RURAL AND REGIONAL SERVICES AND DEVELOPMENT COMMITTEE

Inquiry into cause of fatality and injury on Victorian farms

Canberra–22 January 2004

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Witnesses

Mr A. Harman, Manager (sworn); and
Mr M. Kelly, Policy Officer (sworn), Economic Policy and Operating Environment Business Unit, Rural Policy and Innovation, federal Department of Agriculture, Fisheries and Forestry.
The DEPUTY CHAIR — As Deputy Chair I will take over the chair while the Chair is unavailable. Welcome to the public hearing. Under the powers conferred on this committee by the Constitution Act and the Parliamentary Committees Act the committee is empowered to take all evidence at these hearings on oath or affirmation.

We wish to advise those present at the hearing that all evidence taken by this committee, including submissions, is, under the provisions of the Constitution Act, granted immunity from judicial review or parliamentary privilege. I also wish to advise witnesses that any comments they may make outside this hearing are not granted that parliamentary privilege. It is an all-party committee, and the evidence today will be included in the inquiry into causes of fatality and injury on Victorian farms. I will now have our Chairman take over.

The CHAIR — Thanks, Craig. Welcome, Marc and Tony. Thank you very much for giving us your time today to make a submission to the committee. If you can please give us your full name and address and advise whether you are attending in a private capacity or representing your organisation and, if you are representing an organisation, what your title at the organisation is, please.

Mr HARMAN — I am Tony Harman, the manager of the economic policy and operating environment business unit in the commonwealth Department of Agriculture, Fisheries and Forestry. The postal address of that department is GPO Box 858, Canberra, ACT, 2601.

The CHAIR — You are representing that organisation today?

Mr HARMAN — I am here in the capacity as a representative of that organisation.

Mr KELLY — And I am Marc Douglas Kelly, I am also with economic policy and operating environment, the commonwealth Department of Agriculture, Fisheries and Forestry, at the same address, and I will be representing that department.

The CHAIR — Thank you very much. This evidence will be taken down and in due course it will be public evidence, so if you can just now make a statement or give a presentation, and then afterwards if we could have some time to ask some questions, we would appreciate that, too.

Mr HARMAN — Certainly. Thank you very much for the opportunity to come and discuss these issues with you here today. I might just commence by giving you a little bit of an overview of what the department does and its roles and responsibilities.

The Australian government’s Department of Agriculture, Fisheries and Forestry has the objective of enhancing the ability of Australia’s agriculture, food, fisheries and forestry industries to operate effectively in free and open markets. The department’s efforts are focused in several key areas.

These include assisting Australia’s agriculture, food, fisheries and forestry industries to become more competitive, profitable and sustainable; enhancing the natural resource base that supports the portfolio industries; delivering economic and scientific research, policy advice, programs and services to assist portfolio industries overcome challenges and capitalise on opportunities; addressing issues relating to the integrity of Australia’s food supply chain from paddock to plate; safeguarding the integrity of Australia’s animal, plant and fish health; and optimising opportunities for Australia’s products to access overseas markets. The department includes businesses that provide specialist services to portfolio industries, such as AQIS, the Australian Bureau of Agriculture and Resource Economics and the Bureau of Rural Sciences.

The department also oversees a number of statutory marketing authorities, regulatory authorities, research and development corporations and advisory bodies. The department has approximately 3000 staff to deliver services, two-thirds of which are engaged with AQIS, many in regional areas of Australia. The department’s budget is around $1.6 billion.

Under the Australian constitution, occupational health and safety matters are primarily a responsibility of the states and territories, as you are well aware. Each state and territory has its own OHS legislation. State and territory governments are responsible for, among other things, inspection of workplaces, enforcement of OHS legislation and the administration of workers compensation arrangements in their respective jurisdictions.

The commonwealth does, however, play an important role through the National Occupational Health and Safety Commission, which provides strategic leadership across Australia and coordination of national efforts to improve...
national OHS performance. The Department of Employment and Workplace Relations is the lead commonwealth agency responsible for OHS matters, as I am sure you are all aware.

Accordingly, the Department of Agriculture, Fisheries and Forestry has a limited role in improving OHS outcomes on Australian farms, principally through the Farm Health and Safety Joint Research Venture, through funding training for improved OHS practice via Farmbis and through membership of Farmsafe Australia.

The Farm Health and Safety Joint Venture is managed by the Rural Industries Research and Development Corporation on behalf of several other industry-focused research and development corporations. Our submission has outlined a number of the joint venture’s achievements and expected future outputs.

RIRDC receives substantial commonwealth funding in recognition of the need to pursue generic rural research and development and to support new and emerging rural industries. Industry research and development corporations are funded on the basis of the commonwealth matching, dollar-for-dollar, industry research and development levies up to a maximum of 0.5 per cent of the industry’s gross value of production.

The department also provides funds to assist people to attend training courses in improving farm safety practices through the commonwealth-state component of the Agriculture — Advancing Australia Farmbis program. Under the commonwealth-state component of Farmbis funding subsidies are provided for training and education specifically for individual primary producers and farm workers.

Training activities are eligible for Farmbis support provided they focus on enhancing the capacity and skills of primary producers to manage their businesses, including their natural and human resources. The Farmsafe Australia training program, Managing Farm Safety, is one of the many training and development opportunities available to producers through the Farmbis program.

The CHAIR — Thank you very much, Tony.

Mr KELLY — I would like to add one thing. The department is also involved in farm safety through its membership of the non-government organisation, Farmsafe Australia. Farmsafe Australia has as its mission to lead and coordinate national efforts to enhance the wellbeing and productivity of Australian agriculture through improved health and safety awareness and practice. The department sits as a member of the Farmsafe national committee, and works primarily with Farmsafe Australia to communicate priority issues for improvement of farm health and safety to organisations and agencies with resources and responsibility to address them. We understand Victoria is currently in the process of nominating a new representative to the Farmsafe Australia management committee.

Mr INGRAM — If you look at the terms of reference one of the aims is not only for Victorian farms but also for primary industries. We have looked at some industries such as commercial fishing and forestry and comparing those to farms. You indicate that the largest role is played by the states.

Do you think there is a conflict, particularly with the commercial fishing industry? A large portion of the Victorian commercial fishing industry is based in commonwealth waters and managed by the commonwealth and most of the regulatory powers are held by the commonwealth; yet the OHS component is arguably done more at a state level. Do you think that creates some difficulty? Commercial fishing is one of the worst-performing OHS industries that we have.

Mr KELLY — It is not something we specifically considered. I suppose it is an approach we might consider more in the future. Given the difficulties, firstly, with any boat being offshore and, secondly, with boats being outside state-controlled fishing waters and going into commonwealth-controlled waters, there is obviously a range of issues that we might want to consider more in the future.

Mr HARMAN — Certainly Farmbis is accessible by members of the fishing industry.

Mr INGRAM — What sort of take-up does Farmbis have with the commercial fishing industries on OHS matters? Is there a big take-up?

Mr HARMAN — I would have to take that on notice. My area does not actually have direct involvement in this. We perform a cross-portfolio role; it is another area of the Department that administers the commonwealth-state component of Farmbis. However I can certainly find that out.
Mr KELLY — We have other statistics on the take-up of OHS courses under Farmbis and in Victoria specially, but not specifically as to which industries access those particular courses.

Mr INGRAM — The committee has some evidence that there are significant higher accident and injury fatality rates in commercial fishing and forestry. Would you like to comment on that and on your involvement — we have touched on fisheries — in the forestry industry OHS matters?

Mr HARMAN — It is certainly the case with agriculture. There are very many diverse and fragmented businesses. It is characterised by small business so it is very difficult to have standardisation of practices across industries, particularly when you are dealing with social and regional and geographic issues that come to bear.

One of the comments you may be interested to note is that in our dealings on farms the comment is often made that the Victorian farming sector is a little more progressive in adopting standardised and urban values to its farming practices. That is certainly a comment that has been made to us on a number of occasions.

Mr KELLY — The only thing we would add to that is that often the forestry industries are much more based around a corporate structure whereas farms in the great majority are presided over by families. So forestry operations have a greater opportunity to access those structural Workcover programs but also to implement standardised safety practices throughout their business. The workers, although often remote, are more closely supervised than they might be in a farm environment so their uptake of safety equipment and safety procedures and risk management techniques is going to be greater.

Mr HARMAN — Certainly farms, being places of both residence and work, lend themselves to difficulties in implementing standards that can be applied right throughout the course of operations, given that people are on farms 24 hours a day. It is a bit easier to regulate practices in workplaces people go to and then leave.

Mr McQUILTEN — Have you done any work on ATVs? I notice that the RIRDC has been doing some work on farm machinery safety; I was wondering if there has been any work done on ATV safety.

Mr HARMAN — We have not done any work as such. Under the portfolio the commonwealth provides money for RIRDC, and according to agreed priorities it commissions various studies to look at things so the information and statistics that we provided in our submission were not provided from work done by our department but from other sources that we have drawn together. We have not done any work as such ourselves.

Mr KELLY — We can find out whether RIRDC has done any work and give that information to you.

Mr CRUTCHFIELD — Marc, in your brief comments at the start you mentioned communicating priority issues. How do you go about identifying them? What are they and how do you communicate them?

Mr KELLY — I suppose the department has a network of stakeholders that we work with closely as issues arise. We are informed on what those important issues are by Farmsafe Australia and through the state Farmsafe organisations as well as through industry representative groups and the various industry focused research and development corporations.

Mr CRUTCHFIELD — I take it you do not have any research component in your department?

Mr KELLY — No, except through the Bureau of Rural Sciences and the Australian Bureau of Agricultural and Resource Economics. They are the only two research bodies that are directly funded through the portfolio. As we indicated, the research and development corporations are funded fifty-fifty by the commonwealth and we match levy contributions by industry, but the direction that research takes in those research and development corporations is directed by the industry bodies themselves. The commonwealth cannot direct a research and development corporation to have a look at a particular topic. The way that they direct their research funding is up to the industry committees of those research and development corporations.

Mr CRUTCHFIELD — So you do not have any input into identifying priority issues? What are the priority issues?

Mr KELLY — We have no current communications program dealing with farm safety.

Mr CRUTCHFIELD — You have no priority issues?

Mr KELLY — No, we have no program we are currently focused on.
Mr CRUTCHFIELD — There is no program at all? That is not promising!

Mr KELLY — We understand the priority issues, but don’t have any programs addressing those issues directly, or have a role in other Commonwealth OHS programs.

Mr CRUTCHFIELD — You have stated your role is to communicate priority issues. What are those?

Mr KELLY — No, we have stated that Farmsafe Australia’s role is to communicate priority issues, and we are a member of Farmsafe Australia.

Mr CRUTCHFIELD — I thought you said it was the department’s role.

Mr HARMAN — No.

Mr KELLY — Our role is as members of the Farmsafe Australia committee. As far as Farmsafe Australia is concerned, its current focus is on child safety on farms. There is a national communications program to help tell farmers to be aware of the dangers of the farm environment for children. A massively disproportionate number of children are injured or killed on farms, and the current focus on that communications program is on having safe areas on farms, having a fenced off area for the home environment separate and distinct from the business area.

Mr CRUTCHFIELD — I want to get this clear. You are saying that you have no direct role in identifying priority issues, that that is the role of Farmsafe Australia?.

Mr KELLY — And the states and territories.

Mr CRUTCHFIELD — And the actual department cannot indicate or have a view about priority issues independent of those other groups?

Mr HARMAN — We can have views but we have not got the resources and the mandate to act on those. With Farmbis, for example, its state planning committees determine priorities, which is done in consultation with an extensive network of stakeholders, and people are appointed to the state planning committee so they have expertise in identifying those priorities. If you like, the commonwealth provides the money and the states identify those priorities and the money then goes out.

Similarly the Rural Industry Research and Development Corporation has an independent board that determines priorities for RIRDC in consultation with the stakeholders, and the commonwealth ensures that money flows to RIRDC and is expended in accordance with its legislative requirements. The commonwealth does not have a direct role as such in determining what are the priorities of either RIRDC or any of the other statutory bodies.

Mr CRUTCHFIELD — Has it a role in communicating those projects?

Mr HARMAN — Again, under the RIRDC model the research and development corporation does just that. Part of research and development is not only undertaking research but also communicating the benefits of that research or the outcomes to stakeholders. They are the best people to do that. The commonwealth department as such administers the financial and higher levels of policy settings of the RIRDC model without actually interfacing directly with farmers or with those who may wish to use that information.

The CHAIR — We have had some confusion from witnesses about the Farmbis program and its ongoing nature and that sort of thing. Could you clarify for us where it is up to as far as the commonwealth is concerned?

Mr HARMAN — That is currently being considered by the government. Many components of the Farmbis program are due to finish shortly and the government is currently considering options available to it.

Mr INGRAM — In the past the primary focus of the research and development into all the major industries — agriculture, forests, fisheries and so on — has been on production, on building that industry and getting more value out of it. How do you think the OHS components get fed into such a production-driven structure — just the stakeholder component of it? How does the advice get through to those research groups?

Mr HARMAN — Obviously it would vary from research corporation to research corporation. I think it is probably a fair comment that the research bodies and industries themselves see their levy moneys collected for the purposes of R and D being spent for purposes that are a little more closely aligned to building industry capacity,
rationalisation, efficiency and uptake of new technologies and things like that. There is also a recognition in industry that some of these issues are at the state level too, so they probably come to bear.

That is not to say there is no capacity within the legislation to address some of these issues, provided they fall within the gamut of research and development as defined in the legislation.

Mr KELLY — I think also that those industry-focused R and D corporations - the grains, Horticulture Australia — all recognise that although their focus is on, as you say, improving business practices and productivity, they contribute individually to the efforts that RIRDC has in the farm safety joint venture, so the farm safety joint venture is not just a product of RIRDC but also of several other R and D corps including Meat and Livestock Australia, grains, cotton, Dairy Australia, sugar and Horticulture Australia, so they all recognise that although their primary focus is on improvement of the performance of their industries, they need to work on OHS issues and they do that through the farm safety joint venture.

Mr MITCHELL — You mentioned that deaths and injuries on farms occur because they are both business and home related. Have you done any comparison with other industries or businesses that are based at home — they may be a mechanical repair shop or a manufacturer or a blacksmith or something — to see how they match up?

Mr KELLY — No, we have not done any research like that and we are not aware of any that has been done.

The CHAIR — Thank you very much for giving us your time, Tony and Marc. We appreciate it. You will receive a copy of the transcript in about a fortnight. You may correct any obvious errors in facts or of grammar but not matters of substance.

This is our last public hearing for the day. Our last session is a private meeting with another body. Thank you very much for your attendance today.

Committee adjourned.