



Speech By
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MEMBER FOR MULGRAVE

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CORONERS (MINING AND RESOURCES CORONER) AMENDMENT BILL

Second Reading

 **Mr JAMES** (Mulgrave—LNP) (8.11 pm): I rise to speak on the Coroners (Mining and Resources Coroner) Amendment Bill 2025—a crucial reform for Queensland’s mining, quarrying, petroleum and gas sectors and, most importantly, for the families and communities affected by fatalities in these industries. At 9.25 am on the 19th day of September 1921 a violent explosion occurred in the underground workings of Mount Mulligan Mine, west of Cairns, killing 75 men. A coalmine reputed to be one of the safest mines of its time—Mount Mulligan—was the site of Australia’s second worst mining disaster. There were no survivors. Two of those men who died in the blast were my grandfather’s brother and his son. After the Mount Mulligan disaster, Queensland enacted a separate coalmining act to introduce regulations aimed at enhancing coalminer safety; however, those provisions were unfortunately implemented too late to benefit those who lost their lives at Mount Mulligan in 1921.

Historical patterns indicate that ongoing challenges remain in ensuring the safety of mine workers. To address this, a culture of continuous improvement is necessary. Accordingly, this bill fulfils the Queensland government’s election commitment by re-establishing and strengthening the powers of the mining warden’s court through the creation of a dedicated Mining and Resources Coroner. This specialist coroner will have the authority and responsibility to investigate every mining related fatality in Queensland, ensuring thorough and timely investigations and mandatory inquests into all mining related reportable deaths.

Currently, under the Coroners Act 2003, a coroner must investigate all reportable deaths, including those occurring on mine sites. However, the legislation gives the coroner discretion to decide whether a formal inquest is necessary, which means not every mining related fatality is subject to a public inquiry. This approach can sometimes leave families without full answers and may result in limited public scrutiny of the circumstances surrounding mining deaths.

This bill marks a significant shift in how mining related deaths are handled in Queensland. It introduces a requirement for mandatory inquests into all mining fatalities, removing the coroner’s discretion in these cases. By making inquests compulsory, the bill ensures every death connected to mining activities, whether in coalmines, in quarries or at petroleum and gas sites, is thoroughly and transparently examined in a public forum. This process will shed light on the causes and contributing factors of each incident, allowing lessons to be learnt and safety standards improved across the industry.

The mandatory inquest provision increases transparency and accountability by guaranteeing that findings from mining fatality investigations are publicly reported. Families of the deceased can be assured that their loved one’s death will be properly investigated and the outcomes made available to the community. This not only delivers certainty and closure for families but also helps to hold mining companies and regulators to account, fostering a culture of safety and continuous improvement throughout Queensland’s resources sector.

Key features of the bill establish the Mining and Resources Coroner as a magistrate, appointed by the Governor in Council after consultation with the Chief Magistrate and State Coroner. This new position will have the full powers and functions of a coroner as well as the specific mandate to conduct investigations and inquests for deaths arising from coalmines, other mines, including quarries and mining railways, and certain petroleum and gas sites.

When not engaged in mining related matters, the Mining and Resources Coroner will assist with general coronial work, helping to reduce the pressure on the broader coronial system. To improve support for bereaved families, a dedicated liaison position will be created within the Coroners Court of Queensland, ensuring families are informed and supported throughout the investigation and inquest process.

The bill contains clear definitions to ensure only deaths genuinely related to mining, quarrying or petroleum and gas operations are within scope. A mining related death is defined as a violent or unnatural death resulting from injuries sustained while undertaking relevant activities at a coalmine, mine, quarry or certain petroleum and gas sites. Importantly, deaths from unrelated activities such as farming accidents on mine land or intentional self-harm are excluded from the mandatory inquest provisions, though all reportable deaths remain subject to investigation under the Coroners Act.

The bill also recognises the complex regulatory environment. Allowing the Mining and Resources Coroner to investigate deaths that may fall under several health and safety authorities will ensure no case falls through the cracks. Beyond the establishment of the Mining and Resources Coroner, the bill makes several technical amendments to the Coroners Act to improve efficiency. These include allowing for more than one deputy state coroner, expanding who can conduct preliminary examinations and clarifying administrative processes. These changes will streamline operations and reduce burden on the Coroners Court.

The bill has been drafted with due regard to fundamental legislative principles. It preserves protections against self-incrimination, ensuring any evidence compelled in an inquest cannot be used against a witness in other proceedings except for perjury. Transitional provisions ensure ongoing and unresolved investigations into mining related deaths are transferred to the new coroner where appropriate. The bill also provides flexibility to decide against holding an inquest for older cases if it is not in the public interest, after taking into account the views of the deceased family and the time elapsed since the death.

The bill was developed following targeted consultation with the Chief Magistrate, the State Coroner, legal professionals, industry and unions. Feedback was carefully considered to ensure the bill is robust and fit for purpose. Unlike some other Australian jurisdictions where mining wardens focus on civil disputes, this bill delivers a uniquely Queensland solution, ensuring mining fatalities are investigated to the highest standards of independence and transparency.

Funding has been allocated to support the new position including salary, legal support, expert fees and family liaison services. These investments are essential to ensure the coroner can conduct thorough investigations and deliver timely findings, keeping mining companies accountable and providing closure to families.

Unlike other Australian states and territories which mainly use mining wardens or warden's courts to resolve civil mining disputes, Queensland's bill creates a dedicated Mining and Resources Coroner to independently investigate mining related deaths. This approach is unique. Most other jurisdictions, except Tasmania, assign such investigations to general coroners, who may lack mining experience. Queensland's model sets a new standard for independence and transparency in mining fatality investigations.

The Coroners (Mining and Resources Coroner) Amendment Bill 2025 is a significant step forward for workplace safety, transparency and justice in Queensland's mining and resources sector. It ensures families affected by mining tragedies receive answers, drives continuous improvement in industry safety practices and upholds the public's trust in our coronial system. I commend the bill to the House.