

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
ATTORNEY-GENERAL'S PORTFOLIO

Program: 1.9

Question No. SBE15/020

Senator Collins asked the following question at the hearing on 20 October 2015:

Senator JACINTA COLLINS: Does the task force pursue investigations at its own initiative?

Cmdr Ney: Yes, it does.

Senator JACINTA COLLINS: Is that separate from becoming aware of something as a consequence of one matter being investigated? Is there some other basis for you determining matters that you will investigate of your own initiative?

Cmdr Ney: There have been a number of different investigations created, or commenced, that have come from outside the royal commission. Where individuals from the public or concerned citizens or other agencies have identified what they believe is misbehaviour that falls largely within the terms of reference, they will spend some time with us and see whether it fits into our assistance to the royal commission, and if so then we will pick it up and run with it until such time as we can determine whether there is a criminal matter there to be investigated or whether this is material that should be going to the royal commission, or in fact whether these things should be terminated and concluded without further investigation.

Senator JACINTA COLLINS: So then at your own initiative, perhaps by virtue of matters being brought to your attention, media reports—

Ms Innes-Brown: We get a lot of correspondence that comes through our email inboxes, and that is reviewed. If it is from members of the public and organisations that have had issues in the past, it is often referred to the police task force for their investigation or referred to the solicitors assisting.

Senator JACINTA COLLINS: I want to go through the particular example of Mr John Lomax to understand what the process was in that case. Again I do not want to compromise any ongoing investigation so please let me know if there are matters that relate to that. Can you walk me through the process that occurred leading up to the charges being laid against Mr Lomax.

Cmdr Ney: That matter came from an individual who was working in the building industry here in Canberra.

Senator JACINTA COLLINS: Was that before or after the ACT task force was established?

Cmdr Ney: I probably need to take that on notice because I cannot remember whether that information had been received prior to the establishment or post the establishment. In any event the individual came forward and made a complaint about how he was treated and the manner in which an EBA was negotiated. The police conducted their investigation and following their investigation they proceeded to arrest Mr Lomax and take it before the court.

Senator JACINTA COLLINS: That was the AFP?

Cmdr Ney: The ACT police.

Senator JACINTA COLLINS: So that did not come via the trade union royal commission at all?

Cmdr Ney: I would have to take it on notice because I am not entirely sure whether it came out of the royal commission or whether it was a bundle of information that we received very early after the start of the task force.

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

Information in relation to the Lomax matter was received after the establishment of the ACT Police Taskforce. It was not received through the Royal Commission.