

Senate Standing Committee on Education and Employment

QUESTIONS ON NOTICE Budget Estimates 2015 - 2016

Agency - Fair Work Building and Construction

Department of Employment Question No. EMSQ15-000130

Senator Macdonald asked on 02 June 2015 on proof Hansard page 87

Question

FWBC - Investigation into allegation of assault

Senator IAN MACDONALD: I want to clarify this, because it has come in relation to Senator Cameron's evidence to this committee that you are saying, Mr Hadgkiss, that now several years later as a result of letters from the CFMEU, this constable is now being investigated for breach of duty. Is that what you are saying?

Mr Hadgkiss: I am unsure whether it is a disciplinary matter that the officer failed to act or they want to reopen the investigation that the office originally reported back in 2009 or whatever. I will take that on notice, in fairness.

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Senator CAMERON: Did you not also go to a situation where you said that the Victoria Police were taking action against a police officer?

Mr Hadgkiss: I am not sure, Senator. We understand, I dare say as a result of the letter you refer to, that the Victoria Police have now instigated an investigation. I will take on notice whether it is into the conduct of the senior constable concerned for failing to take action or whether it is in respect of what occurred in those three and a half years.

Senator CAMERON: But why would you take that on? You would not know, would you?

Mr Hadgkiss: No. I do not know.

Senator CAMERON: Well, why would you take it on notice?

Mr Hadgkiss: Because I will find out for you and I will get back to you.

Senator CAMERON: How will you find out for me?

Mr Hadgkiss: I am sorry?

Senator CAMERON: How will you find out for me?

Mr Hadgkiss: I will undertake inquiries in my agency as to what has occurred on behalf of the Victoria Police. I am not in a position to answer your question now.

Senator CAMERON: But what you indicated earlier in your evidence was that the Victoria Police looked as if they were going to investigate one of their members.

Mr Hadgkiss: I said it is either-or. I am not sure. I understand as a result of the letter that went from—

Senator CAMERON: I am not talking about this letter. I am talking about your evidence earlier.

Mr Hadgkiss: If I may—

CHAIR: He took it on notice, Senator Cameron.

Senator CAMERON: He takes everything on notice.

CHAIR: No. He does not take everything on notice. He will take that on notice.

Senator IAN MACDONALD: Well, it is suitable for him to do that anyhow.

CHAIR: He is completely entitled to take it on notice. He did it to be helpful.

Senator CAMERON: I just want to get back to the evidence you gave earlier, where you gave the impression that you were aware of some activity by the Victoria Police to investigate and maybe take disciplinary action against an officer. Is that correct?

Mr Hadgkiss: I said I am aware of activity of the Victoria Police. But whether it is to do with a

disciplinary matter or whether it is to reopen the investigation or not, I am unsure, and I will take it on notice to assist you.

Answer

FWBC and the investigator concerned reported various aspects of this conduct to Victoria Police in February 2009 and October 2009. No further action occurred as a result of these reports.

As a result of a recent request from Victoria Police, information was provided to the police.

FWBC is not aware of what, if any action is being taken or contemplated by Victoria Police.