CORRECTED TRANSCRIPT

RURAL AND REGIONAL SERVICES AND DEVELOPMENT COMMITTEE

Inquiry into cause of fatality and injury on Victorian farms

Sea Lake – 24 March 2004

Members

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Mr B. P. Hardman
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Witness

Mr M. Robertson (sworn).
The CHAIR — 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, under the provisions of the Constitution Act is granted immunity from judicial review. I also wish to advise witnesses that any comments made by witnesses outside the committee’s hearings are not protected by parliamentary privilege.

This is an all-party parliamentary committee, including members from the Liberal and National parties and an Independent member.

Welcome, Mr Robertson. I invite you to give your full name and address, and if you are representing an organisation, the name of that organisation and your position in it.

Mr ROBERTSON — My full name is Michael John Robertson, and I live at Robertsons Road, Tempy, 3489.

The CHAIR — I invite you to make some introductory comments, after which members will ask questions.

Mr ROBERTSON — I am a third generation broadacre farmer. Due to a little claim made against me, I took a great interest, if you want to call it that, in farm safety or parts of it. I spent a couple of years at night school and got a diploma in occupational health and safety, and now I do some consultancy work. I have my own little business called Workplace Safety Solutions Pty Ltd, through which we do work with farmers.

In regard to the committee’s terms of reference regarding what are the main causes of fatalities and injuries on Victorian farms, I think it is the culture. You are talking about how to change the culture. There is a laid-back attitude in the farming community. I was part of that, and I see it every day. If they buy a header, they think, ‘She’ll be right, mate’ or ‘I took the guard off and it hasn’t got me yet’ or the standard comment, ‘You do not need gloves to handle chemicals. You could drink the stuff’. I have heard that a number of times. I have seen fathers tell their 14-year-old sons things like, ‘Hop in the silo, son, and shovel the grain out. I’ve done it a hundred times’, or ‘Jump up here, son, and have a ride on the tractor’. You hear those comments on all farms every day, today — I mean right now.

I think it is important to change the culture, and it can be done. I have seen its done. The change has to start with the owners and managers. You have to educate your young, but unless the top boys set the example the young people will not follow it. I think there is a need for education and training programs on farm safety to make people aware of their legal responsibilities and obligations under the Occupational Health and Safety Act, which farms, being businesses, come under; and families, employees and contractors also have to be educated. The attitude ‘She’ll be right, mate’ certainly does not stand up in a court of law if there is a serious injury or death on the farm.

Times have changed. Farmers used to think everything was fine if they worked hard manually. They thought that was the key to survival. But things have changed. They now have to work a lot smarter and be up to speed on occupational health and safety compliance. And ignorance is no excuse. The injury or death of a family member or employee has a lasting effect on their emotions and also their bank balance.

In regard to strategies to reduce injuries and fatalities on the farm, I have been doing some health and safety policies for broadacre farms and also some horticulture farms in Mildura. Personally I think the answer to all this is the development of a generic health and safety policy for all the farming sectors, whether it be broadacre, dairy or horticulture. Initially when you say that to farmers they stand back and think, ‘What’s going on here’, but basically it should be presented in commonsense language and be audited annually — whether that be by consultants, the Victorian Farmers Federation or whoever. I will go through what I think it should cover.

The health and safety policies that I have done in layman’s terms cover the legal obligations and responsibilities of farmers to provide a safe workplace for themselves, their families, their employees and their contractors. That is basically making them occupational health and safety compliant, but without a lot of the complicated stuff; it is just in very simple terms, not going over the top. The policy would include things like the handling and storage of hazardous substances and the relevant documentation that you have to have, such as a register et cetera — a plant and equipment register which the farmers would police themselves. They would do individual risk assessments, and this has already been done. Having farmers do their own risk assessments on their own plant and equipment
enables them to see the dangers themselves; they are aware of the dangers, but they have not actually had to write down, ‘This is dangerous’. I see it every day. You go to farms and angle grinders have no guards on them and power take-off (PTO) shafts have no safety covers, and that is where a lot of the injuries happen.

Standard operating procedures for plant and equipment need to be established. That is just basic procedures so if the 16-year-old son comes home and you want him to go slashing you run through the standard operating procedures for the tractor and the slasher.

The policy would also include the induction and training of employees, contractors et cetera. An interesting incident happened out our way recently. Most people think that when a contractor comes on their property he is all right, he is not their employee and they are laughing. But contractors are actually classed as employees under the Occupational Health and Safety Act. In this case the farmer sent a contractor into a paddock at about 10 o’clock at night. There was a channel in the paddock. At this stage the farmer had probably had 10 cans and the contractor had probably had only 6. He headed off and went straight into the channel; a $250 000 machine was wrecked, and he sustained some serious injuries. If that employer was aware that he should have inducted that contractor and made him aware of the risks associated with that job it would not have happened.

There have been other situations. Mr Simpson mentioned the story of the gentleman who brought a semi tipper onto a property and lifted it up under a powerline. If he had been inducted he would be still alive.

There need to be the emergency procedures and incident management records for all injuries, illnesses and near misses. Just to use an example of what I do, when I do a health and safety policy for farmers I ensure it includes that if a contractor comes up during harvest the farmer must make him aware of the risk, make him aware of the fire procedures are if there is a fire on the header, whom to ring, what UHF channel to go on, the location of the property and so on. They are just very basic things, but in a panic situation, if you have a fire on the header, you do not know where you are or whom to ring, and you are lost.

As to the question of whom such a policy should be developed by, I suppose I have developed it myself. But if the government is going to look at it, there needs to be consultation between farmers, consultants, WorkSafe, Farmsafe and the Victorian Farmers Federation, and it needs to be delivered in farmers’ language. I think that is very important. If you send a suit-and-tie guy up here, he will talk for 10 minutes and they will all be asleep. It has to be in farmers’ terms, delivered by someone they can relate to; otherwise I think you are wasting your time.

It is important to include wives and family in a social environment and to encourage discussion. Once they start talking about it they realise the problems, and they realise they are doing things they should not be doing, but they have done them for 10, 15 or 20 years, and they just do not think.

Training and education programs at grassroots level need to be delivered in an informal way. When you start showing some examples and statistics of the poor record of the farming sector and the legal problems that have arisen, and once you start talking money, they are more than willing to spend some to have a health and safety policy, particularly when they realise the legal problems that could arise through non-compliance with the Occupational Health and Safety Act, that if they have an incident their WorkCover premium is going to go sky-high and that they are going to have litigation claims and WorkCover fines — basically, that these things can put you out of business.

What I am saying here I have actually seen work. I have seen some remarkable changes of attitude towards farm safety when farmers have been made of aware of their legal obligations and responsibilities under the act. I have personally developed a commonsense health and safety policy for broadacre farms, and I think it should be compulsory. The government should subsidise it, just like the ROPS program, and in simple form so all farms can have their own policy — even though I am quite happy to continue selling policies to farmers! I believe this would have a dramatic influence on minimising farm injuries and death. I have seen farmers who are very laid back, but all of a sudden they have had a change of culture. You can change the culture, and you can change older people. Someone mentioned older people; you can change the culture of the elderly.

That is basically it. Someone mentioned WorkSafe. We did not invite them, but a WorkSafe officer came onto a farm and basically went through it, which was an interesting exercise. So that is what I think.

Mr WALSH — What are the costs of your policies?
Mr ROBERTSON — They can range; about 500 bucks.

Mr WALSH — Is that for a large organisation with some employees or a sole operator with one employee, or does it not matter?

Mr ROBERTSON — Basically it is a fairly generic document. It is basically the same whether the farm employs no-one or 10 or 15 employees. The actual document is not very different, and, as I said earlier, you could have a generic policy, but the dairy sector might be slightly different to the broadacre. Obviously broadacre horticulture is different, but there can be a generic policy that would suit everyone.

Mr WALSH — There have been quite a few farm safety workshops run where they try and get a dozen farmers or farm families together. In your view is it better to do it in workshop groups or one on one where someone like you goes onto a farm and develops a policy?

Mr ROBERTSON — Basically both have their benefits. You have to get farmers to feel relaxed; if they do not feel relaxed they sit there and do not take it in. Certainly in a group situation if they feel relaxed there is a lot of discussion and interaction; they start talking about the things they should do. With one on one, in my situation I can go into a farm and spend a day going through things and they open up as well, so I suppose there are benefits to both sides.

Mr INGRAM — With some of the things that you have put in your generic policy and some of the things the policy would need to include, some of those are done through quality assurance programs anyway, but not all of them. Is that one simple solution? More and more sectors are turning to quality assurance programs because of international export and the market premium they get for that. Do you think that at least one way we could do this is to make it a mandatory part of quality assurance, so that this is included?

Mr ROBERTSON — No, I do not agree with that. Legally every enterprise should have a health and safety policy; it is a legal obligation, but people do not realise that. Whether they have no employees or 100 employees, farmers somehow think they are exempt from it, but they are not. They should have their own health and safety policy; a broadacre health and safety policy should be targeted to all the broadacre problems.

Dr NAPTHINE — Is it possible that you can provide the committee with a typical example of a policy you have prepared for a farm? I understand what you have said about the sorts of things that ought to be in it, but I am having difficulty understanding what one would look like for a particular farm, whether it ends up being a check list or what it actually looks like.

Mr ROBINSON — Certainly. Some of it involves a check list where you can go through and tick the boxes. I was thinking of bringing one along, but you have obviously got a lot more resources than me and probably can do it better than I have done it. What I have put together I keep in fairly simple terms because I think that is important.

Dr NAPTHINE — I am not asking you to provide the pro forma or whatever. What I am asking is: is there a way you can provide one that you have already done for a farm so we can get an idea of what it looks like?

Mr ROBINSON — I can do that.

The CHAIR — Thank you very much.

Witness withdrew.