

**Senate Standing Committee on Education Employment and Workplace
Relations**

**QUESTIONS ON NOTICE
Supplementary Estimates 2012-2013**

Agency - Fair Work Australia

DEEWR Question No. EW0592_13

Senator Abetz on 17 October 2012, Hansard page 11

Question

Senator ABETZ: Which included its public release?

Ms O'Neill: I do not recall that specifically, but I

Senator ABETZ: Can you take that on notice just so we can clear that up completely. I suspect that you would have taken a similar attitude to the annexures, which actually form part of the report, as well.

Ms O'Neill: I think that is likely.

Senator ABETZ: The committee and the Senate, for whatever reason, have determined not to release the annexures, which is a matter of concern, but you have indicated that you were of a mind that the report and the annexures may well be released publicly. But I will not air the dirty linen of the Senate committee and the Senate before this committee any further.

CHAIR: There is no dirty linen. But, Ms O'Neill, you have agreed to take on notice the answer to that question?

Ms O'Neill: Yes.

Answer

Fair Work Australia has provided the following response.

On 4 April 2012 the General Manager received a request made on behalf of the Senate Standing Committee on Education, Employment and Workplace Relations, to provide the Committee with a copy of the report of the Investigation into the National Office of the Health Services Union.

On 5 April 2012 the General Manager advised the Committee Chair that: "I do not consider that provision of the report to the Committee after I have completed my consideration of it would prejudice any further action which I may decide to take. Accordingly, I propose to provide a copy of the Report to the Committee in accordance with your request as soon as I have completed my consideration, which I presently anticipate to be within four to six weeks from today."

On 4 May 2012 having finalised her consideration of the report, the General Manager provided a copy of the Investigation Report, including Annexures, to the Committee.

The General Manager obtained legal advice prior to providing the Report to the Committee. Whilst not canvassed in explicit terms, the Annexures are part of the Report, and the advice sought included the prospect that the Committee may make the Report publicly available.