



MEDIA RELEASE

MINERALS COUNCIL OF AUSTRALIA

Health and safety the first priority for Australian minerals sector

Statement from Tania Constable, Chief Executive Officer

MCA welcomes the review report of the model work health and safety laws and looks forward to the Australian Government's response.

The Australian minerals industry is a world leader in workplace safety and the safety of our people is the sector's number one priority.

We are firmly committed to the principle that every individual, whether as a direct employee or contractor, should have the same high standard of workplace safety.

MCA acknowledges that the model laws are operating as intended.

However, we support a firm but fair legislative framework that achieves healthy and safe workplaces and provides for appropriate responses if serious offences are proven.

These objectives should not be at the expense of an environment that encourages prompt learning and sharing of important health and safety lessons. Law reform should not impose oppressive and unnecessary criminal liability on some individuals that does not contribute to general or specific deterrence or improve health and safety outcomes at Australian workplaces.

MCA does not support the introduction of a new industrial manslaughter clause into the model WHS laws as proposed in the review.

MCA has yet to see evidence that the current legislative framework is inefficient in dealing with serious offences. Any issues that are identified can be addressed by appropriate application of the current criminal law.

MCA and our members are deeply engaged in the safety law reform process. It is important to get the process right in developing new laws, including proper regulatory impact analysis requirements and clear and genuine consultation processes.

MCA will continue to advocate for

- continuous improvement, where all parties work together in support of a safety culture based on trust and openness as opposed to an adversarial legal approach based on a blame culture
- regulatory practice based on consistency, transparency, probity, clarity of role, flexibility and rational pragmatism
- an enforcement rationale based primarily on the desire to improve work health and safety standards at Australian workplaces and prevent further incidents by fostering prompt sharing of safety lessons across industry.

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