RURAL AND REGIONAL SERVICES AND DEVELOPMENT COMMITTEE

Inquiry into cause of fatality and injury on Victorian farms

Lakes Entrance–6 April 2004

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Mr P. Clarke, chairman, Lakes Entrance Fishermen’s Cooperative Society Ltd (sworn).
The CHAIR — Welcome everybody. Under the powers conferred on this committee by the Constitution Act and the Parliamentary Committees Act, this committee is empowered to take all evidence at these hearings on oath or affirmation. I wish to advise all present at these hearings that all evidence taken by this committee, including submissions, is, under the provisions of the Constitution Act, granted immunity from judicial review. I also wish to advise witnesses that any comments made by witnesses outside the committee’s hearing are not protected by parliamentary privilege. This is an all-party parliamentary committee, including an Independent member, and we are hearing evidence on the inquiry into the causes fatality and injury on Victorian farms. For the purposes of the transcript could you please state your full name and address? Could you also state whether you are representing an organisation and, if so, state your role within that organisation.

Mr CLARKE — My full name is Peter Graham Clarke and my address is 1 Phillips Street, Lakes Entrance. I am the chairman of the Lakes Entrance fishermen’s co-op, and also the chairman of LEFCOL, a company affiliated with the fishermen’s co-op. I am a professional fisherman and have been for some 38 years. I have been a boat owner and a skipper for 33 years. I am also the eastern sector representative of the fishing industry advisory group to Marine Safety Victoria.

The CHAIR — Thank you very much. Can you provide us with some brief comments and then we will ask you some questions.

Mr CLARKE — I believe some notes from LEFCOL were circulated to the committee; is that correct?

The CHAIR — Yes. Thank you.

Mr CLARKE — They are pretty self-explanatory of what our co-op does, what it controls and what it contributes to the fishing industry.

My own observations at the co-op have certainly shown that over the last 10 years the co-op has worked hard to improve safety measures at the co-op itself for a safer environment for employees and for fishing boats themselves when they are using the facility. In regard to the fishing industry I would say that the aspect of safety in the fishing industry has improved dramatically. We have been working in conjunction with WorkSafe, Marine Safety Victoria and different bodies to try and improve standards. I believe they have improved. I also believe the fishermen themselves have accepted these changes very well. They realise nowadays that we have to move on from some of the old style of doing things.

The other thing is that Seafood Industry Victoria, which is an industry body, is driving a training scheme for deckhands in particular. We have introduced two books, which are currently being circulated, to induct deckhands into the fishing industry. They concern safety aspects and everything else. This seems to be going along okay, but, of course, these things take time. At the moment we are also trialling PFDs, which are personal flotation devices — either manual or automatic — which we believe fisherman could wear in certain situations if they happen to go over the side. Of course with the fishing industry it is very hard to get something that is user friendly, because we do not want to have anything that is going to catch in our nets or anything like that, so at the moment they are being trialled in Queenscliff. They have been trialled already in Portland and Lakes Entrance. At the end of that trial we will get together with our Seafood Industry Victoria representative and our WorkCover representatives and try and get a user-friendly jacket for the industry. That seems to be going along very well at this stage.

Also within the last few years a lot more training has gone into our skippers and crew before they actually take a vessel to sea. OHS issues and first aid issues are a lot more evident too than they were. One of the problems of the fishing industry is that we have about six different fisheries out of the port and, of course, you might have an 80-foot otter board trawler that is out in the middle of Bass Strait or you might have an open net dinghy up in the Gippsland Lakes. As far as the industry is concerned we have to try to work through all these different issues and different types of fisheries to try to come back with something that is going to suit everybody and all sorts and manner of things. I believe we are stepping in the right direction with that. We are getting some feedback from all sections of the fisheries at the moment, particularly on these PFDs.

One thing I would like to say is that there is a public perception of fishing. It is highlighted as being a big, dangerous occupation. I think there is probably that stigma out there that it is more dangerous than perhaps it is. It is very hard to convince people who have not been out on a fishing boat what it is actually like. Under some circumstances it will be just about like sitting in this room but then, of course, it does get inherently dangerous. The
bar at Lakes Entrance is another issue which I think needs addressing. It has a terrible record, but at other times it is just like crossing the front lake here — it is quite good. So very severe safety issues are probably not really needed in some instances. I believe the fishing industry has to address those needs itself on the basis of when its members think it is necessary to perhaps wear a PFD, or whatever it may be. I have just about covered everything that I can think of the moment.

Dr NAPTHINE — You have obviously been in the fishing industry here for a few years. Can you recall what have been the most serious accidents that have occurred here and how long ago; what sort of period of time are we talking about?

Mr CLARKE — I am just trying to recall the last fatality we had on the bar. It is going back some time. To my knowledge, I would say it is at least five years. I cannot exactly recall; it has been quite a while since we have had a serious accident here. We did have a fatality on a vessel out in Bass Strait about four or five years ago, which was a tragic accident when a young fellow got tangled up in a winch. That is probably the last one I can remember.

Dr NAPTHINE — How many people are involved in the fishing industry coming out of Lakes Entrance?

Mr CLARKE — I would say there are about 60 to 70 fishing boats working out of the port, with probably an average of two to three crew. So I guess you could probably say upwards of 200 — that it is just directly on the boats.

Mr INGRAM — Obviously there are a number of accidents as well that do not result in fatalities. What is the number of those? I know there have been a number of people who have broken limbs and things like that, for a number of reasons. Can you indicate what sorts of numbers of accidents there would be?

Mr CLARKE — That is a bit of a hard question. I cannot produce any figures on that. There is not a great incidence of serious accidents at Lakes Entrance that I am aware of.

The CHAIR — With the PFDs, when the trial is over and there is some agreement within the industry about what is the next step, in what ways can the state government assist the fishing industry in ensuring that the PFDs are taken up right across the board, if that is going to be the recommendations? What kinds of things can the state government do to help?

Mr CLARKE — One of the first things I am asked — because I have been trialling these at Lakes Entrance — is the cost. Of course costs are everywhere nowadays, but for just the purchase cost alone I think an average one of those would be about $250. Also they have to be serviced every 12 months and I think there is just a minimum cost of $20 per jacket for that and if there is any work to be done on them it would be more than that. So I think the industry would be looking for some assistance with cost.

Mr INGRAM — Can you just explain some of the challenges? Obviously the results of the trial are not in, but we had some brief discussion about some of the challenges in putting on a standard PFD — the ones that have come through — and the additional risks that can come from using a PFD around nets and in dangerous environments.

Mr CLARKE — If you get just a standard PFD it has a toggle that you pull to activate the gas mechanism. An example is that in one of our trials out here a fellow was dragging his net along the deck and he did not notice that the toggle got caught in the net and it set the thing off while he was working. That gets to be a little bit of a nuisance, I guess. Probably one of the other issues I can see is that working in the fishing industry you have fish spikes and things around. If you happen to spike the ladder in the thing, it is not going to function when you need it and you might not necessarily know it is not going to work. There are all these sorts of issues that we are looking with them, that may suit other industries where people are not physically working with them and handling nets, bins of fish, ropes and what have you. There are all these sorts of issues that we have to sort out.

Mr INGRAM — How is that coming along? Are you changing them as you go or are you making recommendations as you go?

Mr CLARKE — Yes. We are doing a questionnaire on them as we go. At the end of the trial all the people will get together in Queenscliff and discuss probably the best options for what we need. Then we are going
Mr INGRAM — Would you be recommending that they be used all the time? How do you think they should be used?

Mr CLARKE — Personally, being involved with the fishing industry for so long, I would not recommend we wear them all the time because on some particular days out there it is not adequate to wear them. I believe it is perfectly safe not to wear them on the deck of a fishing boat all the time, but there are certain instances where I would say, ‘Yes, definitely wear one’. I would say that is the call of the skipper and the crew to say, ‘Okay, these are the conditions we wear them under’, and when they should be worn.

Dr NAPTHINE — I represent Portland, which is a major fishing port as well. Some of the issues that people in the commercial fishing industry have been raising with me include that they are concerned about the time and money being involved in training and fees for the new PrimeSafe rules, the user pays and full cost recovery, the rising Australian dollar affecting their price, the impact of quotas and now the monetary units legislation, which is going to ratchet up their fees each year. They are concerned that this cost squeeze on the commercial fishing industry all at once is forcing them to perhaps work harder and longer and perhaps raising concerns about the safety risks and perhaps not even employing an extra person on the boat because they have not got the resources to do so. Are you getting similar views through your fisheries in this part of the world?

Mr CLARKE — I would say that exactly what you said reflects what the general feeling is in the fishing industry. It just appears that every time we turn around nowadays something else is coming down to get more money out of us, if you like — for the sake of saying that. It seems to be just like a bottomless pit. Of course we are at the end of the chain and we cannot just say to our fish purchasers, ‘We’re going to get another $1 a kilo for our fish’. We have to wear all this. It is definitely hurting the industry and it is going to make it very hard for the industry to continue under these present restrictions we have on us and the overheads, definitely.

The CHAIR — Are there any other health and safety suggestions that you think the committee might want to recommend as far as the report we are going to do?

Mr CLARKE — I would think, particularly with WorkCover and those people, if we are working with them within the industry it is a big help. We definitely are getting somewhere, working in with people. They are starting to know what the fishing industry is about and we are learning a bit more about what WorkCover is about, I suppose. I really think that is the key to it — working together on it — if everyone is prepared to listen and be proactive with it.

Mr INGRAM — Do you think the industry historically has had a gung-ho image with a ‘Go on! Take a few risks!’ attitude? Do you think that has changed and that there is more professionalism in the industry over the last few decades? In particular you mentioned that there is more recognition of OHS issues. Do you think it has come round to being a more safety-conscious business than it was two or three decades ago?

Mr CLARKE — For sure. When I first started we did not even have a dinghy on the boat, let alone a life raft. Over the last 20 years things have improved dramatically in those areas, and there has been another jump within the last four or five years. It has become more professional and people do not seem to be making those risky decisions that they used to. They seem to be a lot more professional about OHS than they ever were.

Mr WALSH — We have heard mixed views on WorkCover officers when they go around different places. At some places they have worked with people and given advice as to how people can do things better. At other places the Victorian WorkCover Authority people think it is not their role to give advice; they have just acted as enforcers, I suppose. What is your view of how it has been handled down here?

Mr CLARKE — I think in the early days when we first started with them it was difficult because it was very hard to get an answer. We said, ‘What is it exactly that you want us to do?’. They virtually said, ‘Here is the WorkCover book. Go away and read it. You have to determine that’. The other thing I have neglected to mention is that I believe at the moment we are trying to get an industry code of practice drawn up to fit in with WorkCover. I am just not sure where that is at the moment, but I believe it is getting closer to being done. Then it will be given back to industry to get some feedback. I believe that will definitely be a help for industry to work in with WorkCover, or at least to have a code of practice to work by.
Mr WALSH — Have WorkCover officers been giving more advice than earlier on?

Mr CLARKE — As far as advice on how to make your boat safer, I would not say that exactly. They are out there to be helpful, but perhaps they are not giving you the advice you really need, such as when you ask, ‘Okay, I have got to put a guard on this winch, or whatever, how do I do it? What is the specification?’ It does not go that far.

Mr MITCHELL — Apart from the PFD issue, are there any other issues that the fishing industry has with injuries related to manual handling or anything like that that you can see there are ways of improving?

Mr CLARKE — We have had different courses run by Seafood Industry Victoria. They are addressing some of these things, such as food handling and safety practices and all those sort of things, which ties it in with that. Handling knives and spiky fish and all these sorts of things are in there. That is all being developed at the moment, and it will become part of deckhand training so that they will be aware of these things before they start.

Mr WALSH — Have the fisherman here accessed FarmBis and the sorts of things your are talking about?

Mr CLARKE — Yes, that is sort of in there at the moment.

Mr WALSH — What is your view of Farmbis — good or bad?

Mr CLARKE — It has helped fund some of the courses we have done out here for certain things. It has helped reduce some of the costs, which is good.

Mr WALSH — Do you think that has led to more people taking up those courses.

Mr CLARKE — Yes. It has certainly made it more attractive to them; that is for sure.

The CHAIR — Thank you very much for giving us your time and for making a submission. You will get a copy of the transcript in about a fortnight. You will be able to correct any errors of fact or grammar, but not matters of substance.

Witness withdrew.