

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. EMSQ15-000151

Senator Muir asked on 02 June 2015 on proof Hansard page 113

Question

FWBC - Use of compulsory powers

Senator MUIR: That is quite an in-depth answer and that will do for the time being. Does your agency record when a witness has requested to be examined? In other words, would you be able to provide information which makes it easy to establish how many witnesses have requested to be examined and how many have been reluctant to cooperate?

Mr Hadgkiss: We have had cause to call in 14 since 1 July. To put things in perspective, that is 14 matters out of, as I said earlier, some 125 matters on foot at the moment. That gives you some idea of how many times we resort to the compulsory powers.

Senator MUIR: So it is about 10 per cent of the time, from the sounds of it.

Mr Hadgkiss: I would not put it as high as 10 per cent. I am happy to give you the statistics back over the years. There was a time with the ABCC when they were conducted on 59 occasions. Going back to the initial task force days, I will just run through the statistics. In the financial year ending 2006 there were 27 occasions. That dropped to 21 in 2007. In 2008 it went up to 54. In 2009 it went up to 59. In 2010 it dropped to 37 and then it dropped to six in 2011, four in 2012, zero in 2013 and four in 2015. As I said, it is now 14 to date in this financial year. Friday was the last time I conducted an examination.

Senator MUIR: That leads perfectly into my next question—

Mr Hadgkiss: But I would not want give a statistic of one in 10. I would be happy to take that on notice, but I do not think it would be as high as that, from my own experience.

Answer

Since 1 October 2005, FWBC and its predecessor agencies have conducted 226 examinations. Of those conducted, 35 per cent of witness' indicated they were happy to co-operate but were reluctant to do so unless required to.

Financial Year	Number of Investigations	Number of Examinations
2005/06	125	27
2006/07	216	21
2007/08	225	54
2008/09	262	59
2009/10	309	37
2010/11	402	6
2011/12	489	4
2012/13	463	0
2013/14	403	4
2014/15	334	14