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

WITNESS STATEMENT OF SCOTT MURRAY

I, Scott Murray, Senior Supervisor, CPB Contractors Pty Ltd, affirm:

1. I make this statement in response to a notice issued by Stuart John Wood AM KC, the Commissioner appointed pursuant to the *Commissions of Inquiry Order (No. 2)* 2025.

2. I am currently employed as a Senior Supervisor with CPB Contractors Pty Ltd (**CPB**). I have worked on the Cross River Rail (**CRR**) project since June 2024, currently on the Boggo Road Station site. My role primarily involves supervising the works in particular areas of the project, coordinating workers and trades on site.

3. A few months after starting on the CRR project, I was a witness to two incidents that were investigated by CPB. Both incidents involved the aggressive behaviour of Richard ("Ritchie") Atutolu, a HSR delegate, towards other onsite workers.

4. I understand from the solicitors assisting the Commission that a copy of the report following CPB's investigation into the two incidents was tendered to this Commission of Inquiry, as **Exhibit NW-3**.

5. On 2 October 2024, I attended a Safety Committee meeting at the Gabba Station site.

6. During the meeting, Mr Atutolu kept bringing up issues in an aggressive manner to Moe Borhani, the site Safety Manager.

7. Mr Atutolu's main concern appeared to be the DAMSTRA sign-in system that logs workers arriving on site. Mr Borhani acknowledged Mr Atutolu's complaint and advised that he would look into the problem. In response, Mr Atutolu kept calling Mr Borhani "dumb" and "stupid", and continued to belittle Mr Borhani in front of everyone in the meeting in an aggressive and intimidatory way.

8. Mr Atutolu kept interrupting the meeting by bringing up the same issue. He went on and on like this, waving his hands aggressively towards Mr Borhani. It was unusual behaviour.

9. The next morning, on 3 October 2024, I witnessed Mr Atutolu during our pre-start meeting going on about the same DAMSTRA sign-in issue he raised in the Safety Committee meeting the day before.

10. Mr Atutolu kept going on and on about this issue in a similar way to how he was behaving the previous day, until someone told him to sit down and shut up. I saw Mr Atutolu then become aggressive towards that person. Mr Atutolu started raising his voice and being boisterous, but I cannot recall the specifics of what he said.

11. I did not witness what then happened between Mr Atutolu and Mr Stephen Hilton, a Heavy Mobile Plant Operator working on the site. I only saw what happened during the pre-start meeting.

12. Around 6-weeks later, on 15 November 2024, a separate incident involving CFMEU Organisers, Cody Budgeon and Dylan Howard, occurred at the Gabba Station site.

13. There was an exclusion zone across the entire site that day due to a planned canopy lift (except for the crib area). For safety reasons, the whole zone was to be cleared out while the canopy lift was performed.

14. Despite the activated exclusion zone, Mr Howard and Mr Budgeon arrived on site and each handed a notice of entry to Justin Bishop under section 119 of the WHS Act.

15. Mr Howard and Mr Budgeon insisted that they could come onto the site and then walked through multiple areas within the exclusion zone.

16. At one point, Mr Howard and Mr Budgeon approached a doorway at the entry point to the exclusion zone that I was standing in. I asked Mr Budgeon, who was trying to walk through, "can we just wait?" In response, and to walk through the doorway into the exclusion zone, Mr Budgeon pushed past me at the doorway so he could continue into the site exclusion zone.

I affirm the contents of this statement are true.

Signature of Deponent [redacted]

Place Brisbane Date 26/10/26

Before me (signature of witness) [redacted]

Solicitor

Isaac Alexander Ragti
Full name of witness (please print)

I am a special witness pursuant to s 12 of the Oaths Act 1967 (Qld).

This declaration was made, signed and

witnessed under Part 6A of the Oaths Act 1967 (Qld).

I understand the requirements for witnessing a document by audio visual link and have complied with those requirements.