




Speech By
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MEMBER FOR CALLIDE

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ELECTRICAL SAFETY AND OTHER LEGISLATION AMENDMENT BILL; WORKERS' COMPENSATION AND REHABILITATION AND OTHER LEGISLATION AMENDMENT BILL

 **Mr HEAD** (Callide—LNP) (9.11 pm): I rise to contribute to this cognate debate on the Workers' Compensation and Rehabilitation and Other Legislation Amendment Bill 2024 and the Electrical Safety and Other Legislation Amendment Bill 2024. As I was on the committee that dealt with the electrical safety legislation, I will confine my comments mostly to that bill. I note that, when it comes to safety—I am sure it is in frame—do as I say and not as I do and keep your fingers out of the way when you are doing any manual labour. Nonetheless, thank you to the committee—

Mr Boothman: You should learn a bit more often.

Mr HEAD: I take that interjection from the Opposition Whip.

Mr Smith: Table it!

Mr HEAD: I do not know if I can table that one, member for Bundaberg, but apparently when you become a politician you become incapable of doing physical labour. Thanks to the committee for its efforts in assessing this bill and to the secretariat for putting in the hard yards, as it always does.

This legislation enacts some of the recommendations of the Electrical Safety Act review which was completed in December 2021. Unfortunately, this has taken far too long to come before us in the parliament and again shows that we have a government that has sat on its hands when there are recommendations to deal with to improve safety in Queensland. The discussion paper for this bill was released early last year, meaning, again, that it has taken far too long for the government to bring this legislation forward. Anyone who followed some of the committee's hearings would know that it did take some time for some of us on the committee to be fully across the different definitions as to what is low and ultra-low voltage in dealing with this bill and to relate it to common household equipment.

Ms Richards interjected.

Mr HEAD: I take that interjection. It was members on this side of the House who really pried for some detail to fully comprehend it. This exchange itself shows how complex electrical safety is, especially as technology evolves and we have thousands of appliances that now run on varying voltages. It was only during this process that I started to even consider how many different technologies are on offer that all run on different voltages. In response to the question I asked that was taken on notice, the department was able to confirm a little detail as to what low and extra-low voltage is. Schedule 2 of the Electrical Safety Act 2002 defines ultra-low voltage to mean voltage of 50 volts or less AC—alternating current—RMS or 120 volts or less ripple-free DC—also known as direct current. It also defines 'low-voltage' as voltage greater than extra-low voltage but not more than 1,000 volts AC RMS or 1,500 volts ripple-free DC. No, there is no medium voltage but, in fact, high voltage is defined as voltage greater than low-voltage. There is always an endless number of things to learn in this job.

Nonetheless, we do have concerns with some of this legislation. These concerns relate to photos, videos and data being collected on worksites by health and safety reps and entry permit holders. These changes allow health and safety reps and entry permit holders to take videos and photos of suspected contraventions of the act and in other limited cases. While the Queensland Law Society considers there is some utility in allowing these people to take photos and videos, there are significant risks of misuse, whether intended or otherwise, and it does not consider the bill or current provisions of the act to have addressed those. There is nothing in the bill to suggest when the video or image is required to be deleted. For example, if it was taken and given to the employer or investigator then there should be an explicit requirement for it to be deleted. The LNP will always support improvements to workplace health and safety—

Mr Saunders interjected.

Mr HEAD:—as when a worker goes to work we expect the worker to return home safely at the end of their working day. I hear the interjection from those opposite and was about to comment anyway on the Premier's comments yesterday about which the Deputy Leader of the Opposition has already spoken. I was incredibly appalled at such comments. I know that in previous contributions I have said that I am sure every member of this House comes here only with the best intentions of workers in Queensland, and I found it absolutely disgraceful for the Premier of this state to make that comment about the member for Kawana yesterday. I found it thuggish behaviour.

Speaking of thuggery, this change, other than banning live streaming, provides no limitation on how this footage and data can be used. Given the history of the CFMEU's intimidation techniques, allowing filming could see the CFMEU weaponise workplace health and safety in order to increase its union power. In other words, this is giving the green light to bullying and intimidation tactics—the hallmark of the CFMEU. This is at a time when the CFMEU is, of course, in the spotlight for alleged criminal activities and thuggish behaviour. This absolutely needs to be addressed, and the LNP will be opposing the clauses that relate to these provisions.

In relation to widening industrial manslaughter, currently industrial manslaughter is limited to negligent conduct causing the death of workers. Clause 42 of the bill proposes to expand the scope of the industrial manslaughter offence in the WHS Act to capture the negligent deaths of individuals—that is, workers and bystanders or other persons. The bill provides that it will be an offence if the negligent conduct of persons conducting a business or undertaking or a senior officer causes the death of an individual to whom the PCBU or senior officer owes a health and safety duty. The bill's additions of other persons into the industrial manslaughter offence will bring Queensland's industrial manslaughter laws into line with other jurisdictions in Australia and will mean that the negligent work related death of other persons can be treated with the same level of seriousness as the negligent death of workers.

I want to take a minute to note the evidence given by Mr O'Connor, the Deputy Chair of the Consultative Committee for Work-Related Fatalities and Serious Incidents. I thank him for his advocacy in the search for justice following the tragic incident resulting in his sister's death. I am sure that this is still not easy for him and his family to this day and it is certainly brave of any Queenslander who has had such an experience to come before a committee and do work such as that, so I thank him for his work.

The Queensland Law Society and other bodies raised concerns about and objections to the proposed expansion of the scope of the industrial manslaughter offence. The QLS advised that a person who causes the death of a bystander or a person other than a worker can already be charged with other offences that carry the same potential penalties. The Deputy Leader of the Opposition spoke in depth about this change in the expansion of the law and the ability to charge someone with a secondary offence that comes with these provisions. I want to reiterate the comments of the deputy leader about the limited success of industrial manslaughter provisions and how there is no evidence that this actually improves safety outcomes for workers in Queensland. It was an LNP government that saw safety outcomes improve in this state by real metrics, by working with Queensland businesses and workers and doing what they asked and by enacting evidence-based legislation, processes and regulation.

In relation to the inspection and testing of emergency lighting and fire equipment, there were certainly mixed views amongst stakeholders about who should inspect and test emergency lighting as well as install and maintain fire alarm systems as contractors. Some concerns were raised that additional accreditation or licensing for electricians will be required and the MEA asked that it be legislated that this is not required. However, the National Fire Industry Association believes a requirement for additional testing should in fact exist. The LNP will always support improvements to workplace health safety because when a worker goes to work we expect that that worker will return home safely at the end of their working day.

In the time left I note my support for the amendments to be moved by the member for Kawana to the Workers' Compensation and Rehabilitation and Other Legislation Amendment Bill because we know about the thuggish behaviour of the CFMEU and other unions here in Queensland. I want to respond to the earlier comments of the member for Miller, who suggested that we do not care about safety with this amendment. There is a specific exemption in the amendment that, when there is an imminent health or safety risk at a workplace, the 24-hour provision does not apply. I urge the member for Miller to read the amendment in full next time.