




Speech By  
**Christopher Whiting**

**MEMBER FOR BANCROFT**

---

Record of Proceedings, 19 May 2020

**MINERAL AND ENERGY RESOURCES AND OTHER LEGISLATION  
AMENDMENT BILL**

 **Mr WHITING** (Bancroft—ALP) (3.55 pm): I rise to speak in support of the bill before the House. Before I begin I want to address a couple of issues the member for Burdekin raised. The member for Burdekin said the department failed to meet the CWP select committee's recommended target for unannounced inspections which, he said, was based on advice from industry experts. I am a fan of his work, but can I remind the House that the member for Burdekin does have a history of overstepping the mark in some of his statements. For example, a 'grave breach' of legislative standards is based on one letter received. I think we are going to need a bit more evidence than that. The member also accused us of lacking understanding of the industry. I would point out to the member for Burdekin that he is going to need more than a billboard of himself in high-vis outside of Moranbah to appear like an expert on mining.

I remind the member that in its report the select committee did not provide a basis for its recommendation. In response to the select committee the government recognised the importance of unannounced inspections, and that that must be based on the analysis of risk. The government engaged an expert to provide advice on the level of unannounced inspections, and the advice was that catastrophic events such as fires and explosions cannot be detected by direct observation. They require in-depth examination of plans and systems and discussions with mine personnel. We cannot rely on unannounced inspections to deal with this issue. This expert said that we are looking at a range of 10 to 20 per cent of total inspections as a reasonable proportion of unannounced inspections. In the 2018-19 financial year, 19.5 per cent of coalmine inspections were unannounced and 18 per cent of mineral mining and quarrying inspections were unannounced. As of March 2020 the proportion of unannounced inspections is 18 per cent and 22 per cent in those other mines and quarries. It is not just a case of standing up and stating this; you have to have proof.

I would like to emphasise that it is an honour to support a bill that is going to make a material difference to the lives of working Queenslanders. It is going to make a difference because it will make the lives of Queenslanders who work in mines a lot safer. It certainly was an honour to chair the committee that published the report. The report set out nine recommendations. It is very heartening to see that the minister accepts or supports all of these recommendations. I am especially pleased that the penalties for reprisal offences will now align with those in the Work Health and Safety Act. Recommendation 5 touches on a key issue that I want to address, which is countering reprisals for calling out a safety issue in the workplace.

We received a lot of written submissions opposing what we are doing with this bill, many repeating the same points, and we received a few that support what we are doing. It was the hearing at Moranbah and the verbal testimony of people sitting in front of us that to me really set out the framework that made sense of all these submissions. This testimony really provided a context that ordered my understanding of what needed to be done.

What we heard in Moranbah was the unfiltered opinions, views and stories from the men and women who work in those mines. What had a great impact on me was the men and women who talked quietly to us afterwards and even sought me out in the airports on the way home—and I do mean quietly because they did not want to be overheard. These workers said that the raising of a safety issue and the employment status at the mines was a real safety concern. They talked about how people were afraid to speak out and that sections 275 and 254 of the relevant acts, which protect those whistleblowers, were being ignored in some cases.

They talked about how people were afraid to come up to the microphone on that night because their bosses were in the audience listening to them. Even one of the bosses—a senior manager—sought me out and said that we were on the right track and that one of their concerns was that they had a 30 per cent contract workforce and that was a real safety concern for them. This informal testimony did have a great impact and I will read into the record my foreword. It states—

Of crucial importance in drafting this report were the informal representations to committee members outside of the formal hearing at Moranbah, which have been as informative as—and contradictory to—the written representations received by the committee. Informal testimony focused on the ability to raise matters of safety in mines without suffering workplace retribution, and the capacity or reluctance of workers to raise these matters depending on the permanence or security of their employment.

I stand by everything we wrote in this report, and there is enough written and formal testimony to justify the recommendations in this report. I will go through some of that testimony we heard and that is on the record. Brodie Brunker said—

I have witnessed firsthand the vulnerability of contract deputies being overruled by management even though the deputy is ultimately responsible for the area of the mine, but they know if they do not follow the instructions given, even though they do not agree with the decision, they will either be pulled into the office and reprimanded or, worse, shown the door. Having all critical safety roles employed on a permanent employment type will give the person the confidence to stop the job regardless of the circumstances and not fear for their job.

Phil Taylor, who has 40 years experience, said that people with reporting and accountability responsibilities were scared to speak out or put their hand up.

In the last few minutes I have, I want to say that every time we hear about a death or injury at a coalmine it affects every member of parliament, no matter which electorate we represent in this House. The members for Ipswich and Mount Ommaney and I sat at the miners memorial at Moranbah, and the impact that is felt there is as profound as any war memorial. It is sobering, it is contemplative. It emphasised to me the importance of what we were doing—that is, protecting the health, wellbeing and working capacity of the community members that were around us.

This is a Labor government. The wellbeing and health of working Queenslanders is of utmost importance to us. We will always come down on the side of working and middle-class Queenslanders who rely on their government to provide the protection they need in the workplace. This year, 2020, will be an historic year and there will come a time later in history where we will be judged on how we used the power of governing to protect the health of working people. This government has shown that it will put the health, wellbeing and welfare of working Queenslanders first. This bill continues to do that.

I want to pay regard to all the witnesses who spoke up, no matter what their opinion. I want to give particular thanks to those who put their careers at risk by speaking to us. I do pay regard to the five miners injured at the Grosvenor mine and their families. I am immensely proud of Queenslanders and the mining community that has passed around the hat and raised about \$200,000 for these miners who are still at RBWH. Someone described to me recently the kinds of injuries that would have been suffered by these five miners, and they are horrific. I will not describe the injuries to the House, but the description that was given to me haunts me still.

I cannot bear to think that men and women would be subject to such injuries in the future in workplaces in Queensland, which is why it is crucial that we pass this bill. We heard from the member for Burdekin that they will be supporting the bill, but he told the House what he thought were reasons the bill was imperfect and perhaps should not be supported. I hold grave fears for the future of the reforms in this bill if the LNP, God forbid, ever gets back on these benches here. I commend this bill to the House.