

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

## WITNESS STATEMENT OF NICOLE MAREE WATSON

I, **NICOLE MAREE WATSON**, Senior Human Resources Advisor at Ghella Pty Ltd (**Ghella**) say on oath:

### Background

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. Attached to this Statement is a Bundle of documents (**Bundle**). I refer to relevant documents by reference to the page number of that Bundle.
3. I started with Ghella in July 2021 as a Human Resources Advisor, to work specifically on the Cross River Rail project (**CRR Project**).
4. I commenced my current role as Senior Human Resources Advisor in August 2023 and currently report to Sarah Adams, HR Manager, BAM International Australia Pty Ltd (**BAM**).
5. I have approximately 25 years' professional experience in human resources (HR). For 20 years I worked in the legal industry providing HR expertise in recruitment, employee relations, performance management, organisational policy development and compliance with legislative obligations.
6. My qualifications include:
  - (a) Bachelor of Business, Management and Human Resources;
  - (b) Diploma in Business; and
  - (c) Certificate IV in Training and Assessment.
7. Following my substantial tenure and experience in the legal industry, I transitioned to working in the construction industry with Ghella with a view to broadening my professional experience with other workforces.

### Transition to construction industry

8. When I started with Ghella, this was my first experience in the construction industry (and any industry other than a "white collar" workforce). My experience in the legal industry was predominantly office-based and involved a workforce providing professional services.
9. The HR teams I worked in before the CRR Project (myself included) had limited to no involvement with unions, because the legal profession is generally not comprised of unionised workplaces.
10. Transitioning to the construction industry was a stark contrast to this experience.

11. My immediate observation on starting with the CRR Project was that the behaviour of some union officials could be aggressive, harassing and disrespectful towards other people on site. This behaviour was primarily driven by representatives from the CFMEU.

### **HR and IR on the CRR Project**

12. Ghella is a member of the joint venture with CPB Contractors Pty Ltd (**CPB**), BAM and UGL Rail Services Pty Ltd (known as the "**CBGU JV**"), which has been appointed as the principal design and construction contractor for the Tunnel and Stations Delivery package of works (**TSD**) of the CRR Project.
13. My prior and current role for Ghella relates to the TSD component of the CRR Project.
14. Within the TSD component, the HR team operates by each advisor having a portfolio they manage, based on the different sites of the CRR Project. Relevantly, the TSD component of the CRR Project includes worksites at:
  - (a) Boggo Road;
  - (b) Woolloongabba;
  - (c) Albert Street; and
  - (d) Roma Street.
15. I manage HR for the Boggo Road and Woolloongabba sites, colloquially known as the "south of the River" sites. I work out of the CRR Project office at Milton, but also frequently travel to and work out of these two worksites.
16. On the CRR Project, while employees may be employed by different entities in the CBGU JV, we work together to provide industrial relations and human resources expertise on the CRR Project. Generally, the IR and HR teams operate separately with HR looking after "white collar" workers, being office, management and engineering workers, and IR looking after "blue collar" workers, being on the ground construction workers.
17. This means that for each worksite, there are generally HR and IR advisors assigned to each worksite, to oversee and provide assistance for different aspects of the workforce.

### **ROE incidents on 27 September 2024**

18. Until recently, I did not normally attend the worksites where a union is seeking to enter under a right of entry (**ROE**) as the IR team manage this. However, there have been occasions where I have attended the gate to deal with ROEs, usually because the IR team is short-staffed at that particular point in time.
19. On 27 September 2024, I was asked to assist Ben Loakes (**Mr Loakes**), Senior IR Advisor, BAM, with a ROE at the Roma Street worksite.
20. At some point before 10:30am, I arrived at Roma Street and met with Mr Loakes. At around 10.30am, Dean Mattas (**Mr Mattas**) and Corey Taylor (**Mr Taylor**) from the CFMEU arrived at Roma Street to seek entry. Mr Loakes and I met Mr Mattas

and Mr Taylor on the footpath on Roma Street. The conversation was along the lines of:

- (a) Mr Loakes, *"You are not able to come in. You have not given us the correct information"*;
- (b) Mr Mattas, *"Well, what information do you need?"*
- (c) Mr Loakes, *"Mate, you already know. We have spoken about this yesterday."*
- (d) Mr Mattas, *"We want to address all CFMEU members and potential members."*
- (e) Mr Mattas or Mr Taylor *"You are obstructing, let us in."*

- 21. During the conversation, Mr Loakes called Paul Windus, General Superintendent. Mr Windus arrived shortly after his call from Mr Loakes.
- 22. The conversation continued back and forth, while a large group congregated from inside the gate. At the time, I formed the assumption that the group must have known the CFMEU officials were coming around this time in order to start congregating. As far as I am aware, the workers were not on a scheduled break.
- 23. While I cannot recall who, either Mr Mattas or Mr Taylor said, "You want us in, don't you?" and the large group then started chanting, *"Let them in, let them in."* The workers banged on the metal gates cordoning off the worksite. The chanting and banging continued for around 10 minutes.
- 24. It was so loud that Mr Loakes and I had to move down the street to speak with Mr Mattas and Mr Taylor to be able to hear them. Mr Loakes and I did not provide Mr Mattas and Mr Taylor entry to the Roma Street site. Shortly thereafter, Mr Mattas or Mr Taylor said, *"We are going over to the Gabba next, so I guess we will see you then."*
- 25. A record of events I prepared of this incident is at **Annexure NW-1, pages 2 to 3** of the Bundle.
- 26. Shortly after Mr Mattas or Mr Taylor left, Mr Loakes and I travelled to the Woolloongabba site. As we did not know exactly when Mr Mattas and Mr Taylor would arrive, we waited with Justin Bishop (**Mr Bishop**), Site Manager for the Woolloongabba site.
- 27. At around 12.30pm that same day, Branko Prica (**Mr Prica**), Superintendent told Mr Bishop, Mr Loakes and I that Richard "Ritchie" Atutolu (**Mr Atutolu**) was announcing that there would be a CFMEU members' meeting and for everyone to go to the crib room. Mr Prica and a supervisor addressed workers, directing them to return to work, as there were no scheduled breaks around that time.
- 28. At around 1.00pm, Mr Mattas and Mr Taylor arrived. Mr Bishop, Mr Loakes and I met them on the footpath on Vulture Street outside the turnstiles. The conversation was along the same lines as the first incident from earlier that day.
- 29. I could see through the turnstiles that a large crowd was congregating inside and that Mr Atutolu was part of this crowd. Mr Mattas said, *"Do you want us coming in?"*

and Mr Atutolu led a chant yelling, “*Let them in, let them in.*” The crowd of workers immediately became aggressive and loudly chanted “*Let them in*” and later “*1 day longer, 1 day stronger.*”

30. This site entrance is surrounded by wooden hoarding which is approximately two metres high. During this chanting, workers were trying to climb over the top of the hoarding from the inside of the worksite to the outside.
31. This interaction continued for approximately five to ten minutes. Mr Loakes, Mr Bishop and I did not provide Mr Mattas and Mr Taylor entry to the Woolloongabba site.
32. Once Mr Mattas and Mr Taylor realised they would not be entering the site, they both departed. I do not recall how or when the chanting stop, but around Mr Mattas and Mr Taylor’s departure, the crowd dissipated.
33. Mr Loakes and I returned to the CRR Project office at Milton.
34. A record of events I prepared of this incident is at **Annexure NW-2, pages 4 to 5** of the Bundle.

#### **The safety reset**

35. In July 2023, there was a “safety reset” for the CRR Project after an incident where a worker was seriously injured. As part of the safety reset, I am aware that CPB agreed that it would directly employ a number of workers requested by the CFMEU to act as health and safety representatives. I was not involved in this process. Those workers included:
  - (a) Mr Atutolu;
  - (b) Adam Langford (**Mr Langford**);
  - (c) Sean Korostovetz (**Mr Korostovetz**); and
  - (d) Trent Broadhurst (**Mr Broadhurst**).

#### **Mr Atutolu**

36. Prior to him commencing employment with CPB, I am aware that Mr Atutolu had been an employee of Heinrich Constructions Pty Ltd (**Heinrich**) based at the Woolloongabba site of the CRR Project.
37. In around August 2023, I heard that Mr Atutolu was being directly employed by CPB. Mr Atutolu had some notoriety within the IR team, which came about because of reports about his poor behaviour at times on site. I was also told by one of my colleagues about an incident in which Mr Atutolu had picked up a microwave during a meeting in the crib room at Woolloongabba and smashed it. I did not witness this incident, and I was not involved in dealing with it.
38. During my career I have developed significant experience managing internal investigations into workplace conduct.
39. In October 2024, I managed an investigation into two allegations that had been made against Mr Atutolu about his conduct during his employment.

40. The general rule was that members of the IR team on the CRR Project were responsible for investigating allegations against blue-collar workers, and members of the HR team on the CRR Project were responsible for investigating allegations against white-collar workers. However, members of the HR team would occasionally manage an investigation into a blue-collar worker. I cannot now recall who asked me to conduct the investigation or why I managed the investigation of Mr Atutolu.
41. As part of my investigation, I interviewed various witnesses and tried to collect information that was relevant to the allegations that had been made against Mr Atutolu. I also interviewed Mr Atutolu.
42. After I had conducted my investigation, I prepared a written report dated 25 October 2024 that set out, among other things:
- (a) the allegations that had been made against Mr Atutolu;
  - (b) the witnesses I had spoken to and my assessment of these witnesses;
  - (c) my findings; and
  - (d) my recommendations.
43. A copy of my written report dated 25 October 2024 is at **Annexure NW-3, pages 6 to 28** of the Bundle.
44. My recommendation was that a show cause letter be sent to Mr Atutolu, in preparation for possible termination of his employment.
45. My recommendation was followed, and on 29 October 2024, a show cause letter was issued to Mr Atutolu.
46. The show cause letter dated 29 October 2024 is at **Annexure NW-4, pages 29 to 31** of the Bundle.
47. Mr Atutolu's letter of termination sets out that numerous attempts were made to meet with Mr Atutolu to obtain a response to the show cause letter or to obtain a written response, but that these were unsuccessful, and that no response was received.
48. On 21 November 2024, Mr Atutolu's employment was terminated in writing, effective immediately.
49. The letter of termination dated 21 November 2024 is at **Annexure NW-5, pages 32 to 34** of the Bundle.

### **Mr Langford**

50. Mr Langford first started working on the CRR Project when he was employed by CPB following the safety reset.
51. In November and December 2024, I managed an investigation into allegations that had been made against Mr Langford about his conduct during his employment.
52. After I had conducted my investigation, I prepared a written report dated 19 December 2024 that set out, among other things:

- (a) the allegations that had been made against Mr Langford;
  - (b) the witnesses I had spoken to and my assessment of these witnesses;
  - (c) my findings; and
  - (d) my recommendations.
53. A copy of my written report dated 19 December 2024 is at **Annexure NW-6, pages 35 to 46** of the Bundle.
54. My recommendation was that a show cause letter be sent to Mr Langford, in preparation for possible termination of his employment.
55. Given the time of year just before the Christmas shutdown period, I gave Mr Langford a call to let him know that the investigation had been finalised but the matter would be dealt with further in the new year. During this conversation, Mr Langford said to me words to the effect that *"Nicole, I am surprised they are getting me on this. I have done heaps worse than this."*
56. My recommendation was followed, and on 8 January 2025, a show cause letter was issued to Mr Langford.
57. The show cause letter dated 8 January 2025 is at **Annexure NW-7, pages 47 to 50** of the Bundle.
58. On 10 January 2025, I met with Mr Langford as a follow-up to the show cause letter.
59. Following this further meeting with Mr Langford, my recommendation was that there was no reason not to proceed with the termination.
60. On 15 January 2025, Mr Langford's employment was terminated in writing, effective immediately.
61. The letter of termination dated 15 January 2025 is at **Annexure NW-8, pages 51 to 54** of the Bundle.

#### **Mr Korostovetz**

62. Mr Korostovetz first started working on the CRR Project when he was employed by CPB following the safety reset.
63. On around 4 October 2024, some allegations were made against Mr Korostovetz about his conduct during his employment. On 9 October 2024, a letter was sent to Mr Korostovetz, informing him about the allegations and notifying him that his employment had been suspended.
64. The letter to Mr Korostovetz dated 9 October 2024 is at **Annexure NW-9, pages 55 to 57** of the Bundle.
65. The letter to Mr Korostovetz also informed him that Michael O'Brien (**Mr O'Brien**) was the point of contact for the investigation. Mr O'Brien was a Senior IR Adviser working for the CBGU JV.
66. The investigation into the allegations against Mr Korostovetz was conducted by Mr O'Brien.

67. On 15 November 2024, Mr O'Brien prepared an investigation report into the allegations.
68. A copy of the investigation report dated 15 November 2024 is at **Annexure NW-10, pages 58 to 111** of the Bundle.
69. Mr O'Brien's recommendation was that a show cause letter be sent to Mr Korostovetz.
70. On 18 November 2024, a show cause letter was issued to Mr Korostovetz.
71. The show cause letter dated 18 November 2024 is at **Annexure NW-11, pages 112 to 114** of the Bundle.
72. On 20 November 2024, CPB received a reply to the show cause letter from the CFMEU on behalf of Mr Korostovetz.
73. The reply dated 20 November 2024 is at **Annexure NW-12, pages 115 to 124** of the Bundle.
74. On 28 November 2024, CPB sent further correspondence to Mr Korostovetz in relation to his potential termination.
75. A copy of CPB's letter dated 28 November 2024 is at **Annexure NW-13, page 125** of the Bundle.
76. Also on 28 November 2024, I sent an email to Vince Sanfilippo (**Mr Sanfilippo**), in which I provided him with the relevant documentation as set out above and asked for his decision about Mr Korostovetz's employment.
77. On 3 December 2024, Mr Sanfilippo replied to my email and said that his decision was to terminate Mr Korostovetz's employment.
78. A copy of our email exchange is at **Annexure NW-14, pages 126 to 127** of the Bundle.
79. On 6 December 2024, Mr Korostovetz's employment was terminated in writing, effective immediately.
80. The letter of termination dated 6 December 2024 is at **Annexure NW-15, pages 128 to 129** of the Bundle.

### **Mr Broadhurst**

81. Mr Broadhurst first started working on the CRR Project when he was employed by CPB following the safety reset.
82. In February 2024, we received complaints about Mr Broadhurst's alleged bullying behaviour towards a Safety Advisor on the site.
83. A copy of the Safety Advisor's complaint dated 7 February 2024 is at **Annexure NW-16, pages 130 to 131** of the Bundle.
84. On 20 February 2024, I received another complaint about Mr Broadhurst from the Safety Advisor.

85. A copy of the Safety Advisor's complaint dated 20 February 2024 is at **Annexure NW-17, pages 132 to 133** of the Bundle.
86. On 20 February 2024, I took a statement from two witnesses in relation to the initial complaint made by the Safety Advisor.
87. A copy of these two statements are at **Annexure NW-18, pages 134 to 135** of the Bundle.
88. On 21 February 2024, I received another complaint about Mr Broadhurst from the Safety Advisor.
89. On around 21 February 2024, I collected each of the Safety Advisor's complaints into a single document for ease of reference.
90. A copy of the Safety Advisor's complaint and attachments dated 21 February 2024 is at **Annexure NW-19, pages 136 to 142** of the Bundle.
91. At around this time, I commenced preparations to undertake an investigation into Mr Broadhurst's conduct.
92. Attempts were made to arrange an interview with Mr Broadhurst however we were never able to speak with him about the allegations.
93. On 21 February 2024, I received an email from a site manager.
94. A copy of this email dated 21 February 2024 is at **Annexure NW-20, page 143** of the Bundle
95. On 4 March 2024, I started a first draft of my investigation report into the allegations against Mr Broadhurst. The document was very much a work in progress.
96. A copy of this early draft of my investigation report is at **Annexure NW-21, pages 144 to 151** of the Bundle.
97. In the end I did not need to do any further work on the investigation into Mr Broadhurst because he resigned his employment from CPB on 11 March 2024, effective 16 March 2024.

#### **Other complaints**


98. In August 2023, I received complaints from two supervisors working on the CRR Project.
99. On 8 August 2023, I interviewed the first supervisor and then organised for a draft statement to be prepared following on from the interview. On 9 August 2023, the first supervisor then made some amendments to the statement by way of correction and clarification and sent it back to me.
100. The relevant email exchange and amended statement is at **Annexure NW-22, pages 152 to 157** of the Bundle.
101. Also on 9 August 2023, the first supervisor sent me a copy of an email he had sent to Jamey Purvis (**Mr Purvis**) on 31 July 2023 in relation to another incident.

102. A copy of the email dated 31 July 2023 is at **Annexure NW-23, pages 158 to 159** of the Bundle.
103. On 8 August 2023, I interviewed the second supervisor and organised for a draft statement for him as well to be prepared following on from the interview. On 9 August 2023, the second supervisor then made some amendments to the statement and sent it back to me, as well as an email he had sent to Mr Purvis on 1 August 2023.
104. The relevant email exchange and attachments is at **Annexure NW-24, pages 160 to 170** of the Bundle.

I  swear /  affirm the contents of this statement are true.

  
Signature of Deponent

BRISBANE  
Place Date 23/4/26.

Before me (signature of witness) 

Full name of witness (please print)

- Justice of the Peace (JP # )  
 Notary public  
 Lawyer  
 Other authorised person (specify)

*I Nicholas Howard  
Lawyer (admitted 17-Feb-25)  
Queensland Supreme Court  
witnessed the signature of this  
document.*