

## **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. EMSQ15-000191**

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

#### **Question**

##### **FWBC - Compulsory examinations**

Senator MUIR: In Senate estimates in February of this year you told this committee in relation to evidence obtained through compulsory examinations that, without that evidence, we would not be able to ground prosecutions. Does your agency record this information so that it is easy to determine how many proceedings were commenced due to evidence obtained during an examination—in other words, being able to say, 'If we don't have this evidence from the examination, we wouldn't have a case'?

Mr Hadgkiss: I am happy to take. Already on one matter I have held an examination since 1 July. That matter is before the court, and I am confident this week or next week we will be laying another proceedings where I will use the compulsory examination. Certainly the matter that was laid before the court recently, categorically, without examination, we would not have been able to proceed against the parties concerned. I am confident that the one we are about to lay, likewise, without the use of compulsory powers, the victims concerned were not willing to go on the record. The victims being a husband and wife, and a couple of others.

Senator MUIR: That will do for now, but I will be following this up next time.

#### **Answer**

Since 25 June 2014 FWBC has conducted 16 examinations. These examinations relate to nine investigations.

Since 25 June 2014, one investigation has already progressed to court. A further seven investigations of the remaining eight are being considered with a view to being taken to court.