

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
COMMONWEALTH DIRECTOR OF PUBLIC PROSECUTIONS

Question No. 60

Senator Brandis asked the following question at the hearing on 24 May 2012:

Senator BRANDIS: ... You said there were interviews with witnesses among the materials supplied to you. We know from the report itself that the main person concerned was Mr Thomson. Mr Thomson has said on the public record that he was interviewed by Fair Work Australia once. Therefore, all I want you to do is to confirm that the transcripts included a transcript of an interview with Mr Thomson.

Mr Craigie: The reason we are both being rather diffident about this is that we have now passed this matter on to two police forces. I have no idea what the outcome, if any, will be of their investigations. I have no idea, for instance, whether, in the event that either of those police forces came to a particular conclusion, it would in fact be referred to my office. My diffidence actually attaches to the sorts of considerations I had during the fortnight or so before we sent those matters off to the police. It is for the same sorts of reasons, having regard to the fact that Fair Work Australia had compulsory powers, that these were, in some instances where statements were taken, coercive. I would certainly be diffident about answering that question without at least paying the now investigating bodies the courtesy of consulting them as to their views on the release of that information. So I prefer not to be in the position of flatly refusing to answer the question. If I was able to and I thought it prudent, I would do so. But, as I sit here now, I do not think it would be prudent to answer the question.

Senator BRANDIS: All right. So, for the reasons you have just given, you are not prepared to answer my question. You are not disputing it, but you are not prepared to answer it.

Mr Craigie: Given the caveat that I just attached to my response, I am quite prepared to take your question on notice and I will take such steps as will inform me better as to whether it is in fact prudent, sensible and proper to answer the question.

The answer to the honourable senator's question is as follows:

As this matter potentially involves ongoing investigations, it is not appropriate for the CDPP to comment further.