

41ST PARLIAMENT



Community Development and Justice Standing Committee

Report 3

ANNUAL REPORT 2021–22

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Presented by  
Ms L. Mettam, MLA

October 2022

## *Committee Members*

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Chair	Ms L. Mettam, MLA Member for Vasse
Deputy Chair	Mr M.J. Folkard, MLA Member for Burns Beach
Members	Ms K.E. Giddens, MLA Member for Bateman
	Ms D.G. D'Anna, MLA Member for Kimberley
	Ms J.L. Hanns, MLA Member for Collie-Preston

## *Committee Staff*

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# **Community Development and Justice Standing Committee**

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## **Annual Report 2021–22**

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Report No. 3

Presented by

**Ms L. Mettam, MLA**

Laid on the Table of the Legislative Assembly on 20 October 2022



## Chair's Foreword

**A**s Chair of the Community Development and Justice Standing Committee, I hereby present to Parliament the Committee's Annual Report for the year ended 30 June 2022.

It has been a challenging year for the Committee as we took on the task of inquiring into the sexual harassment of FIFO workers in the mining sector in WA. The readiness on the part of industry, both employers and unions, to make formal submissions and appear before the Committee in person, demonstrated how urgently needed and timely our examination of this complex matter was. Most significant was the number of brave women prepared to come forward and share their shocking experiences of sexual harassment and abuse in the hope that effective measures would be taken to prevent it continuing.

This inquiry was personally demanding for the Committee members as over several months we heard from a wide range of people. There was the shock of the FIFO workers' stories of the horrendous abuse they experienced simply as a result of going to work. We heard what steps industry was taking to inform itself of the size of the problem, the damage to individuals, companies and industry that resulted, and the process of culture change needed to remedy the situation. We heard from Government agencies responsible for safety and equity in the workplace and investigated what measures were currently in place and assessed their effectiveness. We invited experts in the fields of workplace culture management, harassment and equity to provide us with information on frameworks and strategies for addressing workplace harassment.

As part of this inquiry we travelled to four sites operated by four major mining companies: BHP, FMG, Chevron, and Rio Tinto. These visits were invaluable for attaining an appreciation of camp layout and on-site accommodation, utility and recreation facilities. We also had the opportunity to speak to staff on site. On behalf of the Committee, I would like to extend my gratitude to the industry hosts for enabling the Committee to make these visits.

The main outcome of the inquiry was the Committee's second report to parliament, entitled *Enough is Enough: Sexual harassment against women in the FIFO mining industry*. It contains 79 findings and 24 recommendations and was tabled in the Legislative Assembly on 23 June 2022.

As Chair of this Committee I note there is considerable interest in this report and its recommendations. We were very aware the serious safety issues surrounding culture and behaviour would be challenging to address in a report to Parliament. The extension of the reporting period, deliberative meetings and evidence-gathering hearings reflect this.

The inquiry itself and the tabling of the report has generated a high level of international, national and state interest. Media reporting has been widespread, and ongoing, as has the engagement of stakeholder and industry groups. I believe this response contributes positively towards the significant task of delivering a safe and harassment-free workplace for all FIFO workers.

The recommendations in the report aim to provide ways to co-ordinate the anti-discrimination, employment, and work health and safety legislative schemes into an effective and workable framework. They have been carefully constructed to mesh into existing legal frameworks and are complementary to existing workplace regulations, practice and procedure. They point clearly to where government legislation, regulations and processes can be improved. Importantly, they call for determined leadership and accountability in FIFO workplaces, and a genuine belief that a harassment-free workplace is also a productive workplace that will benefit all.

These are strong recommendations which we hope will get the attention and support they deserve. We also hope that there will be continued interest in the report from outside the mining sector, given many of the issues and recommendations are relevant for other industry sectors.

The main financial expenditure of the Committee over the year was for travel related to the inquiry. Funding was also allocated to an additional unique expense of mental health support for our witnesses, which is covered under the consultant's item in the report. This additional funding was acquired through a special request to the Speaker.

I would again like to extend my gratitude to all the witnesses who contributed to the inquiry, particularly the brave women who shared their experiences with us.

As a Committee I feel we should be very proud of the contributions we have made to Parliament through our work over the last 12 months as outlined in this report and evidenced by the *Enough is Enough* report.

On behalf of the Committee I would like to thank the Committee Staff for their contribution. I particularly acknowledge Dr Alan Charlton and Dr Sam Hutchinson for their invaluable work and support over this period.

I also wish to acknowledge my fellow Committee members; Deputy Chair and Member for Burns Beach, Mark Folkard; Member for Bateman, Kim Giddens; Member for Kimberley, Divina D'Anna; and Member for Collie, Jodie Hanns. Thank you all for your commitment and contribution over the past year.

I am extremely pleased on your behalf to present this Annual Report.



MS L. METTAM, MLA  
CHAIR

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# Chapter 1

## Committee Activities

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### Introduction

During the course of this reporting period (Table 1.1), the Committee:

- conducted 1 inquiry
- tabled 2 reports
- held 26 deliberative meetings

The activities of the Committee in this period were dominated by an almost year-long inquiry into sexual harassment against women in the FIFO mining industry. The inquiry, launched at the beginning of the financial year in July 2021, resulted in the tabling of a major report at the end of the financial year on 23 June 2022.

**Table 1.1: Summary of Committee activities, 1 July 2021 – 30 June 2022**

Description	Activity
Briefings	1
Deliberative meetings	26
Formal evidence hearings	27
Witnesses appearing	56
Reports tabled	2
Report findings tabled	79
Report recommendations tabled	24

### Portfolios

- Aboriginal Affairs
- Child Protection
- Attorney General
- Environment
- Citizenship and Multicultural Interests
- Community Services
- Corrective Services
- Culture and the Arts
- Disability Services
- Electoral Affairs
- Emergency Services
- Local Government
- Police
- Prevention of Family and Domestic Violence
- Road Safety
- Seniors and Ageing

- Sport and Recreation
- Veterans Issues
- Volunteering
- Women’s Interests
- Youth
- Climate Action

## Public Hearings

Pursuant to Assembly Standing Order 264, the Committee has power to send for persons, papers and records. During the period 1 July 2021 – 30 June 2022, the Committee conducted 27 hearings, taking evidence from 56 witnesses to assist with its operations, predominantly dealing with its inquiry (Table 1.2).

The vast majority of the hearings related to the Committee’s inquiry into the sexual harassment of women in the FIFO mining industry. In addition to these hearings, the Committee also heard from the Western Australian Electoral Commissioner and Deputy Commissioner who provided an overview of the WA Electoral Commission’s planning, operation and management of the 2021 State Election, especially in the context of logistical challenges raised by the Covid pandemic.

**Table 1.2: Committee hearings, 1 July 2021 – 30 June 2022**

Date	Name	Position	Organisation
11 August 2021 (closed)	Private Individuals		
18 August 2021	Mr Robert Kennedy	Electoral Commissioner	Western Australian Electoral Commission
	Mr Christopher Avent	Deputy Electoral Commissioner	
8 September 2021	Mr Richard Sellers	Director General	Department of Mines, Industry Regulation and Safety
	Mr Ian Munns	Deputy Director General, Safety Regulation	
	Mr Andrew Chaplyn	Director, Mines Safety	
	Ms Sally North	Acting Director, Mines Safety	
	Mr Darren Kavanagh	WorkSafe WA Commissioner	WorkSafe WA
8 September 2021	Mr Brad Gandy	WA State Secretary, Australian Workers’ Union	Western Mine Workers’ Alliance
	Mr Greg Busson	WA State Secretary, Mining and Energy Union	
15 September 2021 (closed)	Private Individual		
15 September 2021 (closed)	Private Individual		

Chapter 1

13 October 2021 (closed)	Private Individual		
13 October 2021	Dr John Byrne	Commissioner for Equal Opportunity	Equal Opportunity Commission
	Ms Diana MacTiernan	Manager, Commission Services	
	Ms Sara Shengeb	Community Education and Training Officer	
13 October 2021	Mr Shane Enriken	Director	Crime Stoppers WA
	Dr Vince Hughes	Chief Executive Officer	
20 October 2021	Mr Paul Everingham	Chief Executive	Chamber of Minerals and Energy WA
	Ms Elysha Millard	Manager, Safety, Health and Wellbeing	
20 October 2021	Mr Brandon Craig	Asset President, WA Iron Ore	BHP
	Ms Jessica Farrell	Asset President, Nickel West	
	Ms Melanie Fisher	Practice Lead Care and Human Performance	
	Mr Tim Robinson	Chief Compliance Officer	
27 October 2021	Mr Simon Trott	Chief Executive, Iron Ore	Rio Tinto
	Mrs Laura Thomas	Acting Vice President, Human Resources	
	Ms Cecile Thaxter	Vice President, Health, Safety, Environment and Communities	
27 October 2021	Ms Elizabeth Gaines	Chief Executive Officer	Fortescue Metals Group
	Ms Linda O'Farrell	Director, Fortescue People	
	Mr Robert Watson	Director, Health and Safety	
10 November 2021	Mr Michael Finnegan	Managing Director and CEO	Macmahon Holdings
	Mr Greg Gettingby	Chief Development Officer	
	Ms Nicola Jane Hamilton	General Manager, People	
	Mrs Elizabeth Gray	General Manager, Health, Safety, Environment, Quality and Training	
10 November 2021	Mr Warren Pearce	Chief Executive Officer	Association of Mining and Exploration Companies

Committee Activities

15 November 2021	Mrs Fiona Hick	Executive Vice President, Operations	Woodside Energy Ltd
	Mr Philip Reid	Vice President, Health, Safety and Environment	
	Mrs Jacqueline Connolly	Vice President, People and Global Capability	
	Mr Steven Pyle	Manager, Business Integrity	
15 November 2021	Mr Colin Blanch	Deputy Commissioner, performing the duties of the Commissioner of Police	WA Police Force
	Mr Bradley Royce	Assistant Commissioner, State Crime	
15 November 2021	Mr Mick Buchan	State Secretary, WA	Construction, Forestry, Maritime, Mining and Energy Union (CFMEU)
15 November 2021 (closed)	Private Individual		
17 November 2021 (closed)	Private Individual		
17 November 2021 (closed)	Private Individual		
24 November 2021	Mrs Stacey Offner	General Manager, Health, Safety and Environment	Chevron Australia
	Mr Christopher Watts	Senior Manager, Human Resources, Upstream Australia	
24 November 2021	Mr Owen Whittle	Secretary	Unions WA
	Ms Lisa Judge	Assistant Secretary	
	Dr Tim Dymond	Organising and Strategic Research Officer	
23 March 2022 (closed)	Mr Leigh Smith	Lecturer, Curtin University Law School	Individual
29 March 2022 (closed)	Hon Bill Johnston, MLA	Minister for Mines and Petroleum	WA Government
6 April 2022 (closed)	Professor Paula McDonald	Professor of Work and Organisation, Queensland University of Technology	Individual
11 May 2022 (closed)	Private Individual		

## Briefings

In addition to the formal hearings, the Committee held a briefing with the Commonwealth Sex Discrimination Commissioner. The Committee obtained information at the briefing relating to the inquiry into sexual harassment against women in the FIFO mining industry (Table 1.3).

**Table 1.3: Briefings provided to the Committees, 1 July 2021 – 30 June 2022**

Date	Name	Position	Organisation
28 March 2022	Ms Kate Jenkins	Commonwealth Sex Discrimination Commissioner	

## Investigative Travel

**Table 1.4: Summary of Committee travel, 1 July 2021 – 30 June 2022**

Date	Description	Attendees	Cost
1 November 2021 – 3 November 2021	The trip took members to four sites operated by/for four major mining and energy companies	Libby Mettam, MLA Mark Folkard, MLA Kim Giddens, MLA	\$22,045

Committee members and the Principal Research Officer travelled to a four FIFO camps and villages in the Pilbara. They visited two remote sites – BHP’s Mulla Mulla Village and Fortescue’s Eliwana camp – staying overnight at one of them. They also visited Chevron’s Wheatstone Project village just outside Onslow, and Rio Tinto’s Wickham Lodge in Wickham. Members had the opportunity to speak with site staff responsible for security, safety, wellness and broader camp management. Members also spoke with other employees and contractors about their experiences of the industry. These visits provided the Committee with valuable on-the-ground knowledge of the locations and facilities that were a subject of the inquiry, and allowed greater understanding of the challenges and risks facing both individuals residing in remote and isolated accommodation and companies providing that accommodation.

## Reports Tabled

The Committee tabled two reports during the period 1 July 2021 – 30 June 2022.

**Report 1:** [Annual Report 2020-21](#) (16 September 2021)

**Report 2:** [‘Enough is enough’: Sexual harassment against women in the FIFO mining industry](#) (23 June 2022)

The Committee’s report into sexual harassment against women in the FIFO mining industry was the result of a nearly year-long inquiry, following a series of public reports of sexual assault and harassment in FIFO workplaces. The Committee considered a wide range of evidence, including 87 written submissions, 55 of which came from people with personal experience in the mining industry. The Committee heard evidence from 44 people representing private companies, organisations or providing professional testimony, as well

as individuals who recounted their personal experience in the sector. Members of the Committee travelled to four sites, including town-based accommodation and remote mine sites.

The report made 79 findings and 24 recommendations relating to industry culture and behaviour, hiring practices, measures taken by the industry, knowledge gathering and reporting, and industry regulations. Among other things, the Committee found that women in the mining industry are frequently subjected to sexual harassment, that the industry has perpetuated a harmful culture, that the industry has made limited progress in limiting risks to women and has only a poor understanding of sexual harassment, and that workplace regulation has lagged behind social expectations. It made a range of practical recommendations to Government and industry for ways to address the issues it identified. These recommendations included considering a forum to hear, document and acknowledge the experiences of victims of historical workplace sexual harassment; exploring ways to prevent perpetrators of serious sexual harassment simply finding reemployment elsewhere; introducing improved reporting systems and education programs; and establishing an expert group to investigate reports of sexual harassment in the mining industry. The Government's response to the report was tabled on 21 September 2022.







# Chapter 2

## Finances

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### Financial Statement

The Committee does not have its own formal budget and is funded out of the budget of the Legislative Assembly. Approval for major expenditures is required on a case-by-case basis and is entirely at the discretion of the Speaker.

The Committee's expenditure for the financial year 1 July 2021 – 30 June 2022 (in accordance with Standing Order 276) is detailed below:

**Table 2.1: Expenditure items of the Committee, 1 July 2021 – 30 June 2022**

Expenditure Item	Amount (\$)
Advertising	2,2889
Consultants	\$1,085
Inquiry travel*	\$22,045
Members/staff amenities	\$192
Printing	\$,3,468
<b>TOTAL</b>	<b>\$29,080</b>

\*includes all associated travel costs.

NB: figures may not tally due to rounding.

Notes:

- Salaries of committee staff are not included.
- Costs of shared administrative expenses, including lease costs for committee accommodation, are not included.



MS L. METTAM, MLA  
CHAIR







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