

Coroners (Mining and Resources Coroner) Amendment Bill 2025

Explanatory Notes

FOR

**Amendments to be moved during
consideration in detail by
The Honourable Meaghan Scanlon MP –
Shadow Attorney General, Shadow Minister for
Justice, Shadow Minister for Housing,
Homelessness and Home Ownership**

Short title

The short title of the Bill is the Coroners (Mining and Resources Coroner) Amendment Bill 2025.

Policy objectives and the reasons for them

Every Queenslanders has the right to feel safe and be safe at work, and the mining and resources sector is no exception to this.

The Queensland Labor Opposition believes that mining strategy in our resource sector is not negotiable and these amendments will strengthen the legislation to ensure that it captures all facets of mining related work, to ensure that Queenslanders get home safely.

Through consultation and the parliamentary committee process, concerns were identified with particular elements of the *Coroners (Mining and Resources Coroner) Amendment Bill 2025* (Bill), namely the scope of the Mining and Resources Coroner's responsibility, which specifically excludes key fatalities which may be circumstantially unique to the mining and resources sector.

The Queensland Labor Opposition is concerned the exclusion of suicide, road fatalities, and mining related illness and disease undermines the policy objectives of this Bill.

Through the committee process it became evident that key stakeholders throughout the sector held concerns over the purpose of the Mining and Resource Coroner given the decision to

explicitly exclude the aforementioned deaths. This is an indictment on the Crisafulli LNP Government for not listening to stakeholders and incorporating their feedback and concerns.

In particular, concerns over the exclusion of suicide from the Mining and Resources Coroner's scope highlighted a direct contrast with policy objectives of the Bill, which are to provide timely information to affected families and improve safety for mining and resources sector workers.

Psychosocial safety should be considered just as important as physical safety and the inclusion of suicide within the Mining and Resources Coroner's investigatory responsibility has the potential, if required, to provide insightful recommendations to assist organisations with creating safer, healthier work environments.

Further to this, the Bill's scope ignores another unique issue faced by mining and resource sector workers in relation to travel to and from remote mine sites. The consultation process highlighted that mining shift work is commonly associated with long hours, early starts, late finishes and overnight work. This type of work can lead to heightened fatigue resulting in a higher chance of accidents if the driver is tired or distracted. Yet this type of fatality was excluded from the scope of responsibility.

The Queensland Labor Opposition recognises this is a missed opportunity for the Mining and Resources Coroner to provide specialised advice to better protect the sector's workers. This missed opportunity is a sad reflection on the Crisafulli LNP Government. Given the specialised role of the proposed Mining and Resources Coroner, the scope of investigation responsibility should reflect the unique challenges and safety concerns of the mining and resources sector holistically.

The scope of the Mining and Resources Coroner does not extend to diseases and illness that occurs as a result of working on a mining site such as Mine Dust Lung Disease. Given the role of the Mining and Resources Coroner to provide recommendations to improve the safety of workers this omission overlooks a serious health and safety component associated with various mining operations.

Due to the concerns raised by mining and resource sector stakeholders, based on information obtained through the parliamentary committee process and from experts in the field, the following public policy amendments are put forward to strengthen protections and the law in respect of mining sites in Queensland, the:

- inclusion of intentionally self-inflicted deaths on mine sites or mine site accommodation within the Mining and Resources Coroner's scope of responsibility to investigate.
- inclusion of road fatalities occurring when the person who dies as a result of injury from accident was travelling in the course of or for the purpose of their employment at a mine site within the Mining and Resources Coroner's scope of responsibility to investigate.
- inclusion of disease and illness resulting in death where said disease or illness is caused by the work undertaken at a mine site within the Mining and Resources Coroner's scope of responsibility to investigate.

Achievement of policy objectives

To achieve these objectives, amendments are proposed to various clauses as outlined below.

Alternative ways of achieving policy objectives

There are no known alternate ways of achieving the same policy objective.

Estimated cost for government implementation.

There are no cost implications for the amendments as it will be achieved through existing budget arrangements.

Consistency with fundamental legislative principles

The amendments have been drafted having regard to the fundamental legislative principles.

Consultation

The amendments have been drafted after feedback was received via the parliamentary committee process. This included written and verbal submissions from Coronial Assistance Legal Service, Association of Mining and Exploration Companies, Mining and Energy Union Queensland District and Queensland Law Society. Separate meetings and discussions have occurred between the Queensland Labor Opposition and stakeholders.

Consistency with legislation of other jurisdictions

The legislation is drafted specifically for Queensland legislation.

Notes on provisions

Part 1 Preliminary

Amendment 1 inserts a new provision to ensure that a “reportable death” includes a mining related reportable death, which is later defined.

Amendment 2 omits the link with the Coroners Act for reportable death.

Amendment 3 omits the term ‘of receiving a mining related injury’ and inserts ‘getting a mining related injury or illness’, to ensure that illness and disease contracted from mining related work is included in the scope of responsibility for the Mining and Resources Coroner, as mining safety is important.

Amendment 4 omits the term ‘receives the mining related injury’ and inserts ‘receives or acquires the mining related injury or illness’ to ensure that illness and disease contracted from mining related work is included in the scope of responsibility for the Mining and Resources Coroner.

Amendment 5 is a technical procedural amendment.

Amendment 6 omits the section which excludes intentionally self-inflicted injury.

Amendment 7 adjusts language to support the inclusion of a wider scope of investigation responsibility in alignment with the other proposed amendments including the inclusion of illness and disease that are contracted as a result of work on a mine site.

Amendment 8 inserts a requirement to capture a death that occurs, or a death that is contributed to by an accident, while the person is travelling to or from a relevant site, for purposes incidental to their employment to a relevant mine or petroleum or gas site.

Amendments 9 to 11 are consequential amendments.