

GPO Box 3123  
Brisbane QLD 4001

Level 2  
North Tower Green Square  
515 St Pauls Terrace  
Fortitude Valley QLD 4006

Tel.: 07 3360 6060  
Toll-free: 1800 061 611  
(in Queensland outside  
Brisbane)

Fax: 07 3360 6333

mailbox@ccc.qld.gov.au  
www.ccc.qld.gov.au

ABN 32 164 714 360

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Our Reference: CO-22-2150 | 22/137150  
Contact Officer: DBJones

**TO BE OPENED BY ADDRESSEE ONLY**

25 August 2022

Mr Noel Hayes

By email: [REDACTED]  
cc: [REDACTED]

Dear Mr Hayes

**RE: YOUR CONCERNS**

We refer to correspondence, received by the Crime and Corruption Commission (CCC) on 2 August 2022, enclosing a submission titled *"Influencing practices in Queensland"*.

We also refer to your further correspondence to the CCC, dated 16 August 2022, providing the same submission.

We understand that the submission seeks an inquiry or Royal Commission into the activities within Workplace Health and Safety Queensland (WHSQ), and in particular regarding the influence and lobbying of the Construction Forestry Maritime Mining and Energy Union (CFMMEU).

We note that the submission has been signed by multiple current or former WHSQ inspectors. Within the submission, allegations of corrupt conduct are raised. The purpose of this correspondence is to respond to those allegations.

**Your complaint**

While the submission does raise general allegations against executives and senior management within WHSQ, which will be discussed later, a specific allegation is raised about the conduct of Industrial Relations Minister the Honourable Grace Grace MP.

Specifically, it is alleged that as a political favour Minister Grace has failed to act on complaints and allowed the CFMMEU to influence policy and decision-making.

Although we may have used different words to describe these concerns as raised in the submission, or not specifically referred to every issue about Minister Grace, we have carefully considered all the information that has been provided.

To help you understand our process, we have set out what the CCC will do in relation to your complaint.

### **Decision about Minister Grace**

We will not be taking any action in relation to the complaint about Minister Grace.

#### *Reason for our decision*

The CCC takes the view that the performance of the official duties of a person elected to office could not involve corrupt conduct unless the conduct would, if proved, amount to a criminal offence. In the absence of evidence that would support a criminal offence, the CCC is unable to deal with the matter.

Specifically, the information provided in the submission is not enough to support the view that Minister Grace engaged directly in corrupt conduct as a political favour and with the intention to benefit the CFMMEU.

#### *Other matters*

We acknowledge that the submission also raises concerns of corrupt conduct involving various executive and senior management within WHSQ. The allegations against these individuals are generalised and historic, and involve conduct including bullying and intimidation of WHSQ inspectors. It is also suggested that these officers ensured that the demands of the CFMEU were met.

Due to the lack of particulars, the CCC is unable to properly assess these allegations. We therefore invite any persons with direct evidence of the conduct alleged, and in particular those signatories to the submission who are willing to provide statements, to submit this information directly to the CCC for further consideration. Those persons may remain anonymous should they prefer.

We further note references in the submission to previous reports provided by Mr Jarrod Bleijie, the Member for Kawana, directly to the CCC in around August 2020 which alleged similar conduct. We suggest that you may wish to seek advice from Mr Bleijie on the assessment by the CCC of any matters which he has raised.

### **Application of the *Human Rights Act 2019* (HR Act)**

The HR Act applies to the CCC when it makes decisions about how it will deal with complaints that it receives. In circumstances where you have outlined insufficient evidence to raise a reasonable suspicion of corrupt conduct, the CCC considers that its decision to take no action is compatible with its obligations under the HR Act.

### **Further information**

We have enclosed more detailed information for you about:

- what the CCC can and cannot deal with, and
- our Charter of Service, which sets out how the CCC deals with complaints and what you can do if you are unhappy with our decision.

We trust this information assisted you.

Yours sincerely



**Elizabeth Foulger**

Executive Director, Integrity Services

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## **Submission to the Crime and Corruption Commission “Influencing practices in Queensland”.**

### **Introduction**

This submission was collated by numerous Workplace Health and Safety Inspectors who have witnessed and have endured many years of systemic bullying, intimidation, and abuse from the CFMMEU officials either directly or indirectly and in conjunction with Executive and Senior Management of Workplace Health and Safety who played a key role in ensuring the demands of the CFMMEU were obeyed.

The allegations raised here concern the influence of lobby groups over the elected PALASZCZUK government ministers and that collaboration has caused significant disruption and harm to many Queensland Government Departments including the Queensland Building and Construction Commission and Workplace Health and Safety Queensland. This submission overviews the culture of pressure, bullying, intimidation, and fear where staff from Workplace Health and Safety Queensland (WHSQ) have been unnecessarily bullied and intimidated by influencing third parties due to their stance on integrity, fairness, independence, and public accountability.

The submission should be of no surprise to anyone employed by the Queensland Government. It is apparent that the only persons oblivious to the alleged unethical behaviour occurring within WHSQ is PALASZCZUK and her Ministers. These integrity issues caused by influencing lobbying groups within WHSQ have been clearly exposed and publicised in the press since 2016. Since this time, the alleged unethical behaviour of Government Ministers and favouritism towards influencing lobby groups has seen an immeasurable loss of talented Construction Inspectors and Managers, with many Construction Inspectors reluctantly crossing over to join the Industrial Unit within WHSQ. Unfortunately, and to the detriment of the construction industry in Queensland, many highly experienced and professional construction safety inspectors through no fault of their own, have left WHSQ due to the bullying, intimidation, and abuse from third party lobbying groups and Senior management within WHSQ.

Many construction Inspectors to this day have been professionally diagnosed with chronic mental health issues requiring long term professional medical intervention resulting in many Inspectors unable to gain future employment in any capacity. The consequence of this loss is immeasurable, however the loss of many experienced and professional inspectors over the past few years has severely reduced the capacity and ability of WHSQ to deliver fair, professional, impartial, and independent educational, compliance and enforcement services to the Queensland public.

The persistent long-term exposure to the alleged abuse, intimidation and bullying of Inspectors from these lobby groups is seen to many within the organisation as disgraceful and unlawful to say the least. Complaints lodged to the Executive Directors and Senior management of WHSQ by the construction inspectors over the past 6 years regarding the ongoing occupational violence issues were never investigated and were totally dismissed. Adding to misery of working within WHSQ, was the relentless rebuff of the numerous complaints lodged against Helen BURGESS (Director of Construction) and her sidekicks, Chris MUTTON (Operations Manager) and Mark HOUSTON (Operations Manager) for bullying, intimidation, and harassment of construction inspectors. Through the 6 years of being exposed to unacceptable workplace practices and witnessing the alleged unethical behaviour of Executive and Senior management of WHSQ, not one inspector from the construction or industrial teams have been interviewed or spoken to directly by WHSQ ethical

standards Unit or Executive or Senior management themselves about the complaints made about the abuse from within and from third-party influencing lobby groups.

The only guiding light for the Inspectors was the assistance from Alex SCOTT (President) of the TOGETHER UNION and Jarrod BLEIJIE, the LNP minister and elected member of Kawana. The TOGETHER UNION assisted the Inspectorate in undertaking Industrial action through the Queensland Industrial Relations Commission provided an avenue for some redress for the Inspectors. Regrettably, due to his unwavering and professional support for the health and safety of Inspectors, Alex SCOTT was a target of a smear campaign by an influencing lobby group to remove him from office. The facts surrounding this matter was also provided in the report that was sent to the CCC by Jarrod BLEIJIE in August 2020. It is extremely important that the TOGETHER UNION and staff involved in matters to address the Inspectors concerns are included in any investigations into these allegations.

### **WHSQ Ministerial to Executive Management level Integrity issues**

The lack of integrity in the PALASZCZUK government has been noticeable since they first took Government in 2015. However, from 2016 many staff members within WHSQ witnessed a total change in the Inspectors independence to serve the good of the Queensland public and witnessed a drastic change in management behaviour that became toxic, dismissive, and disruptive. Inspectors were asking questions of executive management as to why influencing lobby groups had been allowed exert so much power over the decision-making processes within the administration of WHSQ. Many employees of WHSQ believe that from 2016, Executive Director Simon BLACKWOOD, and Senior Executives Mark DENNETT, Julie NEILSEN, and later Craig ALLEN, were themselves victims of bullying, and intimidation by Labor Ministerial staffers who themselves were being influenced by third party lobby groups. It is alleged that employees working within the agency, realised that WHSQ management could do nothing to stop the unethical behaviour, cronyism and bullying that was running rampant through Workplace Health and Safety Queensland.

It is also alleged, that the PALASZCZUK government and some of her Ministers condoned the behaviour of some lobby groups who conjointly were implicit in creating a biased compliant work environment by instilling fear through bullying and intimidation of Inspectors. The findings of the **COALDRAKE REPORT** is a testament to the Inspectors who have placed their health and employment on the line in an attempt to bring the allegations of unethical behaviour and official misconduct to attention of those who dismissed the claims. Unfortunately, it is too late for many who have tried to withstand the bullying, intimidation, and abuse from influencing lobby groups and WHSQ senior management for over 6 years.

#### **Main issue**

At the centre of this submission, is why Labor Minister Grace GRACE, allowed a major influential lobby group referred to by a Federal Court judge, Judge Vasta as *“the most recidivist corporate offender in Australian history”* (ABCC media release 2017) to have unprecedented influence over the decisions made by WHSQ policy and decision-making bodies within the Agency. In addition, why did the CCC not investigate the seriousness of the allegations put forward in complaints or interview Inspectors from Workplace Health and Safety Queensland following the numerous complaints and reports submitted to the Commission through Jarrod BLEIJIE (LNP Minister for Kawana) and others into the alleged unethical behaviour and official misconduct of Senior Management within WHSQ. In addition, why did Minister Grace GRACE also fail to act on the appalling results of the *“WORKING FOR QUEENSLAND SURVEY”* that for over six (6) years has recorded the expressed dissatisfaction of

executive and senior management in many areas such as accountability, unethical conduct, lack of support, occupational violence, third party bullying and dissatisfaction at work.

The "Working for Queensland Survey" results are tightly guarded by executive and senior management of WHSQ, and do not want this information to be released. Requests have been made by the TOGETHER UNION and the construction inspectors for the release of the previous 6 years of survey results, that are held within the Office of Industrial Relations "Construction Field Service Records". Any investigation into these allegations must include the release of this information from the Office of Industrial Relations, especially "Page 48" that allows the inspectors to make comments about the agency and the conduct of management by way of a "free text options" box. Many inspectors have made comments in the "free text" option box about the influencing third party lobby groups and what they perceived to be as unethical, and unlawful conduct of Senior management within WHSQ and their reluctance to investigate the concerns and complaints of construction inspectors.

This submission and the "Working for Queensland Survey" also highlight the rampant cronyism that has flourished within WHSQ. In particular, the appointment of Helen BURGESS as Director of Construction can only be classified as the pinnacle of selected cronyism as she is well known within the Union movement and her tight association with a particular influencing lobby group. Her inexperience, infantile management and leadership ability and conviction to obey and comply in meeting the demands of the Unions only proves that her employment within WHSQ is untenable. The perceived conflict of interest in her appointment, lie at the very heart of the principles of integrity and impartiality that are the foundation of the **PUBLIC SERVICE ETHICS ACT 1994 Qld**). The processes and circumstances surrounding her appointment to position of Director of Construction, and the people involved in the selection process need to be fully investigated. Nothing less than a Royal Commission into the PALASZCZUK government would be an injustice to all concerned and this has been highlighted by Jarrod BLEIJIE and many others within the media who have known about these issues for many years.

## Previous Complaints

Numerous complaints that were previously submitted to the CCC by Jarrod BLEIJIE and others were referred back to the agency for internal investigation. This referral was seen by many as an injustice to those within Workplace Health and Safety Queensland who had nowhere else to turn for support in times of extreme distress and maltreatment. The toxic, dysfunctional and sick culture within WHSQ has continued to this day and not one Inspector has been interviewed or spoken to about the alleged official misconduct occurring with the administration of WHSQ. It is alleged that this failure to further probe the matters raised by the Inspectors in this submission and previous reports has only facilitated the power of lobby groups to further influence policy making decisions and legislative changes to suit their business model and agendas. As stated previously, it is well known throughout WHSQ that past Directors and Managers of WHSQ including Craig ALLEN, Mark DENNETT, Julie NEILSEN and Simon BLACKWOOD who were involved in all these process over many years were all fall guys in this whole sorry saga that persists today.

It is inexplicable that this situation has been allowed to occur within a taxpayer funded government agency for such a long period of time. From the Inspectors belief there has been a major waste of tax funded resources being utilised to the advantage of some influencing third party lobby groups and these allegation needs to be investigated. Implicit in these matters, are the allegations of the effects of staff bullying that has led to considerable high rates of sick leave, high rates of experience staff turnover, worker mental health, decreased staff performance while under the watch of

Minister Grace GRACE. This in effect has come at the enormous cost to the Queensland taxpayer and the families of the affected workers and their livelihoods.

As stated earlier, numerous complaints have been lodged against Helen BURGESS and Chris MUTTON and these allegations of intimidation and bullying against Construction Inspectors need to be investigated due to the harm it is causing to the agency.

## **Influences and Unvetted Access to Queensland Key Decision Makers**

Without expressing any further views in high detail, the power and wealth of many influencing lobby groups are highly dependent on having access to workplaces to exert their demands on industrial relation matters. The allegations made here, is that a conflict of interest gave rise to Grace GRACE being unduly influenced by many influential lobby groups some of whom are major contributors of financial and resource support to the Labor party. These are only allegations but when considering the growing constant stem of integrity, impartiality and accountability issues plaguing the PALASZCZUK government and substantiated by the COALDRAKE REPOPRT, then, it may be true.

It also appears that some influential lobbying groups have secured unprecedented access to the key decision policy makers within Workplace Health and Safety Queensland. This is only an allegation, but this perceived abuse of power seems to have facilitated the development and eventual ministerial approval of widespread legislative and policy changes that have been favourable to lobbying groups and detrimental to Queensland Industry.

This has further undermined the integrity of the PALASZCZUK government and the integrity of Minister Grace GRACE as these alleged legislative and enforcement policy changes have arisen from the lobbying group members being assigned key positions on industry, departmental government, and review boards. The power and influence of lobbyist on these boards including the safety review boards have led to many disgraceful and draconian policy changes but none so disgraceful as the "Compliance Management Enforcement Policy" (CMEP) that arose out of the sham "Best Practice Review in 2017". This policy has been used for four years by many influential lobby groups as a tool to use against those building and other organisations who refuse to enter into industrial relation discussions.

Through this policy, the construction inspectors will testify that they were left to do the dirty work by issuing unnecessary and dubious enforcement, infringement, and prohibition notices. Many building organisations that will not be named here, have appealed many dubious enforcement notices issued by inspectors and thankfully in most cases, have been repealed.

## **Additional information that has been forwarded to the CCC**

This submission is only a brief overview of the alleged official corruption and official misconduct that has been growing within the ranks of WHSQ for over 6 years. These matters are not new, and it is believed that a report covering these issues was submitted by a person unknown to the Liberal National Party Minister, Jarrod BLEIJIE. It is believed that this report was then forwarded to the CCC around August 2020. Many of us have read the report and agree with many of the report contents that serves to highlight the alleged systemic corruption that has been ongoing within WHSQ since 2016. This report also outlines how Senior managers of WHSQ used intimidation to discipline inspectors through sending intimidating correspondence on the demands of influencing lobby groups.

This report held by the CCC should be reviewed by the CCC as it describes the years of alleged corrupt dealings, rampant cronyism, systemic intimidation, and abuse of staff that has plagued this agency.

## **Corruption risks**

The corruption risks in Queensland are only going to escalate and worsen over the next few years given the abolishment of the Australian Building and Construction Commission (ABCC) and the changes to the donation cap on political donations for Queensland Political parties.

Changes to the Electoral and Other Legislation (Accountability, Integrity, and Other Matters) Amendment Act 2020, that will commence in July 2022 will only compound the corruption risks within the Labor Queensland Government. When fully in place a donor can donate

1. \$6000.00 to an independent candidate
2. \$6000.00 to a party-endorsed candidate
3. \$6,000 to a registered political party
4. \$4,000 To a third party

The Crime and Corruption Commission should be fully aware that Labors' scam allows for a third party to make a donation but there is no cap on donations received by third parties (Unions).

This is another example of Labor scams and deceit that will only encourage third party lobbying groups to aggressively apply pressure to further induce their influence over Labors' elected members for political favours to advance their wealth and power base. This legislation is an absolute red flag for LABORS integrity in office. In effect, this legislation will contribute to the corruption risks in Queensland whereby, third party lobbying groups, some of whom may be primary financial backers of the LABOR party, are able to finance their political election campaigns to an amount of 1,000,000.00 dollars. This is a potential breeding ground and cesspit for corruption and for Labor elected politicians to be influenced by lobbying groups.

## **In Concluding**

These allegations stated in this submission stem from many years of torment and suffering endured by those working within WHSQ. We are unsure as to why Grace GRACE and senior management failed to act on the numerous complaints that were lodged over the years regarding the alleged unlawful behaviour and conduct of many influencing lobby groups.

It is alleged, that the dismissal of staff concerns by Minister Grace GRACE and senior management of WHSQ was a factor of being influenced by lobbying groups behind closed doors for political favours. These allegations need to be investigated further as one thing is for certain, the PALASZCZUK government left the vulnerable and defenceless Inspectors out to dry while the influencing lobbying groups went about their destructive agendas in ruining careers and causing untold reputational damage to Workplace Health and Safety Queensland.

It is our belief that Grace GRACE must have known of the Inspectors concerns especially after many allegations have been raised in Parliament through question time and the numerous media articles that have been published in the press. It is highly probable that Minister GRACE would have had knowledge of the reports given to the CCC and the results of the "Working for Queensland Survey" results that in all, should have been a strong indication that something was rotten and decaying within WHSQ.

If she was aware of all these matters, then she failed in her duty as a parliamentary minister to comply with the Ministerial duties under the Code of Ethical Standards and Rules Relating to the Conduct of members. What is most concerning, is that, if she was aware of these issues, then, it would have been at the expense of good governance, integrity of office, impartiality of office, respect for health and safety of workers, protecting the release of official information to third parties, and proper use of public funded resources.

### Final Word

This submission was not lodged with Professor COALDRAKE who was investigating the "Review of Culture and accountability in the Queensland Public Sector". The review and recommendations can only be described as a partial review, as the enquiry should have also focused on those influencing lobby groups, government advisors, staffers and Ministers who may have been involved in the disgraceful integrity issues raised in the COALDRAKE REPORT. This another opportunity lost in bringing those to account who may have breached the various Code of Ethics standards or Ethical Standard Legislative provisions.

On a last point, the CCC should act on this submission and others that they will receive. The views, concerns and complaints dismissed and carpeted over the past seven years has been vindicated by the COALDRAKE REPORT and this is the only positive outcome to come out of this report. As the inspectors have said for a long period of time, the integrity of Queensland LABOR Government has been for a long time, non-existent, and hopefully this submission will go some way in restoring integrity and impartiality in the Queensland Government.

All persons who have signed this submission are willing to give statements, be interviewed by any Investigation agency or present themselves to give evidence before any inquiry or Royal Commission.

Considering all the allegations made in this report, numerous Inspectors are very concerned about retaliation and ask for this submission to be held in confidence due to fear for their employment and health and safety.

Name:

[Redacted Name]

Past or present Position:

Past SENIOR INSPECTOR CONSTRUCTION

Date:

7-7-22

Name:

[Redacted Name]

Past or present Position:

~~SENIOR INSPECTOR CONSTRUCTION~~ ~~AND~~ ~~CONSTRUCTION~~

Date:

~~7-7-22~~

Name: NOEL ADYRS [REDACTED] [REDACTED]  
Past or present Position: EX PRINCIPAL INSPECTOR CONSTRUCTION  
Date: 7-7-22

Name: [REDACTED] [REDACTED]  
Past or present Position: SENIOR INSPECTOR (CURRENT)  
Date: 7/7/22

Name: [REDACTED] [REDACTED]  
Past or present Position: SENIOR INSPECTOR CONSTRUCTION (PAST)  
Date: 07/07/22

Name: [REDACTED] [REDACTED]  
Past or present Position: PRINCIPAL INSPECTOR CONSTRUCTION (PRESENT)  
Date: 8-7-22

Name: [REDACTED] [REDACTED]  
Past or present Position: Senior Inspector  
Date: 8/7/22

Name: [REDACTED] (PAST) [REDACTED]  
Past or present Position: SENIOR INSPECTOR  
Date: 8/7/22

Name: [REDACTED]  
Past or present Position: PRINCIPAL INSPECTOR (CONSTRUCTION)  
Date: 8/7/22 [REDACTED]

Name: [REDACTED] [REDACTED]  
Past or present Position: Senior Construction Inspector  
Date: 8-7-22

Name: [REDACTED]

Past or present Position: SENIOR INSPECTOR

Date: 8/7/22

Name: \_\_\_\_\_

Past or present Position: \_\_\_\_\_

Date: \_\_\_\_\_

Name: [REDACTED]

Past or present Position: INDUSTRY CONSULTANT

Date: 11/7/22

Name: [REDACTED]

Past or present Position: PRINCIPAL INSPECTOR (ASBESTOS)

Date: 12.07.2022 w: [REDACTED]

Name: [REDACTED]

Past or present Position: SENIOR INSPECTOR CONSTRUCTION

Date: 12-7-22

Name: [REDACTED]

Past or present Position: Inspector - [REDACTED]

Date: 27/7/22

Name: \_\_\_\_\_

Past or present Position: \_\_\_\_\_

Date: \_\_\_\_\_