

**SENATE EMPLOYMENT, WORKPLACE RELATIONS AND EDUCATION
LEGISLATION COMMITTEE**

2003-2004 BUDGET ESTIMATES HEARINGS – 2-3 JUNE 2003

EMPLOYMENT AND WORKPLACE RELATIONS PORTFOLIO

COMCARE

QUESTIONS ON NOTICE

Outcome: Comcare

Question Number: W069-04

Question:

Senator Carr asked in writing:

Provide the report or conclusions of any investigation Comcare carried out into Mr Cropp's allegation that Mr Maguire informed him that he knew Mr Cox "well" prior to investigation #1913 and that Mr Maguire informed Mr Cropp that he may not be an appropriate person to investigate his allegation for this reason, and Mr Jason Robinson's allegations that he overheard Mr Cox and Mr Sitauti discussing the former friendship with Mr Maguire and Mr Maguire's intention to "go easy" on the NGA during his inspection.

Answer:

Mr Maguire denies he made any statement to the effect that he had a 'non-work' relationship of any sort with Mr Cox. The Ombudsman considered allegations of a personal relationship between Mr Cox and Mr Maguire in his report dated June 2001 and found at Paragraph 4.101 of that report that evidence of "a pre-existing friendship has been effectively rebutted". In his opinion, at paragraph 4.106 of this report, "the allegation that the Comcare investigator had a conflict of interest is unsubstantiated".

Mr Wray, in attachment 23 to his report (tabled on 3 June 2003) includes a statement from Mr J McGrath who acknowledged that he was a friend of Mr Cox. Comcare considers that the allegation against Mr Maguire is a case of mistaken identity.