias from the start but not in the way that the CFMEU think. It was corrupted by bias from the start with Mr Lyons, who was the former ACTU official conducting this review. I do not even think that the minister issued a press release at the time. I think it quietly went through executive council at the time. She was then asked about it in the media and she used the word 'independent'. You cannot have a former ACTU official conduct a best practice review of Workplace Health and Safety Queensland and call it 'independent'. Who is the minister trying to kid?

Queenslanders have woken up to the fact of not only the perception but also the reality. What the union wants the union gets from the Labor Party. When a cheque is cut, when cash is given, the Labor Party give the union movement what they want. They cannot even condemn the comments from the union movement in the paper today. They do not condemn the actions or the comments by CFMEU members about raping children, about hoping someone hits a tree on their way home from work. They cannot use the word 'condemn' because they know that if Annastacia Palaszczuk gets up and says, 'I condemn the CFMEU for their vile behaviour,' the money stops. The money dries up. If Annastacia Palaszczuk condemns the vile, thuggish, intimidatory behaviour of the CFMEU, the money dries up—like a drought in Queensland. The money stops flowing. That is why the Premier, Annastacia Palaszczuk, cannot condemn the CFMEU.

The review conducted by the former ACTU official has led to these laws. That is not my view; that is the view of the CFMEU coincidentally. Is it any wonder the Premier was keen to sit this week and neutralise the CFMEU on this issue. We also heard in the estimates hearing that the budget for Workplace Health and Safety Queensland under Labor has reduced from \$63.6 million in 2015-16 to \$62 million in 2016-17 and has an estimated budget of \$63.4 million in 2017-18. As I said in my private members' statement yesterday, Labor are controlled by the union puppetmasters and, like in the case of Bill Shorten, they sell out the rights of the low-paid workers in the grubby backroom deals that only serve to line the pockets of the union and increase the power at the Labor Party conference of the faceless men of the Labor Party movement.

Workplace health and safety laws are important and need to be taken very seriously. As I said at the outset, no-one should be killed in a workplace. Workers have a right to go to work and do their job in a safe environment so they can return home to their families after every shift. The current Queensland laws apply. The current Queensland laws are being used to prosecute those who do the wrong thing. Unfortunately, these laws are another example of poorly drafted laws from a minister who has a reputation of sloppy work and a record number of amendments to fix things up along the way.

As I indicated earlier, there was all this speculation—and I think it was more than speculation—that the mining sector was now going to be thrown in without any consultation, and rightfully so the Queensland Resources Council were quite concerned that there would be an amendment rushed into parliament in consideration in detail by the minister to apply the industrial manslaughter laws to the mining sector as well. That is what they were told—that these laws would apply. The minister has not indicated whether those amendments are going to be made.

I call on the minister in her response this afternoon to tell us what the plan was. Was the mining the sector going to be included in these laws today? Were amendments drafted? If not—because, as yet, an amendment has not been made—is it for one of two reasons (1) the amendment is coming this afternoon or (2) the minister has put that on the backburner to have a little more consultation because she did not do the consultation in the first place? There has been no consultation. I call on the minister to explain what the story was behind that. The Queensland Resources Council were certainly told that it was happening. I think the minister owes an explanation to the resource industry today. What was planned? Why was there no consultation? Who thought up this idea to all of a sudden include the resource industry? I have a pretty good idea who it was—the mining division of the CFMEU. The mining division of the CFMEU thought this might be their last opportunity to have a crack at the resource industry and get what they want from this Labor government. I call on the minister to explain what that was all about.

I want to table a couple of documents that I have received in the last few days. One is a letter from the Ai Group, dated 10 October, from Mark Goodsell, Acting Head—Queensland, Ai Group. This letter goes to the heart of the Ai Group's opposition to the amendments. As I indicated earlier, through the committee process the union movement particularly supported these laws but everyone else opposed them. We are seeing a pattern develop. Unions support all of the government's legislation through the committee process, because I suspect it is drafted by the union movement anyway—it is what they wanted. I table a copy of the letter from the Ai Group.

Tabled paper: Letter, dated 10 October 2017, from AiGroup to the member for Kawana, Mr Bleijie MP, regarding the Work Health and Safety and Other Legislation Amendment Bill 2017 [2000].

I also table a copy of a letter that I received on 18 September 2017 from Kate Whittle, General Manager of Advocacy at the CCIQ, which expressed all of their concerns.

Tabled paper: Letter, dated 18 September 2017, from the Chamber of Commerce and Industry, Master Builders Queensland, Master Electricians Australia, Queensland Major Contractors Association, the Civil Contractors Federation, the Property Council of Australia, Australian Mines and Metals Association, and the Australian Chamber of Commerce and Industry to the member for Kawana, Mr Bleijie MP, regarding the Work Health and Safety and Other Legislation Amendment Bill 2017 [2001].

When Labor were in opposition, Labor members stood in here many a time and referred to why legislation should not be passed. They stood in here many a time and either said that the CCIQ may have had issues with it or, more importantly, said, 'The Law Society of Queensland think that this is such fundamentally flawed legislation and such poorly drafted legislation, and there are sufficient laws in Queensland to deal with this. Therefore, it should not pass the parliament.' The Premier, Annastacia Palaszczuk, who was the opposition leader at that time, was quoted many a time saying, 'These laws should not pass the parliament because the Law Society says so.' Not only that, on a good day she would also drop in a letter from the Bar Association of Queensland saying they thought the laws were so fundamentally flawed and should not pass.

As I have indicated in my speech today, not only does the Law Society think that these laws are poorly drafted but so too does the Bar Association. What will the minister say in her response this afternoon, when they are on record giving the Law Society and the Bar Association all credit for opposing LNP laws at the time to now not having the same level of concern with the Bar Association

and Law Society's opposing Labor laws? Where is the difference? Is Labor saying it is okay for the Law Society and the Bar Association to attack LNP laws because they are worthy of attack but our laws are not worthy of attack?

As I said, at the heart of this is what the CFMEU want and how much money the CFMEU is giving to the Labor Party. The more money the CFMEU give to the Labor Party the more relentless the Labor Party will be in their legislative agenda in Queensland. We saw it early on with this Palaszczuk Labor government when they deprived hardworking public servants their privacy, when they let the unions waltz through workplaces and gave them access to the private details of public servants—over 200,000 public servants. Unions have unfettered access to their details. Why? They have access to their details because union movement membership numbers are on the decline and the only way they can change that is by intimidation and putting fear and concern into people's lives to force them to become members of the union movement. We saw it a few weeks ago with the passing of the labour hire legislation. What will happen now? We will have a public register of labour hire companies in Queensland which the union movement will have complete access to so that they can start, unfortunately, the bullying behaviour, which we currently see in workplaces, in the labour hire industry. That is exactly what will happen here.

The union movement have already picked out people whom they are going to complain about under this legislation. They already know whom they want to see prosecuted. It may be under the current laws there is no evidence to prosecute someone because they might not have necessarily done anything wrong, but the union movement think they have so this is a way for the union movement to prosecute business owners or employers whom they cannot otherwise prosecute at the moment. This is a get square at people, business and employers across the state.

We cannot support these poorly drafted laws. We back the Law Society submission. We back the Bar Association submission. We back the CCIQ submission. We back the Ai Group submission. We back the Master Builders submission. We back the Master Electricians submission. All industry groups representing hundreds of thousands of workers across the state of Queensland are opposed to this legislation on the basis that it is not needed and in recognition that workplace fatalities have reduced under an LNP government by over 20 per cent, because we encouraged, consulted, cooperated, and worked with businesses to reduce workplace injuries and workplace fatalities. The way to do that is to create an environment whereby businesses have a safe place to work. If we encourage that, if we educate businesses to take safety seriously, then we have fewer fatalities and fewer workplace injuries. That is what we were seeing under the LNP's leadership in 2012 to 2015.

I note that the CCIQ made submissions to the committee in this regard. I want to again highlight the concerns that the CCIQ have on behalf of their members. As I have said, I have tabled their submission. We cannot support these laws. They are poorly drafted, particularly the rushed amendments that were going to rope in the resource sector. It looks like those amendments are not likely to happen now, which is a good thing. I would encourage the crossbench to look beyond CFMEU donations to political parties, realise that the current laws work, the current laws are fair, and this bill is nothing more than an 'I scratch your back, you scratch mine' for the CFMEU and the Labor government, particularly under the leadership of Anastacia Palaszczuk.