

WORKPLACE DEATHS

Motion

HON PETER FOSTER (Mining and Pastoral) [11.40 am] — without notice: I move —

That this house —

- (a) notes the recent tragic and avoidable deaths in workplaces within Western Australia;
- (b) recognises that all workers should be able to go to work and return home safely; and
- (c) expresses its condolences to the families and loved ones of those who have died.

I rise today to move this motion sombrely and with sadness. As members may be aware, in the past four weeks four incidents in Western Australian workplaces resulted in fatalities—Taiko Tioriori, a crane operator who was involved in a fall at a construction site in Applecross on 2 June 2023; Anthony Woods, a police officer who was allegedly struck by a motor vehicle in Ascot on 8 June 2023; Kieran McDowall, a labourer who was struck by a mobile plant on a mining tenement near Onslow on 12 June 2023; and Hamiora Sharland, a 16-year-old labourer who was struck by an object in manufacturing premises on 15 June 2023. A further incident resulting in the death of Michael Jurman, a rope access technician at Woodside's North Rankin complex, approximately 135 kilometres north-west of Karratha, occurred on 2 June 2023. I understand that incident is being investigated by the National Offshore Petroleum Safety and Environmental Management Authority, the regulator. Furthermore, I understand that WorkSafe is currently investigating those incidents; therefore, it is not appropriate for us to comment on the specific aspects as investigations are ongoing.

I will pause here to extend my sincere condolences to the families, friends and work colleagues for the irreplaceable loss of their loved ones. No family should ever have to go through the loss they are experiencing. Every worker—I say that again, every worker—has the fundamental right to return home from work safely every day, and be safe at work every single day.

The safety and health of workers remains a high priority for the Cook Labor government. Safety at work is of particular interest to me as one of the members in this place for Mining and Pastoral Region. As we know, the Mining and Pastoral Region is home to many mining and other resource operations, agriculture, pastoral, fishing, transport and construction, and it is in some of those workplaces that the fatalities occurred. That is why I wanted to move the motion this week. A workplace death has a long-lasting effect on a person's family, work colleagues and the company's reputation. I call on all workplaces to ensure their workplace is safe by reviewing and updating health and safety policies and procedures; conducting safety audits to identify potential hazards and safety risks; reviewing all safety systems and controls to ensure their effectiveness; offering regular health and safety training sessions and advice to all employees; ensuring all employees are adequately qualified and trained for the roles they perform; preparing, filing and reviewing records on workplace health and safety; reviewing insurance coverage for their companies; and fostering a proactive approach to safety cultures at work. I join the Premier who said last week —

“I know that there's a strong culture of safety in the Pilbara right through all our heavy industries ...

“We must always continue to remind ourselves that we need to make safety an absolute priority ...

Like many in Western Australia, my partner works in the mining industry in Tom Price and has done so for the past 15 years. He works in an iron ore processing plant where the iron ore is crushed and screened. Depending on whether it is high-grade or low-grade, it can be crushed down further, washed, sized and then stockpiled into whether it is lumps or fines before it is loaded onto trains and headed to the coast. That work involves multiple pieces of machinery and equipment, such as crushers, screens, drums, magnetic separators, cyclones, spirals, conveyors, stackers and trippers. The list goes on. Potential injuries that can occur include being crushed or entangled; falling from heights; vehicle impacts; exposure to hazardous substances; exposure to dust and fumes; contact with electricity; and thermal extremes. Again, the list goes on.

Over 160 000 Western Australians work in the mining industry and I know that my partner is not alone in his exposure to workplace risk. Like many other Western Australians, I want my loved ones to come home safely at the end of every shift. I am sure all members here today want that. We are a mining state, a state that digs up things, and we benefit from the workers who do so. We must never forget those workers who are on the front line. Whether it is in mining, construction or agriculture or on the ports, workplace safety must be every single employer's number one priority.

Brad Gandy, the Australian Workers' Union state secretary, recently said —

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“Every worker deserves to come home to their families at the end of their shift. Unfortunately, this is the fourth fatality on a West Australian mine in just 12 months. Despite repeated calls to improve the industries safety culture and overall workplace safety standards.

“Mining is an inherently dangerous industry and safety should be the highest priority in the sector—from workers, to employers, to State and Federal Governments.

And further —

One death is one too many. This has to stop.

Tom Price has a memorial garden where friends and family can apply to the shire to place a plaque in remembrance of their loved one. One of those plaques belongs to Lee Buzzard. Lee was a diesel fitter who spent his childhood in Tom Price before moving to Karratha and later to Paraburdoo. Sadly, he was killed in a mining accident near Paraburdoo on 19 June 2016. That tragedy was felt across both Tom Price and Paraburdoo and I have strong memories of the sadness and worry that was felt at the time by the many mining families. In 2018, I joined family, friends and work colleagues on the second anniversary of his death when the plaque was unveiled in the memorial garden. Attending that event reinforced to me what the loss to family, friends and work colleagues felt like following the passing of their loved one at work. I acknowledge the strength of Lee’s mum, Sharon Westerman, particularly her support for the families who have lost loved ones in workplace accidents. Some of us may have met Sharon. Sharon regularly attends the workers’ memorial at Solidarity Park and a ceremony was held recently, on 28 April. It is well attended by a number of members of this place and also by UnionsWA and a number of unions that are represented here in the west. We gathered on that day to remember those who had passed, to lay flowers and also to recommit ourselves to ensuring all workers are safe at work and return home safely at the end of every shift. I have spoken in this house a number of times about the legacy of Wittenoom and the many lives that were lost as a result of the blue asbestos mining in my electorate. I joined Melita Markey from the Asbestos Diseases Society of Australia on that day to remember those who had passed, particularly from that mining operation. I support their efforts to establish a permanent memorial there for loved ones to be able to gather, grieve and reflect.

Of those people named in my contribution who have passed away at work, it is worrying to note that the majority were employed as contractors. The chain of command for contractors who are employed is often complex. As a result of this complexity, it is more difficult for them to raise health and safety issues. Contractors are less likely to raise health and safety concerns due to fears about being sanctioned or, even worse, losing their jobs. Contractors are also less likely to step forward to become safety representatives in their workplaces or to actively participate in work safety meetings. This must change. In a recent ABC news article, Professor Michael Quinlan at the Industrial Relations Research Centre at the University of New South Wales said —

It’s well known that the use of contractors tends to undermine health and safety.

As we all know, the mining sector is booming here in Western Australia and so is its reliance on both contractors and casual workforces. In a number of industries, we see works contracted out, then subcontracted out, then the subcontractors are left to find the workers. This, in turn, leads to a whole range of people who do not always have the skills, expertise or experience to be in that position at that time. The state government has undertaken significant reforms in an effort to improve safety for workers right across the state. This has included increasing funding to WorkSafe for additional inspectors and investigators and the introduction of the Work Health and Safety Act that prioritises work, health and safety. It came into force in March 2022 and is considered one of the largest regulatory reform projects ever completed here in Western Australia. The Work Health and Safety Act also encompasses provisions related to industrial manslaughter, which entails serious consequences. Violation of these provisions can lead to a maximum sentence of 20 years’ imprisonment for an individual and a fine of up to \$10 million for a corporate entity. Western Australia’s workplace laws and the Work Health and Safety Act better protect workers, modernise safety laws, and hold those responsible for workplace deaths. In closing, every worker has the fundamental right to return home from work, safely, every day, and be safe at work every single day. I want to again express my sincere and deepest condolences to families, friends and work colleagues for the irreplaceable loss of their loved ones. I commend the motion to the house.

HON KYLE MCGINN (Mining and Pastoral — Parliamentary Secretary) [11.53 am]: I thank Hon Peter Foster for bringing this very timely motion to the house. I, too, do not necessarily enjoy getting up and talking about this but, as I have said since coming into this house, it is important that we do talk about it so I thank the member for bringing it to the house today. Members know the subject is very personal to me and it gets me quite fired up. Today will be no different. I would like to start by giving my condolences to all families, friends and work colleagues who have ever lost somebody on a worksite. Most recently, there has been a very dreadful trend, which I think has been building for a very long time and has the potential to continue building unless employers pull their heads in and start doing what they should be doing to ensure workers are protected on the job.

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No-one will be surprised to hear that I am a very proud union member. I have been in the industry and will continue to be a very proud Maritime Union of Australia member. All unions, including the MUA, mean safer sites when we have union-dense sites in workplaces. That has been proven. What really gets up my goat is that employers fight consistently hard to get rid of unions, to belittle them, and smear them in the media as thugs and militants. Militancy protects lives and I think every worker who goes to work should come home. I think that is achievable. We are not talking about a pie-in-the-sky option here. It is achievable. I have spoken about my personal experience with the deaths on the *Stena Clyde*. In my maiden speech, I spoke about how two men— Peter Meddens and Barry Denholm— were unable to return from work due to an incident onboard a rig. I spoke about the failure of the workplace regulator, the National Offshore Petroleum Safety and Environmental Management Authority or NOPSEMA, in investigating or doing anything to make it a safer workplace after the fact that two lives had been lost.

I have also spoken about lost time injuries or LTIs. They are the biggest smear and disgrace being used by employers, particular contractors, to win jobs. A lost time injury is if someone is injured at work and they are unable to return to work and fulfil the hours they would have normally been scheduled for. That goes down as a lost time injury. If a GP says someone is not medically fit to return to work, they cannot return, but employers have found a way to get doctors to head down a certain path of light duties. Somebody who is a mechanic who works on engines for a living may end up pushing papers in the office and that would not be seen as a lost time injury. This is all so the company can turn around and say, “We haven’t had a lost time injury for seven or eight years.” I can assure members that that is absolutely rubbish. When I was working on the *Stena Clyde*, there had been seven to eight years without one lost time injury. I nearly chopped off my finger and could not go back into the galley. It shows my skills as a cook but my finger was hanging off. The first thing that happened was that the boss of the rig—the offshore installation manager—came in and said, “Oh, you don’t have to go home do you?” My finger was hanging! The doctor is standing there going, “Hang on, mate; let’s just get it in a splint.” To this day, I still have troubles with how it went down. I wish I had gone a little bit harder. They said, “We’ll fly someone out here to do your job. You just sit in the rec room and watch movies for the next two weeks. That means you haven’t gone home and you’re still getting paid to be on the job.” It was only a couple of months later when we lost Peter and Barry to a workplace incident. The company was using the seven or eight years with no LTIs to go out and get contracts. Members must not be fooled when they speak to employers, particularly the Ben 10s and multinationals of this world. I will go into a few of them because I think it is important that we pull them up.

I will start with a small business that operates out of Maddington. Going back to Christmas last year, South Pacific Laundry had a majority of migrant workers who were working in a laundry that was over 50 degrees in temperature. One poor lady, on that day, fainted and fell to the floor. She was found to have been on the minimum wage but with wage theft, so they were not even paying her the minimum wage. There was no thermostat in the entire building to know what the temperature was. She died in hospital two days later. The union responsible was the United Workers Union. They went in and fought hard for that person but the reality was that no-one there was originally a union member. The unions and the CFMEU go in to fight for any worker who has died on the job. Whether they are a member or not, they are out there fighting. Every union goes in to fight but that is after the fact. We need to get better at ensuring that people know they have the right to be a union member and that they are not ostracised, sacked, bullied or intimidated for doing that. It is absolutely disgraceful. It is clear to me with my experience in the offshore oil and gas industry that there has been cost-cutting ahead of big oil and gas corporations who are at the root of the OHS problems in the oil and gas industry. Although NOPSEMA is still investigating the tragic death of Michael Jurman on the North Rankin gas complex on Friday, 2 June, it is clear to me from my experience that Woodside has had some safety systems fail. It is not only important but essential that the safety regulator focuses on the root cause of the decline in safety standards in the oil and gas industry. Over the past decade, Woodside Energy, Chevron Australia and Santos have been at the forefront of oil and gas corporations that are churning through inexperienced, green-hat workers on their facilities. The contract workers used by these three companies are largely casual and quite often do not even have fixed rosters. They are treated as expendable units of production. The three companies have devalued experienced workers. The number of experienced workers is far outweighed by inexperienced new entrants to the industry.

We also have a culture in which workers are afraid to speak up and speak out about safety standards. Casual workers are run off the facility if they speak up, and permanent employees have their bonuses cut and risk being put on performance improvement plans if they speak up about safety or challenge the company and do not display the subjective behaviours and standards demanded by management. Unless we have a change of culture within the oil and gas corporations and they genuinely take on board feedback from workers and their unions, it is not just that another fatality will happen; it will be inevitable. There needs to be significant change to the culture in the oil and gas industry and on its facilities. There must be no more cover-ups of serious incidents, no more hiding lost-time injuries, no more not reporting and no more pretending that an incident like a flare explosion is not serious. That happened at Woodside’s Pluto facility and was played off as a small non-important incident. That was a shameful thing to do. The reality is that we do not see a higher safety standard pushed across the industry, which would save

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lives. We just see a blasé, “Move on; it wasn’t even a near miss” response. There needs to be more transparency in the reporting of safety incidents. Companies must be open and honest, because we are talking about saving lives.

I will always back unions in any industry to make sure that they have the opportunity to protect workers. The Offshore Alliance is working hard to change the safety culture out on the facilities of multinational companies, which is where we see a lot of breakdowns in safety happen. These big corporations should embrace these unions and put them into the process. When I sat on the *Stena Clyde* and the National Offshore Petroleum Safety and Environmental Management Authority came on board to investigate, not one worker had a representative in that room. The employer sat in there with NOPSEMA. I do not want to see that happen with this recent incident.

I will talk now to all employers and especially the big multinationals. Stop bullying union members. Stop cutting corners for your profits. Stop treating contractors and casuals like second-class citizens and stop killing workers. To the workers, I say stand up, join your union, and fight for your rights on the job.

HON LORNA HARPER (East Metropolitan) [12.02 pm]: I, too, stand today to speak on this motion moved by Hon Peter Foster. At the beginning, I wish to give my condolences to the family and friends, colleagues and workmates of the people who have died recently.

Like my colleagues have said, it is a very sad day indeed for a family when their loved one goes to work and that is the last they see of them. We cannot imagine how these families are feeling right now. Our deepest thoughts really are with them. In particular, I have to say, the recent death of the young man in Welshpool really hit home with me. I have been communicating by text with Hon Matthew Swinbourn for a few weeks. Every time we saw the headline of another workplace death, we said, “What on earth is going on? What is happening here?” It is unbelievable how many deaths there have been within Western Australia in the last year. I believe, according to WorkSafe Western Australia, there have been about 14 in a year. That is ridiculous. That is only the deaths; we have not talked about the near misses or the people who might not be able to work again for the rest of their lives because of an accident in the workplace. As Hon Peter Foster said, the fact that four out of five deaths that have occurred in the goldfields and the Pilbara in the mineral resourcing sector involved contractors really should be a massive concern to us. Hon Kyle McGinn has just talked about that. People who are in insecure employment are less likely to stand up and speak about their rights at work, because they are afraid that their contract will be terminated and they will not get another job. Insecure employment, caused by labour hire employment and casualisation, is the scourge of this country. How can someone speak up for any of their rights if they are worried about putting food on the table?

Hon Donna Faragher moved a motion this morning about how more and more people are needing assistance from Foodbank and community services. Of course they are! We have insecure employment. We have insecure employment across a lot of industries. We have insecure employment in the transport industry. I know; my husband is a truck driver. Every time he gets on the road, we think: will he come home again? As we know, there is a high proportion of fatalities of people who work in the transport industry. These are dangerous jobs. My husband is an ex-firefighter, and we know that Hon Martin Aldridge is an ex-firefighter. Luckily enough, with the training and the safety aspects, we rarely see fatalities in this country. Unfortunately, we do on occasion—more with our volunteers. That is not to say that their training is not adequate. It is just that, unfortunately, Australia burns. Being a firefighter means going out knowing that they may not return at the end of the day. There is that potential. Unfortunately, police officers also have that potential. There is a potential that any shift could be their last shift. It is tragic that when it happens, they have gone out there knowing that it could happen. But when someone walks out the door or sends their 16-year-old off to work as an apprentice and they do not come home, we cannot imagine.

I remember a few years ago there was an explosion in the Morley Galleria Shopping Centre that killed two young men and seriously injured two people. As members all know, I have been a union organiser. I was working at Union Voice, and I was going out to a local school to meet with education assistants who are members. I went in for our one-hour paid quarterly meeting. One of the education assistants was the mother of one of the young men who died. In my meeting, I spent an hour to an hour and a half sitting with the mother, listening to the impact it had on her life, watching her sit there and cry. Every day, she drove past the place her son died. We cannot miss the place her son died. They tried to put a garden in front of it, but every time I walk past it, I see it, and I think of the young man who died and the 30-year old man who died. Many of us walk through Forrest Chase in the city. I cannot go into the building. I will be honest, I have not been in that building, because every time I am anywhere near it, I think of the young person who fell to his death. Many of us will be aware that a construction company manager was recently fined and ordered to pay costs for the death of this young man. The death of this young man is one of the catalysts that led to workplace manslaughter laws being brought in. This young man went to work and there was no safety for him. There was no consideration for him or the workers. There were holes left open. Somebody tried to put wood across some of the open holes to protect them, but there was not even enough wood for them. This 17-year-old-old fell to his death in the early hours of the morning. That was totally preventable. It was completely preventable. I do not know whether a workplace health and safety representative was on site. If there was not, there

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should have been. I do not know whether it was a union site. If it was not, it should have been. A union site is a safer site. Union members generally know their rights and they will stand together and fight for their rights. A workplace health and safety representative could have shut down that site and prevented that death. I agree with Hon Kyle McGinn in asking: why oh why do companies not want unions on site? Is it not “too expensive”? It is too expensive to have a worker die. It is too expensive to have somebody not go home at the end of the day. Human life is worth more than profits every single day. Every single one of these people should have gone home. Everyone has the right to go home at the end of the day. The fact that that is not happening and that so many people have died in Western Australia recently is extremely concerning.

Condolences to the families. We cannot comment too much because there is an investigation underway at the moment. But we can look forward to more prosecutions if necessary and more people being held to account. Again, I agree with my colleague—I nearly called him Kyle Sandilands; sorry—Hon Kyle McGinn in saying to people: please, please, please, join the union that covers your industry, be aware of your rights at work, make sure you have a workplace safety representative and find out what your rights are. I say to workplace safety representatives: shut down the site if it is not safe because every union member and union in WA will stand behind you 100 per cent. If they save one person’s life, we will stand with them and stand behind them.

Again, condolences to all the families and the workmates. Our thoughts are with you. Thank you again, Hon Peter Foster, for this very timely but very sad motion.

HON DR STEVE THOMAS (South West — Leader of the Opposition) [12.12 pm]: I would like to make a contribution to the motion moved by Hon Peter Foster. The motion is quite well put together —

- (a) notes the recent tragic and avoidable deaths in workplaces within Western Australia;
- (b) recognises that all workers should be able to go to work and return home safely; and
- (c) expresses its condolences to the families and loved ones of those who have died.

Nobody would object to the wording of the motion. It is a well-crafted motion. The debate has turned a little political around unions and I will address that in the fullness of time, but let me say that no reasonable person would object to either the member’s motion or generally the contribution he made, so well done. Obviously the opposition is happy to support the words the member has written and we offer our condolences to all those who have been injured in the workplace, in particular Constable Anthony Woods. I will read in a statement from his family —

We are shattered to lose our dear Anthony. He was a devoted husband and loving son, brother, and uncle who was taken from this earth far too soon.

Anthony will be remembered as a funny, hard-working man who loved the West Coast Eagles and mucking around with his mates. He brought light and laughter to every situation, and his wicked sense of humour is irreplaceable.

Our pain at this time is indescribable, and we take comfort in the outpouring of love from the community.

We ask that you keep Anthony’s memory alive by telling stories of all of your good times with him.

We offer our condolences to the family of Anthony Woods who is perhaps, depending on what the investigation shows, the victim of a deliberate act—not necessarily deliberately intended to kill him but a deliberate act. The courts will go through that process.

Having said that, let me point out that it is the government of those members who spoke passionately that is ultimately in charge of workplace safety. As members have said, processes are in place to deal with that. The hardworking Parliamentary Secretary to the Minister for Industrial Relations and I will spend, I suspect, many days during the upcoming sitting weeks debating workers compensation. I quite look forward to that; it is a very big bill. This government is responsible for what happens with workplace safety. If there is a shortfall, I hope the parliamentary secretary will deliver something of a mea culpa on the government’s responsibilities.

I note Hon Lorna Harper commented that investigations are continuing and seeking more prosecutions. That indicates to me that at least there is a system in place. Perhaps government members think it is imperfect, but there is a system in place for prosecutions, and they do occur. It is a Thursday, so we have to give extended leeway to members on both sides of the chamber because debates on occasion turn a little political. We were very apolitical this morning, but we have probably jumped back into it a little bit with this motion. The push for unionism as part of debate on the motion, unfortunately, in my view diminishes the motion and the intent of the mover, which was not necessarily just to support unions and union membership.

Hon Kyle McGinn interjected.

Hon Dr STEVE THOMAS: I cannot hear the member.

Hon Kyle McGinn: Safer workplaces.

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Hon Dr STEVE THOMAS: We will come to that in a minute. Members have to speak up with me; my hearing is not what it used to be.

Hon Lorna Harper: Safe workplaces.

Hon Dr STEVE THOMAS: Hon Lorna Harper does not need to speak up. The accent might be difficult, but I can absolutely hear her.

If the union movement were expressly dedicated to workplace safety, I think members would have a much stronger argument. I do not argue that that is one of the arms of the union movement; I am not disagreeing with that.

Hon Kyle McGinn: Do you agree that a union workplace is a safer workplace?

Hon Dr STEVE THOMAS: I think that on a percentage basis they are, but they are not the only safe workplaces and there are plenty of safe workplaces out there that are not unionised. It is not a requirement for a workplace to be unionised to be safe. Some unions are better than others and obviously there are employers out there that cut corners. There always have been, and I suspect there always will be. Once again, human nature means that there are two sides of this argument and there is no easy solution, necessarily. There are unions out there that will shamelessly use the workplace safety argument to enhance other issues. Should I mention, for example, the Transport Workers' Union of Australia. I will leave the Maritime Union of Australia alone for the time being.

Hon Kyle McGinn: Be very careful, they just had a death of a truck driver down at Widgiemooltha.

Hon Dr STEVE THOMAS: The member is right. They will also use this for their agenda. If the argument is that unions work actively in many cases on workplace safety, I will not disagree with government members because I think they absolutely do, but that is not all that they do. In my view, workplace safety is not simply a panacea for unions to seek membership; there are other components of the union movement such as seeking pay rises. I do not know how much they donate to the Labor Party these days—some of the unions are a bit distracted—but in many cases they are very political organisations. Although I have no objection at all and the opposition in no way objects to the motion moved by Hon Peter Foster because it is a very sensitive and well put together motion, the debate from members of the Labor Party has a political bent—as it tends to do on a Thursday—to support the union movement. The union movement has some roles that are important—not all unions are bad and not all union activity is bad. I am happy to give members that leeway as long as, in the reverse, they can accept that not all bosses are bad. The majority of bosses try to do the right thing. I was an employer for 15 or 17 years—I forget now; it was a while ago and I am getting on. I looked after the workplace safety of all my employees as best I could. That was pretty easy for the clerical staff, but it is not the easiest thing in the world to deliver for veterinarians who have to treat big dogs and wild cattle and horses. A lot of employers work really hard to do the right thing and it does not help the debate to demonise and vilify employers as not caring about their workers. I actually think it is wrong.

As Hon Lorna Harper said, on the occasions that occur there are investigations and prosecutions. I am sure that the parliamentary secretary can tell us about some of those. Those things should quite rightly occur. When employers do the wrong thing, they should be pursued to the full extent of the law. However, that is not the majority of employers. The inference from the Labor Party that the majority of employers and companies do not care about the welfare of their workers is absolutely wrong. I strongly disagree with that. I recognise the passion of Hon Kyle McGinn. He very consistently stands here and talks about workers' rights, and I respect that.

Hon Kyle McGinn: I am just talking from what I have seen employers do.

Hon Dr STEVE THOMAS: Absolutely. I am not even going to argue with him. He is consistent and passionate about protecting workers in employment and I respect that, which is why we have two sides of the house. He does that very well, despite the haircut. That is fine.

Hon Sue Ellery: The haircut is not fine.

Hon Dr STEVE THOMAS: We can divide on that, Leader of the Government. Bar one, we would probably all be in agreement.

Most employers are trying to do the right thing by their employees to protect them. Heaven knows that my friends who work in the mining sector walk on site and complain about the length of the morning safety meeting. Companies require them to sit down and discuss how they are going to manage changeovers. I do not know what the percentage of employer cowboys out there is, but I do not think it is anywhere near the inferences made today.

I think it does this debate no credit to imply that employers are bad and employees must join a union to be protected from them. I think that is a terrible solution to what is actually a genuine problem. We want all workers to go home safely, whether they are our family or somebody else's family—everybody is related to somebody. We want them to be safe as possible. We understand that we cannot remove human error from the process. For those employers that do not provide a safe workplace, sure, go after them. For those deaths and injuries that occur because employees

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make mistakes, and that happens a lot and we cannot stop it, we need to support them and protect them as best we can. However, do not vilify the employers and companies as a part of that process.

HON MATTHEW SWINBOURN (East Metropolitan — Parliamentary Secretary) [1.22 pm]: I rise to give the government's response to what I think is an important motion to debate with a sense of solemnity and seriousness. I have quite a bit to say and I would like to get through all of it. I want to put on the parliamentary record my deepest condolences to the loved ones of those who passed away in workplaces, both recently and in the past. There is no acceptable number of workplace fatalities. There have been a number of recent workplace deaths that have sharply brought attention to the dangers workplaces present and the need to be eternally vigilant when it comes to safety. The honourable member mentioned the workers from recent times by name and I will also use their names.

The first one I would like to mention is Bunker, who was the worker who died on the Applecross construction site. He was a long-term Construction Forestry Maritime Mining Energy Union member and undoubtedly a person who was very conscientious of workplace safety. I know that many of my comrades at the CFMEU have been particularly affected by his death. I am providing meaningful support to his family and will continue to do so. I just wanted to put that on the record and express my continuing appreciation for my union, the CMFEU, and the work it does.

There was the death of young police officer Anthony Woods; the passing of Kieran McDowall, a labourer in Onslow and, perhaps most sadly, the 16-year-old labourer from Byford, Hamiora Sharland, who passed away following a workplace incident in Welshpool. There has also been mention of Michael Jurman, the worker who died in commonwealth waters. That incident is subject to an investigation by The National Offshore Petroleum Safety and Environmental Management Authority. The other deaths referred to are all subject to investigations by WorkSafe Western Australia.

The Leader of the Opposition made reference to the government's responsibility in this place. I think it is important to put on record that this government does not shirk from its responsibility. However, I take issue with the phrase that he used, that the government is in charge of workplace safety. That is an inaccurate way of describing workplace safety because everybody is responsible for workplace safety, not just the government. The idea that the government is in charge is perhaps a dangerous one, as it abrogates the individual and collective responsibility of workers, unions and employers to take responsibility for the safety of their business at all times. I am not sure that is what the member quite meant, which is why I think it is important to clarify that safety is everybody's business; we are all in charge of safety and must all take responsibility for it.

Hon Dr Steve Thomas: I agree with that, but the buck stops with you.

Hon MATTHEW SWINBOURN: Member, I am not taking interjections. That is not out of a lack of respect for the him, I just want to get through what I have got to say. Of course, the government is the regulator, investigator, prosecutor and educator. Those are all very important roles that it takes on board. This government takes its safety responsibilities very proudly.

I would also like to take a moment to acknowledge Ms Regan Ballantine. Ms Ballantine, or Regan, as I will refer to her, is the mother of Wes Ballantine. He was the 17-year-old that Hon Lorna Harper referred to in her contribution who died at the H&M site at Forrest Place. On Tuesday last week, Magistrate Thomas Hall found that one of Wes's former bosses, Luke Corderoy, had neglected to provide a safe working environment at the site where Wes died. Sadly, Corderoy failed to accept fault for his part in Wes's death, showing no real contrition. I think he perhaps falls into the category of bad bosses.

Infuriatingly, he lied to Regan about the circumstances of her son's death. Regan made what can only be described as a powerful and compelling witness impact statement at the trial, even offering her forgiveness to Corderoy and others involved in the death of her beloved son. Regan, you did not deserve what you have been put through. You have turned your tragedy into advocacy for better workplace safety laws, including the successful introduction of industrial manslaughter laws. You have handled yourself with a grace that is admirable, but undoubtedly with an underlying grief and rage. You deserve to move forward with your life and I hope you now find the peace you deserve.

The recent workplace deaths are indeed tragic. The word "tragic" is often overused or used inappropriately and has unfortunately lost its currency in many circumstances. When people talk about their sport team losing as tragic, they certainly do not really take into regard what that word truly means. In this context, tragic is unfortunately too appropriate. Once again, I want to put on the record the very simple but pertinent sentiment that every worker is entitled to return home from work each day safe and healthy. Although there is a continuous need to improve workplace health and safety for all workers, much good work has been done in the workspace by this government. I will go through some of those things now.

The new work health and safety laws have been with us for about 12 months. I think it is fair to say that they have been successfully implemented, contrary to some dire predictions. They now bring together general industry and mining and petroleum operations under a single act. The McGowan, and now Cook, governments have increased

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WorkSafe inspector capabilities. Additional inspector resources were added in 2019 and in 2021 to bring capacity from 99 inspectors in 2019 to 213 in 2023. There have also been changes to the way that WorkSafe deals with fatalities and serious injuries, including by the introduction of fatality and serious injury investigators and scene examiners. There has also been the addition of WorkSafe family support liaison officers to provide support to families and next of kin of workers who have been fatally injured. The government has provided funding for increased work health and safety communications to inform the Western Australian community about the work health and safety requirements. The government has introduced new regulations in relation to silica risks, including reductions in silica exposure levels and the introduction of world-leading health monitoring using low-dose CT screening. Of course, the introduction of industrial manslaughter laws, with a significant increase in financial penalties and maximum terms of imprisonment, acts as a significant deterrent for those employers that are not inclined to provide safe workplaces for their workers.

I just want to make a few brief comments about the number of workplace fatalities and how they are recorded. Presently, WorkSafe, which is the Western Australian regulatory agency, records workplace fatalities that come within its jurisdictional responsibilities. This, of course, might be considered by some not to give a full picture of workplace fatalities in Western Australia and, to some extent, this is correct because those reported figures are limited by a number of factors; for example, WorkSafe does not have jurisdiction over workplace fatalities that occur on commonwealth waters or lands. The figures also do not currently pick up worker fatalities that happen on the road. As a former truck driver, I can attest that the road was my workplace; and, if I had been involved in an accident while I was driving a truck and that resulted in my death, I am sure my family would have expected my death to be considered a workplace one. Ironically, this would be recognised under the workers compensation scheme, but it is not currently recorded as a workplace death by WorkSafe. I am aware, however, that the WorkSafe Western Australia Commissioner, Darren Kavanagh, has committed to reporting on worker fatalities on the road for the first time, which will provide greater insight to the risks and number of worker fatalities on our roads.

The government announced new measures in April this year to target the growth in the WA construction workforce and accelerate the delivery of construction projects and, through this, it also included the safety and health of construction workers, including their mental health, which is a high priority of the Cook government across industries.

I am running out of time and there are things I would like to have covered, but I will now quickly turn to my concluding remarks.

Make no mistake, there is always much work to do and we must all remain vigilant with workplace safety. Whether it is the government, employers, unions or workers, workplace safety is everyone's business. I thank the honourable member for the motion he has put forward today. I reiterate that workers should be able to go to work confident that there is a safe system of work in place and that they can come home safe and sound to their families.

HON AYOR MAKUR CHUOT (North Metropolitan) [12.32 pm]: I would like to extend my gratitude to Hon Peter Foster for acknowledging the recent workplace fatalities in Western Australia and to all honourable members for their great contributions.

I share the belief that every worker has the right to a safe workplace environment in Western Australia. It was heartbreaking to hear about the four tragic incidents in Western Australian workplaces that resulted in fatalities in recent weeks. I extend my condolences to the families, loved ones, friends and colleagues of those involved in these terrible incidents: the crane operator involved in a fall at the construction site in Applecross on 2 June; the police officer involved in that really terrible incident, which we all remember; the labourer struck by a mobile plant on a mining site; and the 16-year-old labourer struck by an object. I am the mother of a 16-year-old son. My heart goes out to all those who have been impacted. The other day I said to myself, "Imagine trying to support my son to get into a job at a construction workplace." I thought of the work that the mother and father of that young boy had invested in their child to reach that point, so for him to not come home is something that those parents will never forget. I was heartbroken.

As we heard from other honourable members, at this moment WorkSafe is conducting investigations into all the incidents. Parties who have failed to fulfil their duties in establishing and preserving a secure work environment will be subjected to the applicable regulations outlined in the Work Health and Safety Act 2020. Unfortunate incidents serve as a reminder of the significance of effectively managing and controlling health and safety risk in the workplace. As we heard in the discussion and in the government response, it is essential that every employee has the right to feel safe and secure while working and to return home safely every day. The Cook government is prioritising wellbeing and a safe workplace for everyone in Western Australia.

In conclusion, I would like to comment on the importance of unions in protecting the rights of workers, as was mentioned by some of my colleagues. I believe that young people are particularly vulnerable. As parents, we try our very best to support our young people at home, but we have trust in workplaces to protect our young people. As a mother, I would like my child to have a safe workplace. I highly recommend that all workers consider joining

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a union. Workplaces should have union representatives at their worksites to protect our young people. We are here every day advocating for our young people, but if our young people are not being protected, why are we here? It is really important and beneficial for any worker to be protected by a union. As a vulnerable community member, I joined my union when I got my first job as a patient assistant at Sir Charles Gairdner Hospital. As someone who spoke English as a second language, I know the importance of union representation. My union was able to help me understand how the system works in this country. As I had come from a refugee camp, I did not understand how the system worked here. It is really important. It does not matter what it is, but the unions are very important. I am a union supporter, and the unions provide extra support for the voice and rights of workers. If an incident happens, the unions also give extra support to the families of those who have lost their lives.

Personally, I am quite touched by this motion. I can see that we do not have much time. I thank Hon Peter Foster for acknowledging the recent incidents that have happened in WA. I express my condolences to the families that have been impacted. I hope they find comfort in their heart. I acknowledge that it is not easy for us as a government or as a community. It is heartbreaking.

HON PETER FOSTER (Mining and Pastoral) [12.37 pm] — in reply: I would like to thank and acknowledge the members of this house who have spoken in support of the motion that I moved; in particular, I would like to acknowledge the Leader of the Opposition for his support for the motion. Safety at work is absolutely a cross-party issue, so we should all come together in support of any actions we can take to encourage safe workplaces and safety at work.

Firstly, I would like to acknowledge Hon Kyle McGinn for his contribution and, in particular, for sharing with us his personal story about his workplace incident. I am sure that his particular incident is not isolated. I am sure that those types of incidents happen quite regularly. I acknowledge his comments about the importance of unions. I know that the Leader of the Opposition does not feel so strongly about that, but I absolutely support the work of unions. I have been in a union my whole life, as has my partner, and I come from a family of proud union members. We need them in our community to keep our workers safe at work.

I want to acknowledge a couple of unions. Tom Price has quite a number of mining operations. I acknowledge in particular the Australian Manufacturing Workers' Union; the Electrical Trades Union; the Construction, Forestry, Maritime, Mining and Energy Union; and also the Australian Workers' Union. I often met with union organisers when they were travelling through Tom Price.

Hon Kyle McGinn: The MUA!

Hon PETER FOSTER: No, the MUA is not in Tom Price—there are no ports!

I speak to the union organisers very regularly about their concerns about workplace safety, and I can actively see the work they are doing.

In the remaining 40 seconds, I acknowledge the contribution of Hon Lorna Harper and her passion for workers' rights and ensuring that people stay safe at work. I acknowledge Hon Dr Steve Thomas for supporting the motion. I do not necessarily think we were trying to vilify employers, but employers have a responsibility to keep their staff safe at work. I thank Hon Matthew Swinbourn for giving the government's response. It is great to see that there is a lot of focus in this area. Lastly, I acknowledge Hon Ayor Makur Chuot for her contribution.

Motion lapsed, pursuant to standing orders.