

8 October 2019

Economic Policy Scrutiny Committee
Legislative Assembly of the Northern Territory
Darwin NT 0801

Via email: EPSC@nt.gov.au

Dear Sir/Madam

RE: Submission regarding Work Health and Safety (National Uniform Legislation) Amendment Bill 2019

As the peak representative body for the wild catch, aquaculture and trader/processor seafood sectors in the Northern Territory, the Northern Territory Seafood Council (NTSC) welcomes the opportunity to provide feedback on the proposed amendments to the Work Health and Safety (National Uniform Legislation) Amendment Bill 2019 regarding industrial manslaughter.

The Northern Territory Seafood Council (NTSC) is dedicated to representing the Territory seafood industry's interests. Our seafood industry has more than 200 commercial fishing licences and 190 registered fishing vessels operating in 15 different wild harvest and aquaculture fisheries.

The economic significance of the NT seafood industry extends well beyond the unique coastal communities for which it is vital. Professional fishing operations, such as seafood wholesalers, processors, and retailers, all contribute millions of dollars annually to the Northern Territory's economy.

The NTSC does not in any way condone or advocate non-compliance with safety regulations and encourages all users to engage in safe practices. There are certainly challenges in the enforcement of complex regulation, but there should be no excuses for practices that put workers at unnecessary risk.

In May 2019 the Northern Territory Seafood Council held a Crisis Communication event, which featured a guest speaker whom spoke about a tragic event which resulted in the loss of life of an employee. Through this raw and emotional discussion it was evident that loss of life in the workplace impacts everyone, both the family and the employer. In addition to the legal processes that follow such tragic incidents, the personal costs and impacts can be ongoing for all involved.

We're eager to work in partnerships and collaboration with NT Worksafe and other parties to find the right balance of new practices and regulations to make sure that the right practices are adopted at the right speed with the right accountabilities.

We value and are appreciative of the effort to date that NT Worksafe has provided in regards to working in partnership through education and awareness programs. Such examples include attending industry meetings, contributing to our newsletters, providing voluntary site visits, small

business safety program, aiding the development of communication materials.

Unfortunately the process to explain the reasoning of introducing new provisions relating to industrial manslaughter and increased penalties has been poorly communicated to date. There has been no effective consultation process undertaken with the seafood industry to understand both the reasoning and to identify any unintended implications of the changes.

For example following the Lyons review (NT Worksafe Best Practice Review of Workplace Health and Safety in the Northern Territory), there has been no consultation with the Northern Territory Seafood Council regarding potential changes. Whilst the Bill changes are not extensive, the short time frame to provide a submission to the Economic Policy Scrutiny Committee has not allowed us to adequately consult our members.

We have alerted our members to the information to explain the proposed changes from the NT Worksafe webpage on 26 September 2019. Whilst this information provides some context, it does not explain the reasoning for the significant penalty increased. In addition, there is no context or understanding why this provision has not been adopted nationally and the reasons for this.

It appears to date there may be assumptions being made about the level of impact due to the industrial manslaughter provision existing already within the Criminal Code. I urge the Committee to ensure appropriate steps are taken to fully understand the impacts of adopting the proposed legislation.

Yours faithfully



KATHERINE WINCHESTER
Chief Executive Officer
Northern Territory Seafood Council