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

Independent Expert Report

Prepared by Ronald Goldstock for the Commission of Inquiry into the CFMEU and Misconduct in the Construction Industry

Without Prejudice and Subject to Legal Privilege

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Report written by Ronald Goldstock

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1 Introduction

1.1 I served for thirteen years as Director of the New York State Organized Crime Task Force (**OCTF**) and for ten years as the New York State Commissioner of the Waterfront Commission of New York Harbor. I currently provide investigative consulting services to corporate and individual clients, and serve as a referee for the New York State Commission on Judicial Conduct overseeing the questioning of judges.

1.2 During my tenure as head of the OCTF, it became a model agency for the control of organized and white-collar crime, playing critical roles in the Cosa Nostra Commission and the Lucchese and Gambino family prosecutions. These were particularly important in the control of traditional organized crime in New York, since:

(a) the Lucchese and Gambino families controlled major New York industries; and

(b) the Cosa Nostra Commission, composed of the bosses of the five New York families, was critical in resolving disputes growing out of the competing interests of those families.

1.3 We brought indictments involving the Cali Cartel, including numerous drug and money laundering counts. We also produced highly acclaimed analytic reports on corruption and racketeering in the construction and carting industries.

1.4 As Director of the OCTF, I instituted the use of the Independent Private Sector Inspector General (**IPSIG**) program. I had previously developed the IPSIG program and it has now become a significant factor in advancing corporate integrity and controlling corrupt behavior. The IPSIG program was not only widely used in New York, but in other States and in several other countries, including the U.K. and the Netherlands.

1.5 I have monitored a number of companies within, or related to, the construction industry, including a New York City roofers local. In relation to this example, my team removed mob influence, instituted democratic practices and fair elections, more than doubled the membership, tripled the general fund and ancillary assets, and brought the pension and annuity funds to actuarially stable levels.

1.6 My other qualifications include that:

(a) I am a graduate of Cornell University and Harvard Law School;

(b) I served as Inspector General of the U.S. Department of Labor, where I oversaw numerous audits and investigations, and was responsible for investigations into corrupt unions; and

(c) I was the Chief of the Rackets Bureau in the New York County District Attorney's office, which was tasked with investigations and prosecutions of officials, union corruption and organized crime.

1.7 In 1995, I was employed as a Managing Director of Kroll Associates in charge of overseeing monitoring assignments. I was on the faculties of the Cornell, Columbia and New York University Law Schools and ran the Cornell Institute on Organized Crime (**Cornell Institute**) with Professor G. Robert Blakey, the author of the RICO statute. The Cornell Institute conducted scholarly research in the areas of organized crime, labor racketeering and official corruption. Each year the Cornell Institute brought prosecutors and investigators (local, state and, in some cases, federal) from around the country to be trained by us in the investigation and prosecution of those areas of criminal activity.

1.8 In relation to the American Bar Association (**ABA**):

(a) I am a Past Chair of the ABA Criminal Justice Section (**CJS**), the ABA Criminal Justice Standards Committee, and the Task Force on Monitoring Standards and the "Investigative Role of the Prosecutor";

(b) I am a Past Co-chair of the CJS Special ABA Ethics 2000 Committee; and

(c) I previously served as Financial Officer of the CJS for many years.

1.9 I am a Director of the New York Convention ("Javits") Center Operating Corporation, chair its Governance Committee and its Audit Committee, and am a member of its Finance Committee. I also served as a member of the Advisory Board of Project Rise of the International Brotherhood of Teamsters (**Advisory Board**). The Advisory Board sought to institute democratic processes within the union, to rid it of corrupt actors, and to create a culture of honesty and integrity internationally and locally.

1.10 I have lectured, consulted, written and testified as an expert witness on subjects related to organized and white-collar crime, investigative planning, corruption, labor racketeering and corporate integrity.

1.11 In 1992, I was appointed by the Secretary of State for Northern Ireland to serve as his advisor on matters relating to international organized crime and remained in that capacity through to 1994. As part of that assignment, I was asked to consult with the Police Service of Northern Ireland on the investigation of organized crime and corrupt activities.

1.12 My publications related to this assignment are:

On the Origins and Operations of the Independent Private Sector Inspector General Program, NYSBA Government Law and Policy Journal, Vol. 13, No. 2 (Winter 2011), pp 59-63.

Monitors and IPSIGS: Emergence Of A New Criminal Justice Role, 43 Criminal Law Bulletin 217, (2007) [with James B. Jacobs].

Monitoring Integrity and Performance: An Assessment of the Independent Private Sector Inspector General, 9 Public Integrity 117 (2007) [with Frank Anechiarico].

The Prosecutor as Problem Solver, The Center for Research in Crime and Justice of the New York University School of Law, (Occasional Paper Series), 1991.

Corruption and Racketeering in the New York Construction Industry, (The Final Report of the New York State Organized Crime Task Force) New York University Press (1990).

A Blockbuster Trial, 33 Criminal Law Bulletin 565, (1998) [with James B. Jacobs].

"Criminal" Lawyers: The Use of Electronic Surveillance and Search Warrants in the Investigations of Attorneys Suspected of Criminal Wrongdoing, 136 U. of Pa. Law Review 1855 (1988) [with Steven Chananie].

Controlling the Contemporary Loanshark: The Law of Illicit Lending and the Problem of Witness Fear, 65 Cornell Law Review 127 (1980) [with Dan T. Coenen].

"On the Waterfront": RICO and Labor Racketeering, 17 American Criminal Law Review 341 (1980) [with G. R. Blakey].

Rackets Bureaus: The Investigation and Prosecution of Organized Crime, (LEAA Prescriptive Package) (1978) [with G. R. Blakey and C. H. Rogovin].

Grand Jury Examination of the Recalcitrant Witness: Contempt and Perjury, (1976) [editor with G. R. Blakey].

Electronic Surveillance: Two Views, (1976) [editor with G. R. Blakey].

Simulated Investigations with Teacher's Guide and Background Materials.

Complex Narcotics Cases (1989) [with M. Goldsmith].

Labor Racketeering, (1979) [with G. R. Blakey and G. Bradley].

Extortionate and Usurious Credit Transactions, (1978).

Official Corruption, (1977) [with G. R. Blakey].

Theft and Fencing, (1976) [with G. R. Blakey].

Response to your questions

(Referred to in your Letter of Engagement, see Annexure A).

2 Question 1: Labor racketeering and typical features

2.1 I believe that the best way to understand the concept of labor racketeering is through an anecdote reported by Peter Maas in his classic work, The Valachi Papers. It involved Frank Costello, who held the compelling sobriquet, Prime Minister of the Underworld which, more or less, accurately described the power he wielded relating to the mob's influence in a variety of unions and industries.

> [The mobster Frank] Costello's habit was to enjoy the steam baths at a Manhattan hotel in the late afternoon whenever he could. The night manager approached him on one occasion and explained that other clients were expressing some dismay at his presence.

"You mean you don't want me to come here anymore?" Costello said.

"If it were up to me", the night manager said, "you could come all you want. But we have been getting these complaints. You know how some people are."

The next morning none of the hotel's employees—chambermaids, waiters, elevator [operators], maintenance men, kitchen help, and so on reported for work. Eventually the frantic general manager discovered what had happened and immediately telephoned Costello.

"What are you telling me for?" Costello replied. "I don't have anything to do with the unions."

"I know that, Mr. Costello. I was really calling you to say that an unfortunate error was made last night."

"You mean I can use the baths?"

"Anytime you wish, sir."

Within an hour the missing employees were back on the job.

2.2 Labor racketeering is not a single crime; it includes the infiltration, domination, or use of a union for personal benefit, often by members of organized criminal groups or simply by corrupt labor officials. Generally, labor racketeers seek to benefit through theft of union money (whether that be dues or the various welfare or pension funds), through sweetheart contracts (being paid to agree to contract provisions that are more favorable to the contractor than would be obtained through arms-length bargaining) or strike insurance (being paid to not authorize an appropriate strike or not to enforce certain contractual provisions).

2.3 In addition, union power provides the ability to engage in other criminal activities designed to benefit the corrupt official and the official's co-conspirators, such as the control of gambling or criminal usury at the worksite, or the diversion, theft and fencing of construction materials. The ability to compel contractors to hire no or low-show workers can be used to siphon funds to favored mob or union-related individuals or to provide criminals with a seemingly valid source of income. The same union power may also be used to corrupt public officials through illicit payments or by providing such low or no-show jobs to their designees.

2.4 Through the use of sweetheart contracts for favored companies, or the ultra-strict enforcement of contractual provisions against others, union power may also be used to enforce criminal conduct by the contractors and suppliers of goods and services, such as monopolization or bid-rigging. A corrupt union could make it difficult or impossible for an honest company to compete fairly for contracts or to avoid making illegal payments.

3 Question 2: In respect of the OCTF

3.1 *Question 2(a): The OCTF and its establishment*

(a) The OCTF was created in 1970 upon an understanding that while the New York State prosecution function is relegated to the 62 elected County District Attorneys (**DA**) whose jurisdiction is limited to their county lines, organized criminal groups are not hampered by such a jurisdictional concept.

(b) The OCTF was given the authority to investigate multi-county organized crime and to prosecute cases resulting from those investigations with the consent of one of the affected DAs. To avoid political considerations from affecting the work of the office, the Director of the OCTF was to be a joint appointment of the separately elected Governor and Attorney General (and more importantly, could only be removed by their joint decision).

(c) For a variety of reasons, the OCTF never had a permanent director after its first year of existence and, over the next decade, its potential as a serious office languished. When I was appointed in 1981, the New York Times referred to it as a "moribund" organization.

3.2 *Question 2(b): My role with the OCTF*

(a) I was the Director of the OCTF from 1981 to 1994. I came to the job having literally studied organized crime units or "Rackets Bureaus" that existed throughout the United States. The resulting publication of that study authored by G. Robert Blakey, Charles H. Rogovin and I, sought to illuminate the structures and practices that produced the best results and suggested recommendations for deficiencies that continued to exist. With that background, I sought to create a new model for organized crime control.

(b) Following my appointment in 1981, the approach this agency took was dramatically different from anything that had previously existed. At the bottom, no other organized crime control office looked like the re-organized and re-invigorated OCTF. Law enforcement agencies are either investigative (like a police department) or prosecutive (like a DA's office). Commissions and legislative committees hold hearings, issue reports, and propose statutory changes. Still others, such as the New York City Department of Investigation, the Comptroller's Office, and United States Inspectors General, seek to establish internal control and loss prevention measures. The OCTF did all of that; indeed, we did more. We regularly, for example, trained others, conducted research, and developed new approaches to technological problems.

(c) The OCTF created multi-disciplinary teams composed of an attorney, investigator, forensic accountant and tactical analyst with each team assigned to a regional and market assignment (e.g., Energy and Environment, including the carting industry, Narcotics and Dangerous Drugs, Financial Crimes and Schemes, the Construction Industry, etc.).

(d) Each team was required to determine how their efforts could best be utilized to have an impact on their particular area and to produce a mission statement and

strategy paper in support thereof. In doing so, they were to consider not only investigation and prosecution, but the use of civil and non-traditional remedies, hence, an orientation to problem solving rather than incident response.

(e) To support their efforts, there was a team of strategic analysts tasked with analyzing particular industries consisting of a civil forfeiture team, an appeals unit, a technical unit, two permanent investigative units, the OCTF and State Police, and others for particular investigations, and, as needed, academics including economists, historians, sociologists, and statisticians.

3.3 ***Question 2(c): Experience with labor racketeering and corruption in the New York construction industry***

(a) Aside from our normal spate of investigations and prosecutions of mob activity, in or about 1985, New York State Governor Mario M. Cuomo asked me to conduct an inquiry into what appeared to be almost daily journalistic reports of scandals, crime and corruption within the construction industry. To do so, we created a unit within our office which not only used traditional tools for investigation and prosecution, including eavesdropping warrants and the use of Grand Juries to compel testimony from recalcitrant witnesses, but non-traditional approaches (for a law enforcement agency).

(b) We used historians to study the industry as far back as the turn of the 20th century, uncovering legislative reports from the 19-teens, held round-tables of economists who sought to quantify the financial losses to systemic crime and corruption, and used academics in the social sciences to try to explain how previous campaigns against the same problems failed to achieve success. We talked to honest unionists and reformists, and we studied the structure of local unions and how they were able to operate in a variety of illicit ways.

(c) The result, in part, was our final report to the Governor which has been reprinted by New York University Press as academic treatise. Corruption and Racketeering in the New York City Construction Industry, remains the blueprint for understanding why and how the mob (and others before it) was capable of exercising such control and influence. It also laid out proposed solutions for reform, many of which were adopted and were used to change how the industry was able to operate.

3.4 ***Question 2(d): OCTF contribution and control of labor racketeering and corruption in New York construction***

(a) I can look back with pride at what the office produced, some of which is noted in the opening paragraphs of this report (and that it was accomplished with a small staff of less than two persons per New York State County). I also can look back with regret when, after I had left at the end of 1994, the State, under new leadership, merged the OCTF into the Attorney General's Office and abandoned its apolitical nature, structure and the approach we had taken in order to concentrate on increasing the number of arrests, generally related to low level gambling cases. Never again was there electronic surveillance on mob bosses, huge seizures of contraband, analyses of mob-influenced

industries, and innovative approaches adopted by other agencies. Even though State leadership changed once again, the harm was done and the office never returned to being what it was. I include this paragraph as a warning as to the need to permanently institutionalize certain agencies as apolitical and not subject to the whims of the time.

4 Question 3: The conclusions of Varese and Campagna

4.1 I have reviewed the expert reports prepared by Professors Varese and Campagna, and in particular the sections set forth in this question. Assuming the allegations and testimony that each replied upon to be accurate, for the reasons that each sets forth in their analysis of the underlying reports and testimony, I agree with their conclusions that corruption and racketeering exist within the Queensland construction industry and that a major player in the cause of such corruption is the CFMEU. Each often refers to the New York City construction industry, citing books and reports concerning the industry. But it is something that I know personally and intimately and for the reasons set forth in response to Question 4, I believe their analyses to be essentially correct. I also agree with the view that corrupt union officials make use of external criminal groups to engage in acts of racketeering, but that such groups or other criminal organizations do not appear to control the union at this time.

4.2 However, given the apparent Victorian experience with the CFMEU and its connection with certain organized crime figures, control or influence should be a concern that requires constant vigilance and, if necessary, re-evaluation. I base this conclusion on reports I have seen (60 Minutes) which are available in the United States, which contain allegations in which individuals who are alleged to be members of organized crime groups have direct interests in businesses within the construction industry or sell their "services" to those in the industry to ensure the receipt of lucrative contracts.

5 Question 4: Comparisons between Queensland construction and New York Construction and the Waterfront

5.1 Let me begin with an idea expressed a century ago by sociologist John Landesco:

> One reason for the failure of crusades against crime and vice is they ... are seldom or never based on a study of the problem. What is needed is a program that will deal with the crime problem in detail and consecutively, that is, by analyzing the crime situation into its different elements by taking up each crime situation separately and one by one working out a constructive solution.

5.2 For our purposes, industries and unions may be analyzed to determine their racketeering susceptibility and potential in order to create a "constructive solution".

5.3 Racketeering susceptibility reflects the degree to which an industry's structure and organization provide the means and opportunity for racketeers to control or influence critical industry components. For example, the fragility of the construction process means that contractors, suppliers, union officials or inspectors – or anyone who is able to control them – can influence the construction process by threatening costly delay. Conversely, in this highly competitive economic environment, contractors are motivated to reach out to anyone with the ability – through influence or fear, expertise or position – to help them gain an economic advantage by reducing labor costs or eliminating competition. Racketeers are thus, in a unique position to aid the vulnerable and to provide competitive advantages to favored firms.

5.4 Racketeering potential reflects the opportunity for profits that racketeers may gain from exploitation of an industry's susceptibility. Assessing racketeering potential requires an analysis of industry operations to identify such factors as the amount of money that industry's participants can generate and make available to racketeers, and the ability to hide corrupt payments from regulatory and law enforcement agencies. The profitability of racketeering, however, is not measured by monetary rewards alone; there are other advantages that racketeers may obtain which aid them in pursuing other criminal activities. For a number of reasons, construction has a racketeering potential perhaps higher than any other industry.

5.5 While there are clearly some similarities in the New York City construction industry and the industry in Queensland, the differences are quite dramatic. In Queensland, there are only few unions involved in the industry with work sites often in non-urban areas. In New York City alone, there are nearly one hundred building trades local unions with more than one hundred thousand workers. Single jobs must often be undertaken by composite crews comprised of members of different unions who operate under different contracts. Trucks containing supplies and materials may be limited to certain roadways and delayed because of heavy urban traffic. The use of ready mix concrete presents a special problem in that regard. Unless delivered and poured within approximately ninety minutes of being loaded at a batching plant, the concrete can harden in the truck's mixing drum, causing extensive damage to the truck. The necessity to use bridges and tunnels to reach the island of Manhattan requires that huge structural elements be brought to the worksite only at specific times and be immediately utilized due to a lack of storage areas.

5.6 Indeed, in some respects the construction industry in Queensland can more fruitfully be compared to the waterfront industry in the Port of New York. In each case, there is one dominant union which represents most of the industry workers – the CFMEU in Queensland and the ILA (International Longshoremen's Association) in New York. In both cases, intensive capital outlay delay with fixed costs is exceedingly expensive and labor is a critical component in the expeditious completion of the required function or mission.

5.7 Of course, the analogy is not complete, one critical difference being the size of the workforce –fewer than 6,000 persons at the waterfront in the Port of New York with the CFMEU claiming to represent at least 15 times that number in the Queensland construction industry. For example, that difference clearly affects the ability to license each worker operating within the industry as was done by the Waterfront Commission of New York Harbor, the regulatory agency charged, inter alia, with the control of corruption and racketeering within the industry.

5.8 Nevertheless, lessons learned in dealing with both industries in New York, and analogized by Professors Varese and Campagna, mostly through the various publications by the prolific New York University Professor James B. Jacobs (who worked closely with the OCTF), provide some guidance as to what is likely to work in Queensland. I will deal with this in answer to question six below.

6 Question 5: Upon an administrator being removed

6.1 *Question 5(a): What factors tell for and against enduring reform in a union*

(a) The analysis of racketeering susceptibility and potential of a construction union results in the conclusion that both are among the highest that would exist in any industry. The reduction of both requires substantial effort, particularly where the union has had a history of undemocratic practices, a leadership which has a greater interest in securing benefits for themselves at the expense of their membership, and where fear and force has intimidated any reform movement. As is inherent in the question, one means of redeeming a corrupt union is to install an administrator who has the ability to conduct the affairs of the union honestly and for the benefit of the members.

(b) I believe that in the long run, a union in an industry such as construction, can only succeed when there is a cultural shift within both the membership and leadership and there exists a permanent office which has the authority and responsibility to report wrongdoing to the appropriate authorities.

(c) An organization like a union is both a cause and a business, and as it business it requires a compliance program and a compliance officer. But an internal compliance program is only as good as the compliance staff and its ability to control the actors who seek means of evading its requirements.

(d) In a union where the racketeering susceptibility and potential is so high, I am of the opinion that an Office of Inspector General is also required; which can conduct investigations and audits, determine whether the compliance program is effective or requires additions or modifications, and uncover any illegal behavior within or against the union that continues to exist.

(e) A Queensland government office which already exists or which could be created to oversee the construction industry could be the recipient of regular or special reports by the both the Inspector General of the union and the monitors of the various general contractors. The government would thus be alerted to any illegal, unethical activity or violation of governmental contractual provisions. If multiple violations were found to exist on a variety of projects or by different contractors, it may signal the need to modify the particular rule or regulation which was the basis of such violations. That is to say, the program would be not only useful for limiting or uncovering undesirable activities, but also for illuminating practical problems with rules or regulations which, themselves, are the cause of non-compliance.

6.2 *Question 5(b): The prospects of enduring reform upon the removal of an administrator without other controls being in place*

(a) There are, in fact, situations in which the removal of a corrupt unionist (or small group of corrupt unionists) who have been able to exert influence over a union in an historically legitimate industry, with, or without, the imposition of an administrator is sufficient to restore democratic processes and successfully resist future corrupt activities. However, in situations in which corruption susceptibility and potential remain high, where there has been a historical loss of democratic rights, the mere imposition of an administrator is helpful but insufficient to protect against future problems of the type that led to such action. What is required is the institution of permanent programs designed to protect membership rights, fair elections free from coercion and intimidation, the equitable assignment of work and pay, and a mechanism to alert law enforcement in the event of non-compliance. I address what I believe to be minimum safeguards in the "Recommendations" section below.

7 Question 6: Recommendations

(a) It should be clear from the answers to the previous questions, what actions, activities, and programs I believe worked to control corruption and racketeering in the New York City construction industry. I use the word "control" purposefully rather than the words eliminate or eradicate since, in the first instance, such a result is probably not possible, but maybe more importantly, any attempt to do so by the imposition and enforcement of an exhaustive set of internal controls would result in an unacceptable interference with the construction process. My experience as Inspector General of the U.S. Department of Labor, among other positions, has imbued within me the notion that often policies and procedures instituted to stop bad people from doing bad things, results in stopping good people from doing good things and may preclude them from entering the industry.

(b) Hence, I believe that every approach that is considered as a means of reducing crime and corruption must be analyzed to determine what, if any, deleterious effect it might have on the production of goods and services that are necessary, particularly when, as here the government has to be concerned with the existence of strict timelines. Thus the recommendations that I offer here are those which have proven their value without undue interference nor the creation of burdensome requirements which may often lead to the encouragement of violations in order to accomplish necessary tasks.

(c) I believe that the CFMEU in Queensland is in need of cultural and structural reform which should be designed to outlast the imposition of a temporary administrator. That requires, at a minimum, routine education programs for the membership as to their rights and responsibilities including sections on proper relationships with fellow workers, including racial and sex-based conduct and the penalties for violations of those norms. Individuals should be made aware of the procedures designed to support a democratic union with contested elections, campaigns free of intimidation or fear, private voting, and transparency in the determination of election outcomes.

(d) Those who hold positions of authority within the union whether elected or appointed, and those who seek those positions, should be required to undergo, and cooperate with, comprehensive background and financial checks, and such

cooperation is to include the completion of carefully created questionnaires designed to disclose questionable associations or other disqualifying interests.

(e) A compliance office within the union should have the responsibility of creating such programs, policies, and procedures and overseeing their implementation. In addition, an Inspector General (or similarly named office with appropriate staff) could receive and investigate complaints of bias, violation of works rules, abuse of office, corruption or matters that affect the integrity of union operations. The Inspector General would also be tasked with determining the efficacy of the compliance programs and to ensure that the union itself is not victimized by internal or external actors.

(f) Notably, both Professors Varese and Campagna mention the Racketeer Influenced and Corrupt Organizations Act, widely known as RICO, as a means of prosecuting bad actors in the industry. Indeed, RICO is also an aid in investigating such criminality. I agree that such investigation and prosecution is necessary, but is not sufficient, to resolving the issues long term. That is because the racketeering susceptibility and potential remains, and there can be no ultimate success without reducing both.

(g) One method of doing so was the idea of adapting the Inspector General concept at the United States federal level to private sector government contractors. The federal Inspectors General were charged with reducing waste, abuse, and fraud and promoting economy, efficiency, and effectiveness in the relevant agency and its programs. A private Inspector General would do the same in order to prevent fraud on public construction projects, including contractors' fraud against the government, employees and other firms and to protect the contractor's victimization by corrupt union activity or other types of fraud and corruption.

(h) Thus general contractors could be required to hire an IPSIG or Integrity Monitor with legal, forensic accounting, investigative, analytic, engineering and ancillary skills, the role of which would be to ensure compliance with relevant laws and regulations and to deter, prevent, uncover and report unethical and illegal conduct by, within and against the organization.

(i) Where the culture of the organization is primarily legitimate, the IPSIG may, in addition to the prevention and control of illegal or unethical conduct, be a major participant with management in enhancing the economy, efficiency and effectiveness of the organization. Where the culture is primarily illegitimate and hostile to change, the IPSIG's role may be essentially adversarial, limited to instituting internal controls and monitoring organizational activities. In any event, the monitor would have access to all of the records or the organization and to its management and employees. In the case of public construction, such a requirement could be easily achieved through contract provisions.

(j) Extortive behavior by a malevolent union or other coercive actor would thus be curtailed by the likelihood of the wrongdoing being exposed and reported to the appropriate authorities. As a part of its activities, the IPSIG would do background checks on individuals being hired or serving in sensitive positions

and would ensure that compliance programs were comprehensive and effective.

(k) In my opinion, the use of IPSIGs or Integrity Monitors has been the most successful method of reducing racketeering susceptibility and potential in a cost-effective method and one that does not materially interfere with the speed or efficiency of the construction process.

(l) I should also add the licensing of certain businesses upon a showing of good character of the principals and the lawful operations of the organization has also proven to be a valuable method of ridding the industry of bad actors.

(m) I also believe Queensland should create an, or utilize an existing, office which would undertake comprehensive background checks on the corporate ownership and control of the major contractors who receive government contracts. Only those whose owners are of good character and companies who do not have a history of bad conduct should be permitted to participate in public construction. Where there are questions concerning the fitness of a company, the IPSIG or Integrity Monitor program (see above and below), should prove valuable.

(n) I am not familiar with, nor certainly not an expert, on the criminal law and procedure within Australia, both in general and in Queensland, in particular (although I do have some acquaintance with those of England and Northern Ireland), so I am not in a position to recommend specific changes at this time. I can say, however, that the RICO statute (previously mentioned) which allows for the charging and proof in court of the defendant's commission of a series of related crimes which are committed in connection with membership or association with a criminal organization or even legitimate enterprise (such as a union) or the illegal use of criminal proceeds to invest in an enterprise, has proven very useful in dealing with organized crime and corruption in the United States.

(o) Not only can the jury be made aware of the full scope of the defendant's activities and connection to a criminal group or union but the penalties for violation of RICO are substantial. Moreover, RICO allows for forfeiture of criminal proceeds, but also of any interest in the enterprise. RICO also permits, and indeed, encourages, the use of civil remedies including those designed to eliminate the vulnerabilities which gave rise to the RICO violations. Thus, in thinking about the potential remedies, investigators may approach investigations in a broader manner with aims that go further than just the indictment and conviction of individuals who might just otherwise be replaced, sometimes, by more effective criminals. RICO also provides a private right of action by individuals injured in their persons or property by reason of a RICO violation with a statutory recovery of treble damages and attorneys' fees.

(p) Without any question, I am convinced that the single most effective means of discouraging corruption and racketeering in the construction industry is the use of the IPSIG or Integrity program. Discussed in detail above, it has proven to be highly successful in not only controlling corruption and helping

to reform a troubled industry, but uncovering illegal activities which have become the basis for numerous government investigations and prosecutions.

(q) The IPSIG's tasks are to:

(i) monitor, investigate and analyze the business and operations of the host organization;

(ii) determine where fraud and other illegalities (including violations of relevant law and regulations by or against the host organization) are occurring or likely to occur;

(iii) determine whether waste and abuse are occurring or likely to occur;

(iv) report violations of law and regulations in conformity with appropriate standards;

(v) devise internal controls to counteract problems thus identified; and

(vi) monitor the implementation of those solutions.

(r) The relationship between the IPSIG skill areas is symbiotic. In other words, the investigative and auditing functions generate information for the purpose of legal and loss prevention analysis, which identifies violations of law and regulations and formulates strategies and procedures to prevent future illegalities, abuse and inefficiencies. The implementation of these strategies and procedures are then monitored by the investigators and auditors.

(s) The IPSIG thus serves to make a good organization better or change the ethical culture of an entity in need of that change. Corporations may use IPSIGs affirmatively to ensure that they are not defrauded or exploited by others, particularly in industries which have had a history of corruption and racketeering. An IPSIG may serve as a mechanism to prevent the corporation from being extorted by commercial entities and corrupt public officials, and to ensure that it receives the goods and services for which it has contracted.

(t) As noted earlier, monitoring could be made mandatory for major public construction projects. Although its services are paid for by the organization, the monitor would be independent with dual reporting responsibilities - in this case, to the Monitoring Oversight Office or a specified law enforcement agency and the company. Such a requirement would not be unprecedented. For example, my understanding is that the Australian Securities and Investments Commission (**ASIC**) requires publicly held corporations to comply with extensive regulations and procedures and to hire outside certified public accountants to provide periodic audits. Of course, some of that cost may be passed on to the governmental contracting agency, but the amount that would be saved in the reduction of waste, abuse, and fraud, would dwarf any such additional expenditure.

(u) Moreover, as the Monitoring Oversight Office receives regular reports from the Monitor, trends in malfeasance, problems with certain regulations, common indications of criminal activity, and other beneficial information

might flow to the government actors and used to improve both the contracting process and provide leads to law enforcement.

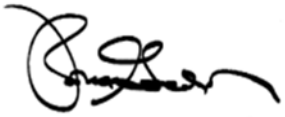
(v) There are a significant number of companies that could be certified as monitors by an appropriate government office (referred to hereafter as a generic Monitoring Oversight office) once they have demonstrated access to the relevant disciplines and the ability to carry out the duties inherent in the monitor role. Potential Private Inspectors General include multinational accounting firms, international monitoring firms, and international investigative firms. Indeed, a number of law firms with international offices who have partners with previous monitoring experience have applied for such work.

(w) Clearly, some contractors might seek to hire the least aggressive or least competent IPSIG, and some IPSIGs would find it in their long-term interest to be accommodating to those who offer the prospect of future work. Nevertheless, similar concerns have not made ineffective ASIC regulations involving corporations' relationships with privately retained certified public accountants. If inappropriate patterns of hiring occur, a contractor might be required to use a particular or randomly selected IPSIG instead of the one currently in place. Monitors would of course find it in their self interest not to be found incompetent or ineffective and thus be deprived of their certification to operate on government contracts.

(x) I end with what I consider to be an illuminating anecdote coming from the clean-up of the World Trade Center site after the 9/11 tragedy. Four emergency contracts were issued to four general contractors; each was to truck out debris from a specified quadrant of the site. Payment was in part based on the number of trucks that made the trip from the site to the designated area on Staten Island. IPSIGs were assigned only after the work had been started and each soon realized that the trucks were leaving the site only partially full and others were diverting valuable scrap metal. An intercepted conversation from a mob owner of one of the trucking companies disclosed his frustration that these “damned people (the monitors)” were ruining his business.

Declaration

I confirm that the opinions in this Independent Expert Report are my own genuine, independent and impartial opinion.



Ronald Goldstock

Date: 16 September 2026

Annexure A: Letter of Engagement

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

Mr Ronald Goldstock

By email: [redacted]

Without prejudice and subject to legal privilege

14 July 2026

Dear Ron,

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

1. We act for the *Commission of Inquiry into the CFMEU and Misconduct in the Construction Industry* (**Commission**), established by the Queensland Government pursuant to the *Commissions of Inquiry Act 1950* (Qld) under the *Commissions of Inquiry Order (No.2) 2025* (Qld).[1]

Misconduct & terms of reference

2. The CFMEU (or **Union**) is a union that has engaged in various forms of misconduct. Between 2019 and 2024 the CFMEU and its officers were found to have contravened federal industrial laws on at least 1,163 occasions and were fined more than $10.6 million. At least 25 of those breaches occurred in Queensland, drawing penalties of $4.57 million on the Union and approximately $1 million on the individuals involved in those contraventions.[2]
3. In one case, the now Chief Justice of the Federal Court of Australia found that the only available inference from the number of contraventions perpetrated by the CFMEU and its officers was that there was "a conscious and deliberate strategy" to engage in disruptive, threatening and abusive behaviour, with those responsible "impervious to the prospect of prosecution and penalties".[3]
4. Due to significant concerns about the Union's misconduct, both the Australian federal government, and under a separate state-based regime the Queensland state government, placed the CFMEU under the control of an externally appointed administrator. Placing the Union into administration had the effect of removing the officeholders who had until that time controlled the Union.
5. The Commission is inquiring into the Union's misconduct, more particularly described in the Commission's terms of reference enclosed with this letter.
6. Relevantly, the terms of reference direct the Commission to make a "full and careful inquiry" into evidence and allegations of CFMEU misconduct including, inter alia, the involvement of organised crime or other criminal elements.

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[1] https://www.cfmeuinquiry.qld.gov.au/.
[2] Commission of Inquiry — Day 1 Transcript, 1 October 2025 (PDF). https://www.cfmeuinquiry.qld.gov.au/__data/assets/pdf_file/0004/883624/20251001-final-transcript-commission-of-inquiry-into-the-cfmeu-day-1.pdf
[3] *Director of Fair Work Building Industry Inspectorate v Construction, Forestry, Mining and Energy Union* (CFMEU) (No 2) [2016] FCA 436 (Mortimer J), [140].

7. The Commission's purpose is in part to identify and make recommendations to the Queensland government for reform. The Commission may also refer matters to existing prosecutorial and regulatory bodies where appropriate.

Report & evidence

8. We wish to retain you to prepare an independent expert report answering the questions set out later in this letter.
9. Your report is intended to be produced in open hearing before the Commission. We anticipate that will occur on Thursday, 29 October 2026.
10. You will need to be available to present the report and answer questions about it. You may be subject to questioning about your opinions by other interested parties, although questioning is only allowed at the Commissioner's discretion.
11. In your report, please:
    (a) include a summary at the beginning of the report of your expertise and your answers to the questions;
    (b) state or refer to any assumptions you have made;
    (c) provide detailed reasoning identifying any methodology or body of expertise, and any information or evidence you have relied upon, in formulating your opinions in answer to the questions in the body of the report;
    (d) include a copy of your curriculum vitae, provide any more detailed explanation of your expertise necessary to explain the basis upon which you have provided answers to the questions, and identify any people and their qualifications who have assisted in the preparation of the report;
    (e) include a copy of this letter of instructions.

Background: Union structure and statutory governance regime

12. The CFMEU is, relevantly, in Queensland comprised of two separately registered organisations, albeit they are organised along similar lines and with the same officeholders.

    They are:

    (a) the Construction, Forestry, Maritime, Mining and Energy Union (**CFMEU**) registered under the *Fair Work (Registered Organisations) Act 2009* (Cth); and
    (b) the Construction, Forestry, Mining and Energy, Industrial Union of Employees, Queensland (**CFMEUQ**) registered under the *Industrial Relations Act 2016* (Qld).

13. The principal laws and regulations governing the Union are:
    (a) *Fair Work (Registered Organisations) Act 2009* (Cth);
    (b) *Fair Work (Registered Organisations) Regulations 2009* (Cth);
    (c) *Fair Work (Registered Organisations) (Transitional Provisions) Rules 2017* (Cth); and
    (d) *Industrial Relations Act 2016* (Qld).

14. An example of an organisational chart depicting the Union officeholders and relevant structures is enclosed with this report.
15. In addition to the laws and regulations above, the Union has rules (given statutory force) which it must act in accordance with. Copies of examples of the rules in force at some of the relevant times between 2015 and 2025 is included in the index of documents with this letter.

Publicly reported allegations of misconduct

16. When it comes to construction, in particular civil construction projects in Australia, there are various unions that have coverage of workers. 'Coverage' is a function of union rules. Union rules (which are registered with and regulated by the relevant regulator, the Fair Work Commission) identify the type of workers who can be members of the particular union by their job, or occupation (their 'calling') and/or industry of their employer. In civil construction in Australia, the CFMEU has coverage of some workers on the basis of their calling (for instance, crane drivers and carpenters); the Communications, Electrical, Electronic, Energy, Information, Postal, Plumbing and Allied Services Union of Australia (**CEPU**) covers plumbing and electrical workers; and the Australian Workers Union (**AWU**) has an industry coverage rule allowing it to represent all employees of employers engaged in the civil construction industry.
17. A union that has the majority number of workers within the scope of the enterprise agreement is able to make a 'Greenfields' enterprise agreement. This is an agreement made with a union directly, without the need of approval ballot from employees, and prior to the work commencing.
18. By way of further background, the Commission has heard evidence of an apparent 'turf war' between the CFMEU and the AWU on civil construction projects in Queensland. To this end, please see attached the witness statement of Ms Stacey Schinnerl at paragraphs 16-17 (see attached Document 29) and the Commission of Inquiry Day 6 Transcript[4] (see attached Document 30). To be clear, this evidence remains untested.
19. At the end of this letter is a table summarising some significant allegations the Commission has uncovered to date, as reported in open source media. Please note, such allegations remain untested.
20. These matters are relevant background to the type of activity the Union is alleged to have engaged in from at least 2015 onwards.
21. It is worth noting that unions can organise, and employees, can take industrial action[5] lawfully when it is in pursuit of an enterprise bargaining agreement. This is called 'protected industrial action' in that it is immune from legal redress. Once an enterprise agreement is made, then industrial action is not protected and is therefore not immune from legal redress for the nominal life of the enterprise agreement, which can be up to four years. Once an enterprise agreement passes its nominal life (as set out in its terms), a new agreement can

[4] TN 578 ln 5-21; TN 582 ln 31 – TN 584 ln 6; TN 591 – TN 592; TN 593 ln 1-30.
[5] As at the definition of 'industrial action', see paragraph 23 below.

be negotiated and therefore replaced, and there is once again the ability to take protected industrial action in pursuit of it.

22. In Australia, there are various torts that have been colloquially termed 'industrial torts' which are unlawful. They include: unlawful picketing (where the ingress and egress to a site is blocked, thereby interfering with contractual relations between suppliers and customers, employees and employers); intimidation (where unlawful threats are used to coerce a person into acting, or refraining from acting, in a particular way); and conspiracy by unlawful means (where two or more persons combine to use unlawful conduct to cause economic harm to another party). Such tortious conduct is unlawful when it falls within the definition of industrial action under section 19 of the *Fair Work Act 2009* (Cth) and is 'protected'.

23. Per section 19 of the *Fair Work Act 2009* (Cth), 'industrial action' is defined as:

(1) Industrial action means action of any of the following kinds:

(a) the performance of work by an employee in a manner different from that in which it is customarily performed, or the adoption of a practice in relation to work by an employee, the result of which is a restriction or limitation on, or a delay in, the performance of the work;

(b) a ban, limitation or restriction on the performance of work by an employee or on the acceptance of or offering for work by an employee;

(c) a failure or refusal by employees to attend for work or a failure or refusal to perform any work at all by employees who attend for work;

(d) the lockout of employees from their employment by the employer of the employees.

(2) However, industrial action does not include the following:

(a) action by employees that is authorised or agreed to by the employer of the employees;

(b) action by an employer that is authorised or agreed to by, or on behalf of, employees of the employer;

(c) action by an employee if:

(i) the action was based on a reasonable concern of the employee about an imminent risk to his or her health or safety; and

(ii) the employee did not unreasonably fail to comply with a direction of his or her employer to perform other available work, whether at the same or another workplace, that was safe and appropriate for the employee to perform.

(3) An employer locks out employees from their employment if the employer prevents the employees from performing work under their contracts of employment without terminating those contracts.

Commission hearings and transcript

24. Should you wish to refer to any of the hearings or transcripts of the Commission's hearings to date, they are available here: ttps://www.cfmeuinquiry.qld.gov.au/hearings.

Opinion requested

25. In light of the background information set out in this letter, based on your field of expertise and knowledge, please set out:
    (a) your career history and expertise; and
    (b) Identify journal articles, books any other writings on corruption and racketeering in the New York construction industry.
26. Please provide your opinion in response to the following questions:

Question 1

27. How do you describe labour racketeering and what are its typical features?

Question 2

28. In respect of the Organised Crime Task Force (**OCTF**) please explain:
    (a) What the body is and why it was established?
    (b) What was your role?
    (c) What were your experiences with labour racketeering and corruption in the NY construction industry?
    (d) What contribution did the OCTF make to the control of labour racketeering and corruption in the NY construction industry?

Question 3

29. Having regard to the material attached, please read the opinions and consider and comment on conclusions reached by Varese at paragraphs 39-52 and 53-58 (see attached Document 31) and Campana 4.9-4.10 and 4.11-4.20 (see attached Document 32)

Question 4

30. Having regard to material attached, what comparisons do you make, if any, with corruption and labour racketeering in the New York construction industry and on the waterfront.

Question 5

31. Upon an Administrator (or in the case of the United States, a Trustee) of a union being removed, and thereby allowing for a return to the regime of pre- Administration governance:
    (a) what factors tell for and against enduring reform within a union; and
    (b) how you regard the prospects of enduring reform without other controls being in place?

Question 6

32. What recommendations do suggest as to any reforms that may be adopted by the State of Queensland in respect of its construction industry.

Index of documents

33. At the end of this letter is an index of documents provided for your consideration.

Without prejudice

34. When you provide your report, please mark it “without prejudice and subject to legal privilege”.

Further information and queries

35. If you require further information or have any queries, please contact the writer.

Yours faithfully

Chris Gardner

Partner | Seyfarth Shaw Australia

Lawyers for Commission of Inquiry

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

M: [redacted]

E: [redacted]

Index of Documents

No.	Document	Date
Rules		
1.	Rules of the Construction, Forestry and Maritime Employees Union (Federal)	As at 1 January 2024
2.	Rules of the Construction, Forestry and Maritime Employees Union, Construction and General Division and Construction and General Divisional Branches (Federal)	As at 1 January 2024
3.	Rules of the Construction, Forestry, Mining & Energy, Industrial Union of Employees, Queensland (State)	As at 16 April 2024
Office Holder Records		
CFMEU (Federal)		
4.	Record of Office Holders	2015
5.	Record of Office Holders	2016
6.	Record of Office Holders	2017
7.	Record of Office Holders	2018
8.	Record of Office Holders	2019
9.	Record of Office Holders	2020
10.	Record of Office Holders	2021
11.	Record of Office Holders	2022
12.	Record of Office Holders	2023
13.	Record of Office Holders	2024
14.	Record of Office Holders	2025
CFMEUQ (State)		
15.	Register of Officers	2015

16.	Register of Officers	2016
17.	Register of Officers	2017
18.	Register of Officers	2018
19.	Register of Officers	2019
20.	Register of Officers	2020
21.	Register of Officers	2021
22.	Register of Officers	2022
23.	Register of Officers	2023
24.	Register of Officers	2024
25.	Register of Officers	2025
Miscellaneous		
26.	*Commissions of Inquiry Order (No.2) 2025* (Qld)	1 August 2025
27.	Aide-mémoire: Structure of the CFMEU and CFMEUQ	Undated
28.	Aide Memoire – Evidence of Control of Subcontractors	4 June 2026
29.	Exhibit SLS-1: Witness statement of Stacey Schinnerl	28 November 2025
30.	Transcript Day 6: Week Two Day Three	4 December 2025
31.	Expert Report: Professor Federico Varese	13 June 2026
32.	Expert Report: Professor Paolo Campana	13 June 2026

Publicly reported significant instances of wrongdoing or questionable conduct

The following table summarises publicly reported significant instances of wrongdoing or questionable conduct attributed to the CFMEU / CFMEUQ as identified through evidence given to, or counsel-assisting submissions made before, the Queensland Commission of Inquiry.

#	Allegation / Conduct	Key Persons / Entities	Description / References	When Aired
1	"Cancer of violence"; running the Qld branch as a personal "fiefdom"	Michael Ravbar; Jade Ingham	Administrator Mark Irving KC told the Inquiry the pair "ruled" the Queensland branch unchallenged for 15 years without an election, and that violence — not organised crime — was the chief "cancer". Irving flagged moves to expel them from the union. *References*: ABC News — "Alleged violence within the CFMEU a 'cancer', administrator tells Queensland inquiry", 20 November 2025. https://www.abc.net.au/news/2025-11-20/cfmeu-inquiry-queensland-alleged-violence-cancer-administrator/106032804 The Nightly — "CFMEU paid $40 million-$50 million into the wrong account, corruption inquiry told", 20 November 2025. https://thenightly.com.au/australia/cfmeu-paid-40-million-50-million-into-the-wrong-account-corruption-inquiry-told-c-20736635	Block 1, 19–20 Nov 2025
2	$40–50 million in members' dues paid to the wrong (state-registered) entity	Ravbar; Ingham; Qld branch	An "extraordinary" 2020 services agreement allegedly diverted ~$10 m a year from the federal division to a state-registered entity, breaching union rules and industrial law and disenfranchising 15,000–18,000 Qld members from elections (only 163 NT members eligible to vote). Funds allegedly used to acquire properties. *References*:	20 Nov 2025

#	Allegation / Conduct	Key Persons / Entities	Description / References	When Aired
			The Nightly — "CFMEU paid $40 million-$50 million into the wrong account, corruption inquiry told", 20 November 2025. https://thenightly.com.au/australia/cfmeu-paid-40-million-50-million-into-the-wrong-account-corruption-inquiry-told-c-20736635 ABC News — "Five key moments from the first hearings of the Queensland CFMEU inquiry", 23 November 2025. https://www.abc.net.au/news/2025-11-23/qld-cfmeu-commission-of-inquiry-five-key-moments/106035616	
3	$3 million transferred from union accounts in the 24 hours before federal administration	Qld branch officials	Irving recovered the funds, fearing they would be "used to campaign against the administration". *References*: The Nightly — "CFMEU paid $40 million-$50 million into the wrong account, corruption inquiry told", 20 November 2025. https://thenightly.com.au/australia/cfmeu-paid-40-million-50-million-into-the-wrong-account-corruption-inquiry-told-c-20736635	20 Nov 2025
4	"Coercive control" of witnesses during the Watson investigation	Ingham; current officials; "a relative of Mr Ingham later charged with murder"	Union officials interviewed by Watson SC were driven to the interviews by an Ingham relative facing a murder charge; recordings of the interviews were given to the driver and likely passed back to Ingham. *References*: The Nightly — "CFMEU paid $40 million-$50 million into the wrong account, corruption inquiry told", 20 November 2025. https://thenightly.com.au/australia/cfmeu-paid-40-million-50-million-into-the-wrong-account-corruption-inquiry-told-c-20736635	20 Nov 2025
5	Campaign of violence and	CFMEU organisers; AWU Qld Secretary	Inquiry shown video of CFMEU members surrounding AWU organiser Jamie McQueen at Cross River Rail, showing him a weapon and deflating his tyres; vandalism of an AWU vehicle in Schinnerl's secure car park; verbal threat that "if I	Block 2, 2–4 Dec 2025

#	Allegation / Conduct	Key Persons / Entities	Description / References	When Aired
	intimidation against the AWU ("turf war")	Stacey Schinnerl (victim)	raised my head, it would be knocked off". Schinnerl told the Inquiry she perceived this as a threat to her life. *References*: ABC News — "CFMEU inquiry hears rival union boss Stacey Schinnerl held meeting with police commissioner", 3 December 2025. https://www.abc.net.au/news/2025-12-03/qld-cfmeu-inquiry-awu-qcu-queensland-police/106089924 ABC 7.30 — "CFMEU inquiry hears allegations of intimidation and death threats", 4 December 2025. https://www.abc.net.au/news/2025-12-04/cfmeu-inquiry-hears-allegations-of-intimidation-/106103028 The Nightly — "Australian Workers' Union leader Stacey Schinnerl warned she wasn't safe at building site after CFMEU threats", 2 December 2025. https://thenightly.com.au/politics/australia/australian-workers-union-leader-warned-she-wasnt-safe-at-building-site-after-cfmeu-threats-c-20864501	
6	Verbal abuse of Schinnerl in front of her teenage son on Labor Day 2023	Unidentified CFMEU member; CFMEU leader "watched on"	A CFMEU member reportedly leaned past Schinnerl as if to reach her child and called her a "grub" who "sells out" workers. *References*: ABC News — "Queensland CFMEU member allegedly harassed rival union boss in front of son", 3 December 2025. https://www.abc.net.au/news/2025-12-04/cfmeu-inquiry-awu-leader-harassed-stacey-schinnerl/106101048	3 Dec 2025
7	"$1 million" plan to take over and absorb	CFMEU leadership	Inquiry told the CFMEU was prepared to spend up to $1 million to "take down" the AWU as it expanded into civil construction.	4 Dec 2025

#	Allegation / Conduct	Key Persons / Entities	Description / References	When Aired
	the AWU in Queensland		*References*: ABC 7.30 — "CFMEU inquiry hears allegations of intimidation and death threats", 4 December 2025. https://www.abc.net.au/news/2025-12-04/cfmeu-inquiry-hears-allegations-of-intimidation-/106103028	
8	Centenary Bridge blockade and violent brawl	CFMEU members vs project contractor	Cited as an emblematic "showcase of militant" CFMEU conduct and the site of multiple violent incidents during the bridge-duplication project. *References*: ABC 7.30 — "CFMEU inquiry hears allegations of intimidation and death threats", 4 December 2025. https://www.abc.net.au/news/2025-12-04/cfmeu-inquiry-hears-allegations-of-intimidation-/106103028	Block 2, Dec 2025
9	Trackers placed on construction workers' vehicles	CFMEU on a major Brisbane project	Workers reported feeling unsafe after discovering tracking devices fitted to their cars at a major Brisbane project. *References*: 7News Mackay (Facebook) — "Construction workers felt unsafe after finding trackers in their cars", 2 December 2025. https://www.facebook.com/7NEWSMackay/videos/claims-construction-workers-felt-unsafe-after-finding-trackers-in-their-cars/4361248927484735/	Dec 2025
10	Alleged MOU between CFMEU and a Queensland police "association" to keep police out of industrial disputes	CFMEU; Qld Police Association (denied)	Watson SC said he had seen a copy of a memorandum allegedly directing officers not to intervene in construction disputes even where violence occurred. The Queensland Police Union of Employees "vehemently denied" the existence of any such agreement. *References*:	19–20 Nov 2025

#	Allegation / Conduct	Key Persons / Entities	Description / References	When Aired
			The Nightly — "CFMEU paid $40 million-$50 million into the wrong account, corruption inquiry told", 20 November 2025. https://thenightly.com.au/australia/cfmeu-paid-40-million-50-million-into-the-wrong-account-corruption-inquiry-told-c-20736635 ABC News — "Five key moments from the first hearings of the Queensland CFMEU inquiry", 23 November 2025. https://www.abc.net.au/news/2025-11-23/qld-cfmeu-commission-of-inquiry-five-key-moments/106035616	
11	"Regulatory capture" of Workplace Health and Safety Queensland	Former WHSQ Director Helen Burgess; CFMEU	Counsel assisting Patrick Wheelahan KC alleged Burgess was the "conduit" between the union and the regulator — directing inspectors to prioritise CFMEU complaints, helping CFMEU officials enter sites without legal authority, and pressuring inspectors to issue notices on the union's behalf. Wheelahan called it "a form of institutional corruption". *References*: ABC News — "CFMEU inquiry hears Workplace Health and Safety Queensland was 'captured'", 10 March 2026. https://www.abc.net.au/news/2026-03-10/qld-cfmeu-inquiry-workplace-health-safety/106435286 AAP News — "Safety inspectors 'bullied and abused' by CFMEU", 9 March 2026. https://aapnews.aap.com.au/news/safety-inspectors-bullied-and-abused-by-cfmeu	Block 4, 10 Mar 2026
12	"Hit list" of WHSQ inspectors targeted for removal	Burgess; CFMEU; Principal Inspector David Cappelletti (witness)	Cappelletti testified the union, through Burgess, maintained a list to "weed out" inspectors who refused to comply with CFMEU demands; he was on it. *References:* ABC News — "Queensland inquiry into CFMEU hears union had 'hit list' of inspectors", 15 April 2026. https://www.abc.net.au/news/2026-04-15/queensland-cfmeu-commission-of-inquiry-hit-list/106567730	15 Apr 2026

#	Allegation / Conduct	Key Persons / Entities	Description / References	When Aired
13	WHSQ inspectors so frightened they issued cease-unsafe-work orders against their own workplace	WHSQ inspectors; CFMEU organiser Matt von Stieglitz (named in evidence)	Inspectors filmed and humiliated on the union's social media effectively shut themselves out of sites for safety reasons. *References*: ABC News — "CFMEU inquiry hears Workplace Health and Safety Queensland was 'captured'", 10 March 2026. https://www.abc.net.au/news/2026-03-10/qld-cfmeu-inquiry-workplace-health-safety/106435286 AAP News — "Safety inspectors 'bullied and abused' by CFMEU", 9 March 2026. https://aapnews.aap.com.au/news/safety-inspectors-bullied-and-abused-by-cfmeu	9–10 Mar 2026
14	Undisclosed conflict of interest at WHSQ	Burgess; CFMEU delegate; Burgess's stepson Nathan Williams	Sarina Wise told the Inquiry that Burgess was in a de facto relationship with a CFMEU delegate and had hired the delegate's son (Williams) as an inspector — neither relationship disclosed; Williams was assigned to a high-risk projects team. *References*: ABC News — "Queensland inquiry into CFMEU hears union had 'hit list' of inspectors", 15 April 2026. https://www.abc.net.au/news/2026-04-15/queensland-cfmeu-commission-of-inquiry-hit-list/106567730	15 Apr 2026
15	14-inspector CCC complaint against Minister Grace Grace alleging she allowed CFMEU "unprecedented influence" over WHSQ	Grace Grace MP	The Crime and Corruption Commission declined to act, finding no criminal offence; complaint lodged in 2022 was aired in evidence. *References*: ABC News — "CFMEU inquiry hears Workplace Health and Safety Queensland was 'captured'", 10 March 2026. https://www.abc.net.au/news/2026-03-10/qld-cfmeu-inquiry-workplace-health-safety/106435286 AAP News — "Safety inspectors 'bullied and abused' by CFMEU", 9 March 2026. https://aapnews.aap.com.au/news/safety-inspectors-bullied-and-abused-by-cfmeu	9–10 Mar 2026

#	Allegation / Conduct	Key Persons / Entities	Description / References	When Aired
16	Threat to cancel a developer's contract on the $1.6b Toowoomba Second Range Crossing unless they "worked with the CFMEU"	Grace Grace; Nexus Infrastructure (Jose Sanchez, Enrique Gomez); then-Transport Minister Mark Bailey present	Counsel assisting alleged Grace took control of a February 2018 meeting and threatened contract termination. Nexus subsequently withdrew its QIRC action against the CFMEU and WHSQ. Grace says she will respond when called. *References*: ABC News — "Former Queensland industrial relations minister Grace Grace allegedly threatened developers", 22 April 2026. https://www.abc.net.au/news/2026-04-22/qld-cfmeu-inqury-hears-minister-threatened-developers/106592292 Yahoo News / AAP — "'Shocking': ex-minister accused of threat to contractor", 22 April 2026. https://au.news.yahoo.com/shocking-ex-minister-accused-threat-065533449.html 7News Queensland (Facebook) — "Shadow Minister facing calls to resign following allegations at the CFMEU inquiry", 23 April 2026. https://www.facebook.com/7NEWSQld/videos/a-shadow-minister-is-facing-calls-to-resign-following-allegations-at-the-cfmeu-i/1288527862773121/	22–23 Apr 2026
17	Storming of the Commonwealth Parliament Offices, Brisbane	~200 CFMEU members; Ingham	A glass door was smashed and a security guard knocked to the ground; the QTRIP/Fair Work Ombudsman briefing was abandoned. Premier Palaszczuk called the conduct "disgraceful". Ingham brushed it off, suggesting "the crack was probably already in the glass" and blaming "foreigners". *References*: Geoffrey Watson SC, "Violence in the Queensland CFMEU", 17 June 2025 (redacted PDF tendered to the Inquiry). https://www.cfmeuinquiry.qld.gov.au/__data/assets/pdf_file/0008/875321/watson-g-report-redacted.pdf ABC News — "CFMEU report author Geoffrey Watson SC questioned at inquiry", 23 April 2026. https://www.abc.net.au/news/2026-04-23/qld-cfmeu-leaders-lawyers-appear-at-inquiry/106597846	Tendered; cross-examined 23 Apr 2026

#	Allegation / Conduct	Key Persons / Entities	Description / References	When Aired
18	Sexist and abusive conduct directed at female ministers and women on sites	Ravbar; CFMEU members	Signs reading "Flush Labor Down the Toilet" — formed using tampons — placed on the women's bathroom door near a female minister's office. Relentless verbal abuse of one minister required a police-recommended security upgrade. *References*: Geoffrey Watson SC, "Violence in the Queensland CFMEU", 17 June 2025 (redacted PDF tendered to the Inquiry). https://www.cfmeuinquiry.qld.gov.au/__data/assets/pdf_file/0008/875321/watson-q-report-redacted.pdf ABC News — "The identities linked to corruption at the CFMEU", 12 February 2026. https://www.abc.net.au/news/2026-02-12/cfmeu-inquiry-report-corruption/106333306	Watson Report tendered
19	Right-of-entry breaches and unlawful site entries	Former ABCC head Nigel Hadgkiss (witness); Ravbar; organiser Andrew Blakely	At least 25 industrial-law breaches in 14 years in Queensland, drawing $4.57 m in penalties on the union and ~$1 m on individuals. Hadgkiss cited a 2023 Cross River Rail incident at Woolloongabba/Roma Street where Ravbar and Blakely refused inductions, ignored direction-to-leave and held a union BBQ during work hours (fines: Ravbar $9,320; Blakely $12,000; CFMEU $204,000). *References*: ABC News — "Former construction commissioner tells inquiry CFMEU breached industrial law", 14 April 2026. https://www.abc.net.au/news/2026-04-14/construction-commissioner-cfmeu-inquiry-industrial-law-breaches/106563894	14 Apr 2026
20	Coercion of contractors to display CFMEU logos and accept criminals as workers	CFMEU (national context — Setka era — applied in Watson Report)	Hadgkiss said contractors felt "obliged to comply" with CFMEU demands. Watson Report described the union "actively recruiting criminals", including convicted/suspected murderers acting as health-and-safety officers and unqualified relatives of delegates earning up to $15,000/week. *References*:	14 Apr 2026; Watson Report tendered

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			ABC News — "Former construction commissioner tells inquiry CFMEU breached industrial law", 14 April 2026. https://www.abc.net.au/news/2026-04-14/construction-commissioner-cfmeu-inquiry-industrial-law-breaches/106563894 ABC News — "The identities linked to corruption at the CFMEU", 12 February 2026. https://www.abc.net.au/news/2026-02-12/cfmeu-inquiry-report-corruption/106333306	
21	Recurrent breaches of industrial law amounting to a "business model"	CFMEU (national, applied to Qld branch)	Solicitor-General data: 1,163 contraventions in 62 proceedings between 2019 and 2024; >$10.6 m in fines; cited by Commissioner Wood KC as evidence of a "conscious and deliberate strategy" (Mortimer J, 2016). *References:* Commission of Inquiry — Day 1 Transcript, 1 October 2025 (PDF). https://www.cfmeuinquiry.qld.gov.au/__data/assets/pdf_file/0004/883624/20251001-final-transcript-commission-of-inquiry-into-the-cfmeu-day-1.pdf ABC News — "Five key moments from the first hearings of the Queensland CFMEU inquiry", 23 November 2025. https://www.abc.net.au/news/2025-11-23/qld-cfmeu-commission-of-inquiry-five-key-moments/106035616	Opening hearing, 1 Oct 2025
22	"Best Practice Industry Conditions" (BPIC) policy as a de-facto CFMEU agreement costing taxpayers billions	Palaszczuk Government; CFMEU; Civil Contractors Federation Qld CEO Damien Long (witness)	Long testified BPIC was "essentially a CFMEU agreement" written through a "sham" consultation — driving productivity to as low as two days a week and inflating costs by 13–25%. Modelled cost to the State estimated at $13.1 b–$38.6 b. Industry warnings to Premier Palaszczuk were ignored. *References:* ABC News — "CFMEU inquiry hears Labor leaders ignored 'repeated' industry warnings", 10 February 2026. https://www.abc.net.au/news/2026-02-10/cfmeu-inquiry-hears-labor-leaders-ignored-repeated-warnings/106325790	Block 3, 9–10 Feb 2026

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			The Urban Developer — "Industry Welcomes Axing of Qld's Contentious BPIC", 11 November 2025. https://www.theurbandeveloper.com/articles/queensland-government-best-practice-industry-conditions-scrapped	
23	Threats to withdraw political donations to force ministerial resignations	CFMEU; Cross River Rail Delivery Authority CEO Graeme Newton (witness); former Deputy Premier Jackie Trad (subject)	Newton testified the union threatened to pull political support unless Trad resigned and publicly demanded the resignations of Ministers Bailey and Jones — including via mocking caricatures. *References:* ABC News — "Labor figures in the spotlight as CFMEU inquiry scrutinises union ties", 25 April 2026. https://www.abc.net.au/news/2026-04-25/qld-cfmeu-inquiry-labor-projects-threats-wrap/106602768	April 2026
24	Aggressive cornering of senior public servants	Ravbar	A senior public servant gave evidence that Ravbar cornered him outside a coffee shop at 1 William Street and behaved aggressively over the BPIC. *References:* 7News Queensland (Facebook) — Public servant cornered by Ravbar over BPIC, 10 February 2026. https://www.facebook.com/7NEWSQld/posts/the-former-government-was-warned-seven-years-ago-that-a-sweet-pay-deal-on-state-/1322996769858946/	Block 3, Feb 2026
25	"Spreading false fear" over fire-related work on Cross River Rail	CFMEU	Inquiry heard claims the union spread false fire-safety fears about Cross River Rail to extract concessions from contractors. *References:* 7News Queensland (Facebook) — "The inquiry has been told the union spread false fear", 18 March 2026. https://www.facebook.com/7NEWSQld/videos/the-	March 2026

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			inquiry-into-the-cfmeu-has-been-told-that-the-union-had-cross-river-rail-fir/936367946022614/	
26	"Youth Crew" sub-branch — alleged "hit squad" of young members	"Youth Crew" sub-branch	A specific term of reference asks whether the Youth Crew should be wound up. Media reported the Inquiry heard the CFMEU sent out the "hit squad of young members to cause trouble", with associated misogyny allegations. *References:* Commission of Inquiry — Day 1 Transcript, 1 October 2025 (PDF). https://www.cfmeuinquiry.qld.gov.au/__data/assets/pdf_file/0004/883624/20251001-final-transcript-commission-of-inquiry-into-the-cfmeu-day-1.pdf 7News Sunshine Coast (Facebook) — "Youth Crew 'hit squad' allegations", 19 November 2025. https://www.facebook.com/7NEWSSC/posts/an-inquiry-has-heard-how-queenslands-cfmeu-sent-out-a-so-called-hit-squad-of-you/1171410585097953/	Block 1, 19 Nov 2025
27	Angle-grinder threat against a WHSQ inspector at a Brendale site	Unnamed worker in CFMEU livery; Ravbar (responsive conduct)	An inspector accompanied by two female trainees was confronted by a worker wielding a running angle grinder who threatened to "take you outside and bash the f… out of you". Ravbar's response was described in the Watson Report as showing "how far the leadership had departed from the norms of conduct in a civil society". *References:* Geoffrey Watson SC, "Violence in the Queensland CFMEU", 17 June 2025 (redacted PDF tendered to the Inquiry). https://www.cfmeuinquiry.qld.gov.au/__data/assets/pdf_file/0008/875321/watson-g-report-redacted.pdf	Watson Report tendered

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28	Public abuse of premiers, deputy premiers and ministers	Ravbar	Watson found Ravbar's "typical response to even minor opposition was to call for the dismissal or resignation of premiers, deputy premiers and ministers", and that police insisted on enhanced security for one minister. *References:* Geoffrey Watson SC, "Violence in the Queensland CFMEU", 17 June 2025 (redacted PDF tendered to the Inquiry). https://www.cfmeuinquiry.qld.gov.au/__data/assets/pdf_file/0008/875321/watson-q-report-redacted.pdf ABC News — "Labor figures in the spotlight as CFMEU inquiry scrutinises union ties", 25 April 2026. https://www.abc.net.au/news/2026-04-25/qld-cfmeu-inquiry-labor-projects-threats-wrap/106602768	Re-aired 23–25 Apr 2026
29	Procedural-fairness criticism of Watson investigation (defence point)	Watson SC; counsel for Ravbar (Tony O'Gorman KC); counsel for Ingham (Tony Kimmins KC)	Cross-examination revealed Watson did not retain "trivial" source documents (court rulings, news clips) and noted Ravbar/Ingham had been given but declined opportunities to respond before publication. The defence argued the absence of retained documents was "less than ideal". *References*: ABC News — "CFMEU report author Geoffrey Watson SC questioned at inquiry", 23 April 2026. https://www.abc.net.au/news/2026-04-23/qld-cfmeu-leaders-lawyers-appear-at-inquiry/106597846	23 Apr 2026
30	Senior minister interference; violent exclusion of competing union; disruption of works to delay project completion	Cross River Rail, Jackie Trad (Deputy Premier), AWU, CPB Contractors, CFMEU "Youth Crew"	The CFMEU's "Youth Crew" violently intimidated a rival union, the AWU, to prevent it representing workers on the Cross River Rail project; consultants with connections to Jackie Trad (the then Deputy Premier of Queensland) attempted to pressure CPB Contractors (one of the companies constructing the project) to sign a CFMEU deal which would have resulted in workers being paid AUD334,000 per year. The CFMEU manufactured safety complaints to disrupt the project and	2 May 2026

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			targeted critical works to prevent the project from achieving major milestones. Costs ballooned from $5.4 billion, to an estimated $19 billion. ABC News – “Inquiry into Queensland CFMEU branch hears of union's impact on construction of Brisbane's Cross River Rail”, 2 May 2026 https://www.abc.net.au/news/2026-05-02/queensland-cfmeu-inquiry-cross-river-rail-takeaways/106623654	