

Commission of Inquiry into the CFMEU and Misconduct in the Construction Industry

WITNESS STATEMENT OF KAYNE MACDONALD

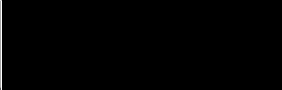
I, Kayne MacDonald, affirm the following:

1. I make this statement in response to a notice issued by Stuart John Wood AM KC, the Commissioner appointed pursuant to the *Commissions of Inquiry Order (No. 2) 2025*.
2. I am currently an operator. I started working on the Cross River Rail Project in October 2023. I had been working at Dutton Park station for 6 months as at the time of the Dutton Park Brawl.
3. On 1 May 2024, I arrived at Dutton Park for pre-start. The CFMEU were picketing and we couldn't gain access to the site.
4. I was part of the group of workers who walked down Noble Street to try and gain entry to the site.
5. The CFMEU were at the main entrance, and I was at the front. The majority of the group made their way through the fence. Sky Lewis, Matrix worker, was at the back of the group, and she didn't make it through the fence before the CFMEU noticed us. When the CFMEU saw Sky and another girl, they beelined towards them. I suspect they did so to intimidate them, and because they are female. They went after the girls because they knew it would start something. That is when the brawl started.
6. The brawl happened at 7:18am.
7. After the fight, the group of workers made their way to the overpass. The CFMEU were shouting aggressively at us. They called us pedophiles, they threatened to stab us saying "*now that you're in there, you won't get out*" and "*if you do get out, it'll be in a body bag*".
8. One of the supervisors, told me to start my machine. I walked down the corridor adjacent Kent Street. That portion of the station was low set, meaning that the pathway along Kent Street was above the work area.
9. Because of the low rise I knew they wouldn't see me until I started the machine. I chose to get into a Bobcat machine, because it had the cage protecting me.
10. I started the machine, but didn't move it. As soon as I started the machine, I saw about 50 CFMEU men in masks, and wearing CFMEU clothing, running down Kent Street. They were running towards me.
11. I saw them holding knives and yelling out "*I'll fucking stab you*". It looked like something out of a zombie movie.
12. They were above the machine, looking down on the site. I could see them cutting away the mesh privacy screens and start to throw rocks down on me. It felt like it was raining rocks.
13. I was the only worker down that end of the site at the time.
14. I sat in the machine for a few minutes and the rock throwing eventually stopped. I got out of the machine and walked about 20 meters where I ran into two other CPB/Matrix

workers. This is when I pulled out my phone and videoed some of the CFMEU workers. A copy of the video is **Annexure KM-1**.

15. Myself and the two other workers then walked back up to the crib room on Cope Street.
16. After some time, police arrived, and we were escorted off the site.

I affirm that the contents of this statement are true.


Signature of deponent

Place: BRISBANE Date: 16 / 09 / 2026


Before me (signature of witness)

EDEN JARDINE
Full name of witness (please print)

☐ Justice of the Peace (JP No. _____)

☐ Notary public

☒ Lawyer

☐ Other authorised person (specify): _____