

**EDUCATION AND HEALTH
STANDING COMMITTEE**

**INQUIRY INTO MENTAL HEALTH IMPACTS OF
FIFO WORK ARRANGEMENTS**

**TRANSCRIPT OF EVIDENCE
TAKEN AT PERTH
WEDNESDAY, 5 NOVEMBER 2014**

SESSION FOUR

Members

Dr G.G. Jacobs (Chair)
Ms R. Saffioti (Deputy Chair)
Mr R.F. Johnson
Ms J.M. Freeman
Mr M.J. Cowper

Hearing commenced at 2.15 pm

Ms NICOLE ROOCKE

Deputy Chief Executive, Chamber of Minerals and Energy of WA, examined:

Ms ADRIENNE LABOMBARD

Manager, Workplace Health and Safety, Chamber of Minerals and Energy of WA, examined:

Mr EMMANUEL HONDROS

Manager, People Strategies, Chamber of Minerals and Energy of WA, examined:

Ms JENNIFER RUMBLES

Policy Adviser, Chamber of Minerals and Energy of WA, examined:

The CHAIR: Thank you very much for appearing before the Education and Health Standing Committee of the lower house. The purpose of this hearing is to gather evidence for our inquiry into the mental health impacts of fly in, fly out work arrangements. I am Graham Jacobs, the Chairman of the committee. On my left is Rob Johnson, on his left is Rita Saffioti, on her left is Janine Freeman, and at the end but not least is Murray Cowper. The executive here today is Mat Bates, Daniel Govus and Lucy Roberts, and Hansard will be recording this as a public hearing. It is a formal procedure but we are not too formal. You can call us by our first names and we will, if you allow it, call you by your first name.

Ms Roocke: Absolutely.

The CHAIR: There is some respect given to the proceedings in the house. Even though the committee is not asking witnesses to give evidence on oath or affirmation, it is important that you understand that any deliberate misleading of the committee may be regarded as a contempt of Parliament. Before we proceed, we have some questions for you today. Have you completed the “Details of Witness” form?

The Witnesses: Yes.

The CHAIR: Do you understand the notes at the bottom of the form about giving evidence to a parliamentary committee?

The Witnesses: Yes.

The CHAIR: I have always wondered about that, because if you have actually signed it, you probably understood it. Did you receive and read the information for witness sheet provided with the “Details of Witness” form today?

The Witnesses: Yes.

The CHAIR: Nicole, I might just start with you. I believe you may just have an opening statement to make to us and then we could perhaps start with our inquiry.

Ms Roocke: Absolutely, and thank you for the opportunity to be able to come along and present. The resources sector has recognised the importance of addressing health and safety in a work context for decades, and we have continuously sought to improve our practices, moving beyond compliance approaches to proactive wellness programs. These are directed at all employees in the resources sector, not just those doing fly in, fly out. They also include working together at an

industry level through the CME mental health working group to be able to share information about best practice, and the approaches being taken across the sector to address this issue.

Advances in transport and communication technologies, combined with the remote locations of the resources sector and the personal choice of individuals not to relocate, have certainly seen the uptake of fly in, fly out as a work practice. Every suicide is certainly a tragedy, and with 366 suicides in WA in 2012, no-one disagrees that we have a problem in our community. We do have an opportunity here to increase awareness and understanding of the complex issue of mental health and suicide and prevention. Despite the media assertions that there have been nine suicides among fly in, fly out workers in the Pilbara in the last 12 months, we do not consider this as being substantiated; nor, more importantly, are the causal factors identified. This information is absolutely critical if we are to develop evidence-based solutions to the problem.

The coroner has indicated in his submission that there have been 24 suicides in the last five years where an individual's occupation is taken to be suggestive of fly in, fly out, but that in actually only six or seven of these cases was fly in, fly out actually specified as the work practice. The occupations included in the coroner's research query equally occur in mining operations that use residential work practices; some, like riggers, are also employed in other industry sectors. Proportionately, even at the unsubstantiated rate of nine in the last 12 months, the rate of suspected suicides in fly in, fly out workers per annum would be 13.4 per 100 000 workers; whereas the state's rate is 13.2 per 100 000 workers, or for non-urban areas of WA, 18.5 per 100 000 workers. This shows suicides in fly in, fly out workers are occurring at a similar rate to that of the state, and well below that occurring in the regions. This is not said to diminish the importance of these suicides or the impact they have had, but rather to highlight where the focus of this inquiry should be, and looking at regional issues. We know mental health and wellbeing is far broader than the number of suicides. It varies over time and will be impacted by a range of factors, including the quality of family and social supports, financial status, work and external environments and other individual factors. This makes the responsibility for mental health issues a shared one for individuals, communities, government and industry.

Fly in, fly out as a lifestyle choice works for the vast majority of people doing it; however, it is important to acknowledge that fly in, fly out as a work practice is not without its challenges and does not suit everybody. Even if it does for a period of time, that might well change as individual circumstances change. While companies provide information about the possible challenges of doing fly in, fly out, future employees need to consider the appropriateness of it for them and their families. Importantly, they need to work through, as a family, if and when fly in, fly out stops being right for them, how do they transition out of it.

In recent years employees doing fly in, fly out have been extensively researched, particularly in relation to their mental health. While the stresses are clearly different given the nature of employment, the existing body of evidence does not indicate that the mental health of fly in, fly out workers is any worse than the general population, with some research suggesting the sector may be more resilient. Doing fly in, fly out itself is not the direct cause of suicide or mental health. Mental health and wellbeing are complex issues, determined by multiple and interacting factors; it is not just one factor. The current stigma attached to mental health and help seeking must be broken. The resources industry is proactively responding to this issue through a multitude of workforce programs and partnerships with the government and community. The challenge for the inquiry, for industry, community and government is to clearly understand what is causal, what is contributory or what is coincidental, so that we can respond to improve the health and wellbeing of not only the employees in the resources sector and their families, but also the broader community of Western Australia.

The CHAIR: Thanks, Nicole. I wanted to clarify those numbers of FIFO workers in Western Australia, and then just a little bit of clarity around the incident rates of suicides

per 100 000. In your submission you provided to us from the KPMG study, the total size of the Australian workforce was 10.65 million. KPMG found that 2.1 per cent of the Australian workforce identified as long-distance commute workers, and then that equated to 223 000 Australian workers. Are you happy with those statistics as the cohort we are talking about as fly in, fly out workers working in mine sites in and out of Western Australia?

Ms Roocke: In terms of the figures that we work off, Graham, we look at data that we have collected as part of our biennial resource sector outlook study. As part of that, we get information from the companies as to what portion of the workforce do fly in, fly out, according to the information from the companies. When you look at that, that identifies that around 60 per cent of the resources sector who do work in operations do fly in, fly out, whereas around 80 per cent of those working in the resources sector doing construction do fly in, fly out. So in a Western Australian resource sector context, we estimate that there are around 67 000 people doing fly in, fly out at the moment.

Mr M.J. COWPER: How many would be located locally? If you have 65 000 fly in, fly out, how many would you have residential?

Ms Roocke: The total workforce—we used the ABS data for that—is 102 300. That comes from the ABS data from, I believe, May of this year. There has been a reduction in the size of that workforce.

Mr M.J. COWPER: So more than half are FIFO?

Ms Roocke: We estimate that just over 60 per cent do fly in, fly out at the moment.

Ms J.M. FREEMAN: I might have missed that: that 67 000 are all Western Australians?

Ms Roocke: No, not necessarily, but it is the portion of the Western Australian resources sector. We do get information as to where they fly in and out of. Approximately 70 per cent of them come from the Perth–Peel region, 14 per cent from other parts of Western Australia, 14 per cent from interstate and around two per cent from overseas.

Ms J.M. FREEMAN: When you say 70 per cent from Perth–Peel, is that because that is seen as the point of leaving, or is that where they live?

Ms Roocke: That is where they live, yes.

Mr R.F. JOHNSON: What seems to be coming through to us from other submissions as the huge problem with your companies that you represent is the communications area. There have been tremendous problems with skyping, with mobile phones, and obviously something needs to be done. What are your member companies doing to try to alleviate that problem, because obviously that exacerbates frustration and can lead to depression? If they get cut off mid-call between a husband and wife and if they are having a blue, as we have heard, then neither party knows which one has hung up or whether they have just been interrupted because of a breakdown in communication. Can you tell us what your companies you represent are doing to try to improve communication for FIFO workers and their families?

Ms Roocke: Sure. I can reflect back to over 10 years ago, when I started working in the sector, on what the telecommunications were like on site. People used to have to queue to be able to use the one telephone, and had to have coins to be able to phone home.

Ms J.M. FREEMAN: So they do not realise how good they have it now!

Ms Roocke: Well, I think back then the size of the mobile phone certainly precluded them from being carried around easily.

I think when you look at where the industry has been and where the industry is today, there has been certainly continuous improvement in their practices and in what they do. Increasingly, where there are new sites being built and new mines being opened, they will install mobile phone towers

in the accommodation villages so that people are able to stay connected when they are around the villages. I think it has actually been the improvements in technology and in telecommunications that has probably enabled an increasing portion of people to want to consider doing fly in, fly out to be connected. In remote locations they are certainly providing the telephone towers, and within towns those services already exist. With newer accommodation that is being built—there is a variety of different accommodation that is out there—there is, increasingly, internet access that is wired into the rooms, increasingly wi-fi is provided, and certainly smart phone access is enabled through the towers. I think some of the challenges there are around the bandwidth that is provided, and in part that is an issue with regards to the Telstra network and the adequacy of the bandwidth to be able to support those peak demands. I think there have been vast improvements made. I think that is an area where we will see continuous improvement and, as technologies change, we will see greater utilisation of that. I think there is opportunity going forward, again, as telecommunications change, to improve the telehealth services that are also provided to the regional areas. There is work that is being done by Medibank, in that regard with telehealth services. Work is being done extensively by WA Country Health to be able to provide the same level of access to service but that requires there to be significant bandwidth available.

[2.30 pm]

Mr M.J. COWPER: Going back to the number of workers, we are saying 60 per cent of FIFO workers out of the 102, that leaves a residual of 37 000 residential. Have you got any historical data that we might be able to access as to how that composition was made perhaps over, say, the last 10 or 20 years?

Ms Roocke: As in how it is tracked and changed over that time?

Mr M.J. COWPER: Yes.

Ms Roocke: We can certainly look to access information and take that question on notice.

Mr M.J. COWPER: Yes, sure.

Ms Roocke: If you look back 10 years ago, when I first started at the chamber we did a piece of work where we looked at the employment numbers and what the growth was forecast to be. Back at that point in time the employment numbers were 47 000 employees in the resources sector. I think that was around 2004 but I would need to confirm that figure. We have as an industry grown significantly.

Mr M.J. COWPER: I understand that but I would like to see how much it has grown residentially for FIFO workers from say 20 years ago.

Ms J.M. FREEMAN: It was 46 100 in May 2004.

Ms Roocke: Yes.

Mr M.J. COWPER: That is the total number, but what is the composition of that?

Ms Roocke: I was 100 out. We can look to see what information we have. As I indicated, our way of being able to ascertain the portion of fly in, fly out workforce is through data that we collect and the first time we collected that data was in 2008. We did try to work prior to the last census with ABS to be able to look at how they asked their questions about normal place of residence and place of work to be able to try and get a clearer picture with regards to what those numbers were. However, I think, unfortunately, the instruction that was provided by ABS as part of the last census survey confused the data collection. But we can look at if there is anything from back around that time to give some kind of indication.

Mr R.F. JOHNSON: We are also trying to find out from everyone who is coming to talk to us what in their inquiries, their surveys and their investigations is the most convivial roster to family life, that is family friendly and so on—anything that will help reduce the possible risk of depression

and anxiety that might lead down that dark road towards suicide. Our job is to try to see whether we can come up with some answers to try to reduce—if not ideally eliminate—any suicides in the FIFO workforce. What has the chamber found? You must have done some work, I am sure. What is the best roster that will be family friendly and alleviate our workers going down that dark road?

Ms Roocke: Rob, I am not sure there is a best roster. I think there is certainly a need to be able to look at what are the different circumstances in which the roles occur; look at what the different roles are; look at the different locations where the mining operations also are. Since 2003, we have certainly collected data from our member companies around working hours. Even before the working hours code of practice was created, the industry was working together to be able to monitor what working hours and roster cycles were happening in the industry. If I look at the trends that we have in place and in our submission at the page that, hopefully, one of my team has for me —

Ms J.M. FREEMAN: But the working hours code of practice does not apply to the mines safety act, does it?

Ms Roocke: Absolutely it does. The working hours code of practice has been adopted under both the Mines Safety and Inspection Act as well as the Occupational Safety and Health Act.

Ms J.M. FREEMAN: I will have to look at the mines safety submission. I thought he said it was not, but there you go.

Ms Roocke: It certainly does apply. We were actively involved in the development of that code of practice. We had identified that there was a need to ensure that the work practices and working hours in industry were not putting people at risk. That was something we highlighted as being of importance. We think the approach of the working hours code of practice is a good approach because it adopts a risk-based approach. It clearly identifies what are the range of factors that employers have to take into account—this is employers anywhere in Western Australia because it does apply across the two pieces of legislation—where that falls on a risk spectrum and then prompts and requires the companies to be able to have strategies in place to be able to respond to those risks. It covers things like roster cycles and things like whether people do days, nights off first or nights, days first. It takes into account the broader circumstances.

What we have seen—it is on page 21 of our submission—is that there has been a fundamental shift in the shortening of roster cycles. That is being driven certainly from a safety point of view and it has been acknowledged as being a safety issue by the sector for a long time to shorter roster cycles.

Mr R.F. JOHNSON: Such as?

Ms Roocke: In 2010, which was the last time we did the survey, 37 per cent of the workforce were doing an even-time ratio or lower.

Mr R.F. JOHNSON: Two weeks on, two weeks off?

Ms Roocke: Two weeks on, two weeks off. Forty-three per cent of the sector were doing an even time or up to a two and one—that is two weeks on, one week off.

Mr R.F. JOHNSON: Even though the one week off is really only five days off because two of those seven days are spent travelling back from the mine and the other end of the leave time is going up to the mine.

Ms Roocke: It is still seven days off, even though people are required to travel in their own time. In every workplace in Western Australia, everyone is required to travel to and from work in their own time, so I do not think the resource sector is any different than expectations put on any other workplace here in Western Australia.

Mr R.F. JOHNSON: I think some people might argue about that, but still.

Ms R. SAFFIOTI: Those statistics do not include the construction workforce though, do they?

Ms Roocke: Yes, they do.

Mr M.J. COWPER: Nicole, I hear from time to time comments that it is cheaper to fly in, fly out workers than it is to accommodate in, say, one of the towns in regional areas. Can you just give us an indication of whether there is any veracity to that claim? Is it subject to location? Is it cheaper to fly in, fly out?

Ms Roocke: I think it is subject to location and I think there is a large variability in those costs. Companies certainly do a cost-benefit analysis in terms of the options. In some places they do not have an option. In a large number of instances around Western Australia there are no communities to be able to support —

Mr M.J. COWPER: And off-shore.

Ms Roocke: And off-shore as well. Where there are communities, companies do certainly weigh up the cost benefits of housing people in those communities. Again, if I look back 10 years, you look at housing prices in the Pilbara and, in most towns up there it was cheaper to buy a house in the Pilbara than what it was down here in Perth. But as the construction grew, the land release and housing affordability did not keep up and resource sector companies had to find a way to be able to safely house people to be able to fill the labour demands we have. We still have a situation in the Pilbara where housing prices are far higher than what they are down here in Perth, which is a disincentive to people wanting to consider to relocate. We consider that, increasingly, not both parties are wanting to move to live in regional and remote towns around Western Australia and that there is a need to be able to provide choice and flexibility. I guess we certainly expect to see fly in, fly out continue to be a working arrangement that individuals choose to adopt. It enables families to have access to the best of both worlds—earning an income in the resources sector whilst being able to remain connected to their communities.

Mr M.J. COWPER: The problem with that—I will make a comment rather than ask a question—is that it is a double-edged sword because on one end of the spectrum, for instance down my neck of the woods, we have a lot of fly in, fly out yet they are not engaged in our local community down there—sporting groups and the like—because they are away two out of three weeks. Conversely, when they are up in the location, they are not engaged up there either with social activities such as clubs and the like.

Ms Roocke: I know it is not directed at me as a question but I would like to respond to that. I think what we need to do and acknowledge is that we are in a changed environment and we need to look at how do we make services and things within communities accessible to fly in, fly out workers. I look at some of the initiatives that happen around the place around child care. There are now some childcare centres that are offering increased flexibility so that when the second parent is home, they are not locked into using that childcare space but they can spend that time—gyms are offering flexible membership now, targeting fly in, fly out workers and there are golf clubs being formed in Perth and other places, which specifically target fly in, fly out workers. Rather than expecting them to fit in with how we have done things in the past, there needs to be some adaptability to be able to respond to the changing demands. There is a lot of conversation, particularly in the Pilbara, around community integration with transient worker accommodation. The challenge is understanding what that integration actually means and what is intended by it.

In the back of our submission in our *Matter of Choice* publication that we released the other year, which is looking at how do you better integrate fly in, fly out workers, guiding principle 4 highlights ways that companies, where people are away from home, are then connected to the communities where they are based in the community. So at the other end they are trying to create environments where people can be connected.

Mr M.J. COWPER: The issue is, though, that when people become isolated, whether they be farmers on the land, pastoralists or in the mining sector, isolation amplifies any mental illness that may either pre-exist or become apparent. The problem I think we are facing is that we do not have accurate information in and around what is causal and perhaps pre-existing. I think that is one of the

problems we are going to face as a community, but I think what has become apparent is that there is either a perception, if not a real view, that FIFO workers are more susceptible to attempting self-harm, depression, anxiety and the like. I think that can be said also for farmers, but the purpose of the committee is to examine the circumstances that are causing this amplification and the ripple effect of concern in our community.

[2.45 pm]

Ms Roocke: Isolation is certainly one of the issues that have been identified as a contributing factor to suicide. I think it does need to be acknowledged that people are away from their families; they do miss out on social events and they potentially do miss out on Christmas and other significant events. One of the things that we have seen improvements in and will continue to see improvements in coming years is around the induction process and helping people to understand the implications of doing fly in, fly out to understand what it will mean to miss first birthdays or first steps being taken by children. I think people, if they are considering doing fly in, fly out, need to have conversations with their families and other significant others about what does it mean if they do miss those things. What is the support network that is needed if people have a plumbing failure in the middle of the night? They are practical things that, unless you have done fly in, fly out, you may not think that you need to tackle. I think people need to be informed before they make it as a choice, and there are improvements and examples of what companies are doing in that regard. That kind of reflects that, for some people, fly in, fly out is not going to suit them at this point this time or at a point in time subsequent to when they start doing fly in, fly out. Rob mentioned telecommunications before, and I think that will certainly help improve people to stay connected with their families.

I also think it needs to be acknowledged that there is a really strong community on site. On site, within the work teams, there is a real sense of community and a real sense of support. I think that we do not acknowledge in that regard the value that that can have on a person's health and wellbeing, being part of that team, albeit that they are doing fly in, fly out.

The CHAIR: Nicole, we have heard quite differently from the union, who talked to us about the damaging effects that motelling, for instance, had in FIFO accommodation. So, when you talk about a sense of community, I would like you to comment on the fact that in fact there are some issues that actually impact on that whole issue of sense of community. What is the view of the chamber? When it comes to the Mining Act, it has been ruled by the courts in issues about locating mining camps relatively close to a town, where the judge or the magistrate has deemed that the accommodation facility is part of the mining operation. But we have also found during our committee deliberations that the mining camp tends to be out of jurisdiction as far as the Department of Mines and Petroleum safety division and any other monitoring WorkSafe-type jurisdiction. So what we are faced with is that although you say it is community based and everything is very lovely and happy, in fact there is no ability it seems within the system to monitor that and measure that, because it does fall out of the jurisdiction. I wonder whether you would comment on how you believe that we can deal with that issue, because I think it can impact on that sense of community in the village.

Ms Roocke: If I am hearing you correctly, Graham, there are a couple of different issues in there to try and address. I think it is important to understand and be clear where there is jurisdiction over mining operations and who has what responsibility over mining operations and what happens on them and what happens elsewhere. The Mines Safety and Inspection Act applies to mining operations. The Mines Safety and Inspection Act does make provisions around accommodation. They came out as a result of the Laing review, which happened back in 2002–03, I think it was, identifying that there was a need for, and a limited obligation on, employers to provide safe premises where accommodation was required for the purposes of work. The Mines Safety and Inspection Act certainly does not consider the accommodation a workplace, and that is explicit in the definitions in the legislation, and that, from my recollection at the time that they were

introduced, was because of the recognition of the limitation on an employer's responsibility in regards to the provision of accommodation and the control —

The CHAIR: Does the CME have some concerns about the limited regulation or the limited jurisdiction?

Ms Roocke: I think it is limited in the context of what is considered a workplace, Graham. We have always been confident that since the amendments as part of the Laing review were introduced, accommodation was incorporated on a mining operation under the Mines Safety and Inspection Act. The companies approached that from the point of view of considering they have got a duty of care to people within those premises, albeit that it is not defined as a workplace.

Mr M.J. COWPER: Including mental health?

Ms Roocke: Including mental health. I think when you look at the definition in our legislation, health is not defined, whereas I think when you look at the green bill that has been released, health is defined. I think there is an opportunity going forward to be able to, as we go through the process of the green bill, which applies to all general workplaces, and the development of the resources safety bill, which I understand is under development—there is a ministerial advisory panel in place—look at that to ensure that health is defined to pick up not just physical, but psychological, which I think is how they have defined it.

Ms J.M. FREEMAN: That is only the green bill. You do not know that it is going to be in the new mines safety bill at this point in time. It would be good if it is.

Ms Roocke: My understanding from a meeting that I was at this morning is the intention in regards to the resource sector more broadly is to adopt the green bill as the premise, with certain elements obviously specific to mining operations around principal hazard management plans and the statutory positions that we have in our legislation that are not in the general occupational safety and health legislation. There is also a need to look at other pieces of legislation with regards to the provision of accommodation around offshore facilities and suchlike. I have talked in the context of the general occupational safety and health, as well as the mines safety of mining operations.

Mr M.J. COWPER: Do you have any issues in relation to companies requiring, as part of their employment, staying within the camps and not visiting, say, nearby towns?

Ms Roocke: My understanding is that they do not not require; they do not constrain the individuals from leaving the camps. It is not like a prison.

Ms J.M. FREEMAN: It is a village. You keep using “village”.

The CHAIR: That is not what we heard from the union, of course.

Ms Roocke: Of course it is not. Companies do have an obligation to provide security and safety with regards to the remote locations.

Mr M.J. COWPER: I can understand at the Argyle diamond mine, yes.

Ms Roocke: When they are town based, I think the real challenges around accommodation provided to transient workers and people flying in and out is distinguishing amongst the broad variety of facilities, whether they are on a mining operation or in a town environment. Some of them have 10 people in them; some of them have 2 000 people in them. In most instances, the facilities are operated by a third party that is contracted to the mining company. International companies who are well versed in providing those hospitality services do certainly restrict exit and entry times and they do close gates at a specific time.

Mr M.J. COWPER: Gates?

Ms Roocke: They do certainly have them in secure compounds, because the companies acknowledge that they have a responsibility for the safety of these people. They acknowledge they have a responsibility to provide secure premises. The first time there was a major theft, the

companies would be accused of not being able to provide secure premises for the personnel that are there. So I think the practices that the companies are doing are reasonable. Again, they are not precluding people from participating in the communities when they fly up there. I again draw your attention to the “A Matter of Choice” publication, which provides examples of how companies in the Pilbara are seeking to be able to have individuals doing fly in, fly out connect with those communities and be part of those communities.

The CHAIR: Nicole, even though they have to fill out a form with seven days’ written notice that they want leave? That was an example we were given today.

Ms Roocke: I am not aware of that, Graham, and I am more than happy to take that on notice.

Ms R. SAFFIOTI: I have just got a couple of questions. First of all, it is just a general question. Does your organisation believe that the FIFO lifestyle presents any unique or specific challenges for the mental wellbeing of the workers?

Ms Roocke: We certainly do acknowledge that there are unique challenges in doing fly in, fly out. We do acknowledge that there is disruption to routine. You mentioned being away for significant events. We do acknowledge that there are challenges about needing to plan as a family. We do not conclusively think that the mental health of the fly in, fly out workforce population is any better or worse than what it is for the general population of Western Australia. From the research that we have looked at through our mental health working group, trying to understand the mental health of the resource sector more broadly—and there is a variety of research out there—while the stresses may be different, they are not necessarily better or worse.

Ms J.M. FREEMAN: But do you say that employers have a responsibility for the mental health of the workers that they employ?

Ms Roocke: As part of having the duty of care obligations around health, then, yes, we would consider that there is a requirement for companies and for employers to give consideration to what they can do to help improve the mental health and wellbeing more broadly —

Ms J.M. FREEMAN: And not to exacerbate it, because part of the issue is —

The CHAIR: The hazards.

Ms J.M. FREEMAN: Yes. Does it come within a hazard, and does it come within an aspect of not exacerbating their mental health issues?

Ms Roocke: I think employers have a responsibility to understand the risks that are associated with their practices and to have in place responses and strategies to be able to mitigate against those risks, and we would expect that with physical health as well as mental health. This is an area that all industries are grappling with, and moving to a proactive wellbeing approach is certainly something that we have seen the industry do in recent times.

Ms R. SAFFIOTI: Just on that, we know that the mining and resources industry has been very proactive on physical health, like their very extreme safety precautions, but in relation to mental health, given that the FIFO industry presents unique and significant challenges, what has industry done, and can the industry do more, to prevent adverse outcomes in this respect?

Ms Roocke: Rita, we would say that within all aspects of safety and health, the day that the industry thinks it is there is the day we become complacent and that there is an issue. What we are certainly seeing in the industry is the application of continuous improvement in all areas across the board, certainly with regards to physical injury and illness, but also with regards to mental health. One of the reasons why we formed the mental health working group was to be able to have companies share information about best practice and what they were looking at and what they were rolling out, with the view of that ongoing continuous improvement. So, are we there yet? No, but hopefully we are never there. Hopefully, we recognise that we are on a journey and that we will continually improve. We have certainly been taking a look at a number of initiatives that are around—whether

it be things like Mates in Construction, whether it be things like beyondblue and Heads Up—and at providing information to companies so that they can evaluate what is the most appropriate approach within their organisation.

Ms R. SAFFIOTI: So what practical initiatives do you think should be rolled out more generally across the sector to improve the wellbeing?

[3.00 pm]

Ms Roocke: I think there are a lot of practical initiatives that are already being rolled out and there are examples of peer support and providing training to be able to have people provide support to one another and to be able to provide training for supervisors and support to supervisors. Increasingly, we are seeing EAPs be also a resource to supervisors where they have people who have been identified as having mental health problems so that supervisors can be better informed and educated as to how they can respond. There is a continuous improvement opportunity around the inductions and providing information ahead of time. The TV show last night, *Flying Miners*, certainly showed that having a mental illness, being depressed, does not preclude you from working in the resources sector. In fact, for some people getting a job and having the income that the resource sector can provide can be a beneficial outcome to them. I think we are on a journey. We are seeing an increasing number of the senior leaders in our sector take leadership roles. We have Andrew Harding from Rio Tinto on the Ministerial Council for Suicide Prevention, we see people like Alan Cransberg from Alcoa presenting at the Mental Health Week and David Flanagan from Atlas Iron presented at the National Suicide Prevention Conference. As an industry, we recognise that for all of our employees mental health is an issue not just for our fly in, fly out workers.

Ms J.M. FREEMAN: They are all the principals you are talking about, and they contract in and they subcontract to the next aspect of it. How do you get that leadership go through from principal, in terms of contracting, down? How do you make sure that those contracts reflect—that they are not just talkin’ it but they are walkin’ it down there when they are contracting it out?

Ms Roocke: They certainly do build requirements into their contracts with the service providers who service the village facilities. They build in requirements around standards in terms of what is required for certainly the newer facilities and the older ones where they are operated by a third-party provider. But the larger contractors certainly have very proactive initiatives, and in our submission we provided a number of examples: BGC Contracting, Downer EDI, and Civio is another one. In that regard work is being done to ensure that the contractors are equally focussing on mental health. We estimate, and certainly the data from the Resources Safety division indicates that around 50 per cent of the workforce is actually contractors, so there is a need for the principals to ensure that with who they contract out to. Again, there are improvement opportunities that can always happen in that regard so that they are not prescriptive but more outcomes based. That is the challenge going forward.

Ms J.M. FREEMAN: But outcomes based costs a lot of money. Prescriptive makes it part of the contract. If it is prescriptive, then you can just put it into a contract and the principal has to pay. If it is outcomes based you do not have to pay but you can put it in there and say, “Please do it.” If you want outcomes based, would you think a levy—like they have a levy for inspectors—is the way to go so that you have a levy for mental health provision like Mates in Construction or something like that? That is the difficulty. With outcomes based you will not get any money for it. With prescription I will get money for it if I am a contractor. Is that not my problem is I am a contractor? There is no money for it if it is outcomes based, but if I make it prescriptive, and it is part of the regulations, the principal will pay.

Ms Roocke: I am not sure that I agree that that is the direct—the outcome of using outcomes based legislation for outcomes versus prescription. There is a need to certainly have clarity around expectations in contracts. The unique thing about the Mines Safety and Inspection Act is that we

have specified in the legislation at this point in time, and my understanding certainly with the conversations around the model legislation going forward, is that we have the concept of the principal employer. Ultimately, under the Mines Safety and Inspection Act we have a principal employer and that is something that is well accepted in the industry and that they use their safety management systems and the pre-qualifications for getting new service providers onto the site —

Ms J.M. FREEMAN: I understand that but name me one principal employer who has been prosecuted under the working hours code of practice for fatigue. That is the thing, is it not? You are saying to me that because the principal employer becomes responsible and liable, that people can take action against the principal employer and that gives them cost because they have risk. But name me any prosecution using the working hours code of practice in terms of fatigue.

Ms Roocke: Janine, you are not likely to see a prosecution under the code of practice for working hours. It is there as a framework and certainly the expectation is on employers to be able to demonstrate that they are meeting the standard required in the code of practice or doing better. In industry, the consideration of working hours for a long time is broader and to a higher standard than what is in the working hour's code of practice. Over time, since the introduction of the code of practice, there is increasing consideration being given as part of inspections where reactively there have been incidences into working hours. There has certainly been assessment by the Resources Safety division in terms of when there are now incidences that that is something that they specifically look at. But in terms of a prosecution under a code of practice, what you are actually going to see is an action taken where there has been a breach of duty of care, and I think that—to get on a hobby horse—the ultimate power that the regulators have is the provision and the requirement on employers to, so far as is practicable, provide a safe workplace. So under the duty of care requirements that onus is there.

Ms J.M. FREEMAN: Contractors get prosecuted under that, but the principal has not really, has it? I do not know because I have never been part of the mineral sector so I do not know much about the prosecutions in the area at all. It would be interesting to have a look from my perspective to get a better understanding of whether it is a tiger with teeth or a toothless tiger. You are saying to us, “Do not do any legislation; it is all good,” but I do not know if it is all good because I cannot see any proof that is has been—it has just purely been educational, not enforcement.

Ms Roocke: I am not sure that the presence of prosecution is necessarily a good measure.

Ms J.M. FREEMAN: When there is death, there is some measurement involved in that. Anyway, Rita would like to ask a question about —

The CHAIR: It is around the legislative context but it is in and around occupational health and safety that I would like to focus on. In your submission to us you state —

CME does not consider occupational safety and health legislation is the appropriate mechanism for addressing this issue and recommends the Committee recognise mental health as a public health issue in considering the adequacy of current policies and legislative instruments.

I want you to clarify that for us because one of the things that we are dealing with is: are there any either legislative or regulatory changes we can adopt or recommend, if you like, to make a difference in this area of mental illness and the consequences of that, which ultimately can be suicide? I wonder whether you can clarify that position because I see it a little surprising that you have adopted that stance when there may be a potential—and I just reflected a little earlier on some of the paradox in legislation and the fact that WorkSafe and mines inspection is not very clear on the jurisdiction, particularly in a FIFO camp.

Ms Roocke: I guess, Graham, when you look at our statements, acknowledging the complexity of mental health and that there is no one, single contributing factor, and I use the words that were in Dr Connaughton's submission about how it is important to understand what is causal, contributory

and coincidental as part of the submission that has already been acknowledged by Murray as one of the challenges that we have in this. Where an employer is able, within a work-related context, to respond and the legislation at the moment requires them to not only address safety, but also health issues, we would see there is a role and function, but we would see the safety legislation as it is today and as it is proposed going forward after the green bill—and I think the challenge is not necessarily looking at what we have today but given that the safety legislation is under reform at the moment—is ensuring that the adequacy of provisions in the green bill build on where we are today. We do not think that a prescriptive —

The CHAIR: So you recognise that we have some improvement to make?

Ms Roocke: Graham, we always have improvements to make in terms of safety.

The CHAIR: Can I just put it to you that if your stance is that mental health issues are broad and not specific to mining regulation issue and that it is a community issue, what would you about the premise that alcohol excess is a broad issue in the community and it is inappropriate to use it in workplace legislation or in any way address it? Surely you agree that alcohol is a wide community issue, excess is an issue and the implications of all that in the community is an issue, but it still does not stop us looking at some of the regulation in and around the workplace about alcohol excess and those consequences.

Mr M.J. COWPER: It is interesting that you mention that because in the day that I was in charge of the Dampier police station, the north west gas project in the Burrup did not have a legal way of breathalysing workers as they came onto the site, particularly after a Friday night going onto a Saturday morning roster. It was left to the local constabulary to conduct a snapshot. I think we picked up six drunk drivers at 6.00 am on a Saturday morning. The point he makes is that alcohol is an issue because once it enters into a working environment it becomes a problem. I agree that it needs to be addressed as a wider community issue but it needs to be addressed within the organisation.

Ms Roocke: Certainly alcohol consumption is being addressed in the resource sector as is mental health and wellbeing.

The CHAIR: That is not my point; that was just an example that I said: why should mental health and mental health issues similarly in the workplace not attract any changes within where they need to be in legislation or regulations? We are saying because it is a community issue we have to do these general policies to identify the issue within the community and therefore we do not need to do anything in and around regulation and legislation in the industry when there may be a potential to make a difference.

Mr M.J. COWPER: It is a shared responsibility.

Ms Roocke: It is a shared responsibility and it is also understanding what is the test of work relatedness in the mental health issue, and in that regard there should be an expectation and responsibility on employers to be able to respond. To expect that safety legislation alone will be able to respond to mental health issues is unreasonable because it is a far broader issue. It is about being able to clearly understand what is it about the work practices that are hazards, risks and —

Ms J.M. FREEMAN: Hazards, risks and to exacerbate or cause.

Ms Roocke: Yes, so it comes back to that understanding about what is causal and what is contributory, and that, yes, employers should have responsibility and there is a duty of care for them to be able to respond in that context.

Ms J.M. FREEMAN: If it is contributory or causal, then they are the things that you have to look for. Then your three things were contributory, causal or coincidental. I suppose I was wondering about coincidental, and that is the stuff you said has not got anything to do with it. That is the issue, is not it? You take a worker as they come and if the work contributed to it to a significant degree,

then it should be a safety issue, putting aside workers comp, which does not quite do that with stress, obviously.

[3.15 pm]

Mr M.J. COWPER: Or if there is a tragedy on site—that has happened before—where someone has been killed and other workers have seen it.

Ms Roocke: Absolutely, and that is why we have things like the EAP.

Ms J.M. FREEMAN: But, if that does not help—that is part of our question. There is an idea that the EAP is too late in the piece or that—I mean, your people have taken notes on that, so they will have an answer for it.

Ms Roocke: I think we get a little bit frustrated around the stigma argument that has been perpetuated around the confidentiality of EAPs and the conversations that are had between employees and providers of EAPs —

Ms J.M. FREEMAN: That is an interesting thing—and your people will be able to tell you, because they were in there and heard what Mates in Construction were saying—which was they do not worry about the stigma; they just look at the culture and say it is a masculine culture; that is, they accept it for what it is in construction, and they work with that culture. I thought that was a really interesting way of looking at it, which is to go away from that whole idea of let us try to change the stigma and culture, but to say, “If this is a problem, and this is what we are dealing with, what we have to do is accept that and work in that space.”

Ms R. SAFFIOTI: The last question from me relates to the graph that we discussed previously on page 21 about the rosters. It talks about the 2010 survey. A key point is that zero per cent had rosters more than three and one, which is very different from what we heard from those in construction. Are we able to get further information about this table? It says the survey was completed by 84 sites. How many people completed that survey, and how many of those were in construction? Are we able to get further information?

Ms Roocke: I am not able to provide you with that information. It is aggregated information that was provided through a third-party provider on the premise of that information being aggregated and kept confidential.

Ms R. SAFFIOTI: Sure. All I am asking for is the numbers, not the names or anything. You have made the clear statement that this did include construction, and from our reading of it, we do not believe it does. So that is what we are trying to get to the bottom of.

Ms Roocke: It certainly does; all of the surveys that we have done have included the construction workforce. As you can see above the graph, certainly 89 per cent of the respondents were principal employers; so a small portion—the 11 per cent—were the contractor.

Ms R. SAFFIOTI: That does not automatically include construction. Contractor employees do not equate automatically to construction?

Ms Roocke: Yes.

Ms R. SAFFIOTI: So there is no way that you can provide us, basically, the numbers and what proportion of those numbers were construction?

Ms Roocke: No, I am not able to provide you with that information.

The CHAIR: Nicole, can I just go back to the figures in your opening statement about the incidence of suicides per 100 000. We have, as a committee, enormous difficulty getting statistics on suicide and suicide numbers. Can you tell us where you got your suicide figures from, and can you relate that to us?

Ms Roocke: Certainly. The state's rate and the non-urban rates that I provided came from the ABS report that was released in 2012. The number is 3 309.

The CHAIR: What about the suicide rates in the FIFO industry, though?

Ms Roocke: The basis we worked that out is using that nine that is reported in the media.

The CHAIR: So you used those nine?

Ms Roocke: We worked out the proportion of the nine out of 67 —

The CHAIR: And extrapolated that to 100 000?

Ms Roocke: Yes, 100 000. We think there would be great value going forward for the work that the coroner does and the information that the coroner collects to be strengthened in this regard.

Mr M.J. COWPER: The problem with that though, Nicole, is that he only deals with those who have died suddenly. There is also a large gap in those people who are either contemplating or have attempted self-harm, and that is a real grey area that we have got no tracking on.

Ms J.M. FREEMAN: The UWA submission suggests they look at presentations to hospitals and the hospital medical reports. From your experience, would that be a worthwhile source of information?

Ms Roocke: To be honest, we obviously have, and Adrienne has met with UWA to talk about their research project. It is something that our mental health working group has looked at. The Department of Health, as I understand it, did a substantial piece of work as well. So I think if we are to try and be proactive, we need to certainly look at that data so that it is not just the data about the actual numbers of suicides, which is kind of the bad outcome—it is a bit like focusing on fatality data as the only measure of safety performance. So I think there is a need for us to look at other alternative sources of data and information. I think we need to understand, for those people who do access help, why is it that they have done that, and how do we get that—what do we learn from those who have accessed help to then make those services more available? I think we also need to look at and understand, for the large numbers of people where fly in, fly out works for them, what it is that they do differently to people where it may not work for them, and be able to put in place strategies around that. So what do those families where fly in, fly out works well for them, and they have adapted to it, do differently to people for whom it is an issue, so that we can look at then using that as a continuous improvement with what companies do and with what service providers do, and what might need to change in legislation. So I think there are lessons we can learn from where things are working well, as well as where they are not working so well.

The CHAIR: The reason I go again to those rates per 100 000 suicides in the FIFO industry is that it has really just picked the nine and extrapolated the nine out of the 67 000 FIFO workers and got a figure of 13 point something. What CME has done, then, is say, "We know what the figures are for the general population", and you have based your assumption that suicide rates in a FIFO industry are lower than the general population, or certainly not higher, on the fact that you have picked the nine people that has been reported in the media and extrapolated that to 100 000. So I would put to you, Nicole, that that is not a basis by which you can say the suicide rates in the FIFO industry are not a problem because it is lower than the general community.

Ms Roocke: Graham, I totally agree with you over the issue over the use of nine, and we did have that discussion. In the absence of any confirmed data, then we made a call that even looking at it in that kind of context, it gave some indications. If you look at the coroner's data, the coroner in his report to yourselves indicated that there had been 24 suicides in the last five years, of which only six or seven—and it is not clear because his numbers do not add up—are in —

The CHAIR: That is our problem, too.

Ms Roocke: I am sure it is a typographical error, but where FIFO is actually specified. The coroner indicates that that is likely to under-report. If we use that 24, worked out an average, and then applied that to the resource sector workforce, you come out with a rate that is around 4.7 per 100 000, which to me intuitively, while I think the resource sector does a fantastic job, again is an issue. We, like yourselves, are grappling with understanding and defining what is the problem so that we can be clearer about what strategies we as an industry need to put in place to respond to it.

Ms J.M. FREEMAN: I should ask the Grylls question. I have asked everyone else. I am reading this from the article. Brendon Grylls said that he was —

... concerned about miners refusing to phase out FIFO camps—despite big investments in regional cities—he was investigating measures that might deter the practice.

He was talking about fees, levies or charges. Basically, he was saying that the Western Australia government has invested significant amount of money in these communities and that the communities should stop working in camps and villages and be looking at putting people in areas. You have probably answered this a bit with Murray's comment, but given I have asked everyone else, do you want to just respond to that?

Ms Roocke: We do not believe you can force people to relocate. We certainly acknowledge —

Mr M.J. COWPER: The government do. If you are a police officer, a schoolteacher or a nurse, it is part of the condition of your employment; they do it all the time. You choose to go there; you either go or you do not.

Ms Roocke: I guess that is increasingly around teachers—government is increasingly limited in its ability to be able to direct people where to work. We certainly see individuals should have a choice with where they should live. If you look back over the history of the industry, where there used to be resource sector towns, and the shift to try to normalise those towns so that they are not extended villages, then what is important is that people want to be able to afford to buy in those towns. They want to be able to live in those towns and be part of that community. But when you look at housing prices still in the Pilbara, despite the increase that there has been in terms of land releases and availability, it is still a really expensive place to live and work, and people are choosing not to live there.

Mr M.J. COWPER: Mining companies such as Woodside, Hamersley Iron and BHP all provide those options as far as buying in.

Ms Roocke: They certainly do, and there is a whole variety of different initiatives in terms of whether it be covering interest payments, or whether it be about providing subsidised housing in some way, shape or form.

Mr M.J. COWPER: They subsidise electricity. In fact, at Hamersley Iron, it is free.

Ms Roocke: What is important is that the industry sees that residential and fly in, fly out are not supplementary approaches but complementary approaches, and that there is a need to have the mix.

Mr M.J. COWPER: That is why I would like to see those historical figures.

The CHAIR: We have run out of time. Thank you for your evidence today. A transcript of this hearing will be forwarded to you for correction of minor errors. Any such corrections must be made and the transcript returned within 10 days from the date of the letter attached. If the transcript is not returned, it will be deemed as correct. New material cannot be added via these corrections and the sense of your evidence cannot be altered. Should you wish to provide additional information or elaborate on particular points, please include any supplementary information for the committee's consideration when you return your corrected transcript of evidence.

Hearing concluded at 3.27 pm
