

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

WITNESS STATEMENT OF JACQUELINE KING

1. I, Jacqueline King, General Secretary of the Queensland Council of Unions, say on oath:

Background

2. I provide this statement in compliance with a notice to give evidence issued by the Commissioner.
3. I have completed this statement as part of being called by the Commission of Inquiry to provide evidence under oath.
4. I was elected General Secretary of the Queensland Council of Unions on 31 July 2023, having previously held the role of Acting General Secretary since December 2022 and Assistant General Secretary since February 2020 and I am authorised to make this statement on behalf of the Queensland Council of Unions (QCU).
5. I completed a Master of Business Administration at the Chifley Business School in 2014 and received a First Class Honours Law Degree in 2019 from QUT. I completed a Graduate Diploma of Professional Legal Practice at QUT in 2020.
6. I have a long and varied career:
 - (a) initially working as an Organiser for the Australian Bank Employees Union (ABEU), now known as the Finance Sector Union (FSU), from 1990 to 1992;
 - (b) an Organiser for the then Federated Clerks Union (FCU), now known as part of the Australian Services Union (ASU), from 1992 to 1993;
 - (c) a Research Officer for the Australian Manufacturing Workers Union (AMWU) from 1993 to 1994;
 - (d) an Industrial Officer for the ACTU Queensland branch and its predecessor the Trades and Labour Council of Queensland between 1994 and 1998, now known as the Queensland Council of Unions;
 - (e) a Senior Policy Advisor for the Queensland Office of the Premier to the Minister for Employment, Training, and Industrial Relations between 1998 and 2000;
 - (f) the Executive Officer for the Victorian Industrial Relations Task Force between May and December 2000;
 - (g) a Chief of Staff/Senior Policy Advisor for the Queensland Office of the Premier to the Minister for Industrial Relations between 2001 and 2002;
 - (h) a Senior Industrial Officer for the Australian Council of Trade Unions between 2002 and 2003 in Melbourne;
 - (i) the Assistant Director of the Australian Council of Trade Unions Education and Campaign Centre in Melbourne between 2003 and 2006;
 - (j) the Campaign Coordinator for the Electrical Trades Union, Queensland Branch from 2006 to 2007;
 - (k) the Coordinator of external organisers for the Electrical Trades Union Queensland and Northern Territory branch from 2009 to 2010;

- (l) the Chief Executive Officer for Future Skills and Future Skills International – both industry-based training organisations, in the power, electrical and construction industries between 2010 and 2015;
 - (m) a non-Executive Board Member of Energy Skills Queensland between 2016 and 2020;
 - (n) The Chair of Mind Blank Limited, a mental health charity organisation, between July 2019 and April 2022;
 - (o) a non-Executive Director of Stanwell Corporation Limited between 2015 and September 2023, including Chair of its People and Safety Committee from 2018 to 2023;
 - (p) the Deputy Chair and non-Executive Director of WorkCover Queensland between July 2023 and December 2024;
 - (q) a non-Executive Director of CS Energy between October 2023 and December 2024 and Chair of its People and Culture Committee in 2024;
 - (r) Assistant General Secretary/Acting General Secretary and currently General Secretary of the Queensland Council of Unions – positions I held between 2020 to the present.
7. I have been involved in the Union movement throughout my entire adult life and hold a special interest in advocating for work health and safety and women's rights in the workplace, among other things. I have a strong commitment to implementing safe and respectful workplaces and practices because of this, including eradicating harassment and occupational violence. I have been involved in the development of state laws relating to prevention of psychosocial hazards and sexual and sex-based harassment, anti-discrimination and work health and safety matters (among other matters), and have also led campaigns to address gender equity and reduce sexual and sex-based harassment in the workplace.

Queensland Council of Unions (QCU)

8. The QCU is the peak union body in Queensland representing 25 affiliated unions and the interests of 400,000 Queensland workers. The QCU was founded in 1885 to represent the industrial, social and economic interests of Queensland workers and their families. The QCU operates as an unincorporated association and is the peak body for Queensland Unions in accordance with its rules and as recognised under the *Industrial Relations Act 2016* (Qld) as a state peak council representing a significant number of registered unions in a range of callings.
9. Affiliates of the QCU are unions registered under the *Fair Work (Registered Organisations Act) 2009* (Cth) or the *Industrial Relations Act 2016* (Qld) which have members who are employees employed within a range of occupations, industries and callings. Current affiliates to the QCU are as follows:
- (a) Australian Institute of Marine and Power Engineers (AIMPE);
 - (b) Australasian Meat Industry Employees' Union (AMIEU);
 - (c) Australian Maritime Officers Union (AMOU);
 - (d) Australian Manufacturing Workers Union (AMWU);
 - (e) Australian Workers Union (AWU);
 - (f) Communication Workers Union (CWU);
 - (g) Community and Public Sector Union (CPSU);

- (h) Collieries Staff and Officials Association (CSOA);
- (i) Finance Sector Union (FSU);
- (j) Independent Education Union (IEUQ);
- (k) Media, Entertainment and Arts Alliance (MEAA);
- (l) Mining Energy Union (MEU);
- (m) Maritime Union of Australia (MUA);
- (n) National Tertiary Education Union (NTEU);
- (o) Professionals Australia;
- (p) Queensland Nurses and Midwives' Union (QNMU);
- (q) Queensland Police Union (QPU);
- (r) Queensland Professional Firefighters Union (QPFU);
- (s) Queensland Teachers Union (QTU);
- (t) Rail, Tram and Bus Union (RBTU);
- (u) Timber, Furnishing and Textiles Union (TFTU);
- (v) The Services Union (TSU);
- (w) Together;
- (x) Transport Workers Union (TWU); and
- (y) United Workers Union (UWU).

History and nature of trade unions in Australia

10. Unions have always played a role in Australia's industrial relations system. In fact, there were trade unions that had formed in the colonies from as early as the 1850s. The original Trades and Labour Council of Queensland (now the Queensland Council of Unions) was formed in 1885, and in 1886, the government led by Premier Samuel Griffith (as he then was) recognised trade unions under the *Queensland Trade Unions Act* in the Colony. The *Trade Union Act 1915* (Qld) replaced that Act but continued the process of recognising trade unions that registered under the Act and providing them with some form of statutory regulation.
11. Upon the creation of the Commonwealth, unions were also given recognition under the *Conciliation and Arbitration Act 1904* (Cth) to represent the rights of union members and workers in the Commonwealth jurisdiction. However, the scope of the Australian Constitution effectively limited the Commonwealth to only regulating industrial relations under the conciliation and arbitration power. In effect, to invoke the federal jurisdiction, a union had to create a dispute with employers operating across states which ultimately could then lead to the making of a federal award binding the named employers and the unions.
12. Other employees of employers operating in the same industry, occupations or callings who were not part of the federal award were then regulated under the respective state industrial relations systems.

13. More recently, the Commonwealth utilised the corporations power to effectively 'take over' the vast majority of Australian industrial relations by regulating employers who are corporations when it introduced its WorkChoices legislation. This now means that the Queensland industrial relations system only covers employees of the Queensland public sector (with the exception of government owned corporations) and local government.
14. However, because of the long history of the dual federal and state industrial relations systems until the late 1990s, many unions developed as an amalgam of a federal and state registered union. For example, a state union can be registered under the *Industrial Relations Act 2016* (Qld) which has eligibility to enrol employees as members who are employees of Queensland public sector agencies and/or local government, at the same time as there will be a state branch of the 'mirror' federal union which has eligibility to enrol members who are employed by Queensland employers under the Fair Work Act system. In effect these unions operate as the same entity, even though there are two separate legal entities because of the nature of the two industrial systems under Commonwealth and state laws.
15. From these laws, a system of 'eligibility rules' developed where a union registered under Commonwealth and/or state law was and is given recognition that they have a particular legal right to represent and enrol employees within a particular occupation, trade, industry or industry sector. Sometimes these rules will overlap with other registered unions, but increasingly less after the process of union amalgamations that occurred during the 1990s and 2000s.
16. Today, there are around thirty state registered unions under the *Industrial Relations Act 2016* (Qld) who generally have a counterpart union under the *Fair Work (Registered Organisations) Act 2009* (Cth).
17. Registration as a union under either federal or state law imparts a number of rights and responsibilities for individual unions. For example, a union can apply on behalf of a union official – employees of the union – for a permit to have a right to enter workplaces for the purposes of holding discussions with employees, inspecting suspected contraventions of work health and safety law etc. But the permit and the right is restricted to the union's eligibility rules i.e., who they can enrol under the union's registered rules. Both Commonwealth and state law specifies the criteria to be applied before a permit can be issued and the ways in which the permit can and cannot be exercised.
18. This dual Commonwealth state system has also meant that state-based unions affiliate with the state peak council – the Queensland Council of Unions at a state level, and national unions with the Australian Council of Trade Unions (ACTU). In turn, the QCU is an affiliate of the ACTU like its interstate Trades and Labour Council counterparts but is not the state branch of the ACTU.

History of the Trades and Labour Council of Queensland

19. The history of the Trades and Labour Council in Queensland is that it was formed in 1885 to represent the collective industrial interests of trade unions in the Queensland Colony at that time. It emerged in the context of the great shearing and maritime strikes in the 1880s and 1890s in a time where the Governments of the day had also used special police and the army to break strikes and gaoled the strikers, such as what happened to the union leaders of the infamous 1891 Barcaldine Shearers' strike.
20. Shortly after the Shearers' strike, unions collectively made a decision to form the Australian Labor Party in order to have a political voice represent them in the Queensland Parliament and to fight against oppressive and anti-worker laws. The first Labor politician elected to the Queensland Parliament in March 1892 was Tommy Ryan who had been a union leader in the 1891 Shearer's strike and gaoled in Rockhampton. He was elected as the first Labor endorsed Member of Parliament for the seat of Barcoo, which was a rural electorate in south-west Queensland. The modern Labor Party (the Party) reflects this history and is still today comprised of affiliated unions and individual members.

21. Since that time, unions have generally campaigned in each state and federal election over laws and issues that impact on their membership including industrial laws or other social and economic issues. The Labor Party has been seen as the natural place for many unions because unions are able to influence the policies of the Party as affiliates and because the Party has been generally seen as more effectively representing the interests of workers more so than any other political party.
22. In almost every election campaign that I have been involved in since my twenties, I recall being involved in campaigns to support the Labor Party and/or to prevent Liberal or LNP Governments from gaining Government, either at the state or federal level. For instance, in the last federal election, unions campaigned strongly to prevent Commonwealth public sector job cuts and to support the retention of progressive worker federal laws such as same-job-same-pay and the right to disconnect, [REDACTED]
23. Not all unions are affiliated with the Labor Party. For instance, unions that are affiliated with the QCU include unions that are affiliated to the Labor Party and unions that are not affiliated. Affiliation to the Party is a matter for each individual union.
24. By contrast, the emergence of 'red unions' as non-registered unions are generally seen by the QCU and QCU affiliates as having very strong alignment with the LNP. For example, the Nurses Professional Association of Queensland and the Teachers Professional Association of Queensland (which are the same incorporated association).
25. The QCU is opposed to these associations because it considers that these "unions" are not democratically accountable to their members and have far less regulation under the *Associations Incorporations Act 1981* (Qld) or the *Corporations Act 2001* (Cth) than registered unions do under the respective Commonwealth or state industrial law.

Queensland Council of Unions

26. As a modern day Council, the QCU's objective is to achieve industrial, social and political justice for Queensland workers and their families. The QCU employs around 35 staff ranging from industrial, media and communications, and campaign staff, to other positions under funded agreements (grant staff). Grant staff provide a range of services including migrant worker education and information programs, women's programs, health and safety representatives services, workers psychological support services, and workers compensation information and advisory services.
27. My position as General Secretary is equivalent to the Chief Executive of an organisation and is full time. My salary, like other employees of the Council, is paid from affiliation fees provided each year by affiliated unions as a percentage of their membership size.
28. As the General Secretary I am responsible for managing the staff and finances of the QCU, ensuring there are appropriate financial and governance arrangements in place, and providing leadership and strategic direction to the union movement in Queensland, including through advocacy, media, and oversight of policy and campaigns.
29. In recent years there have been a number of changes in affiliation to the QCU. In 2017 [REDACTED] the CFMEU Construction & General Division and the then CFMEU Mining and Energy Union disaffiliated.
30. In 2024, the Mining and Energy Union (formerly the CFMEU Mining and Energy Union) reaffiliated, and the Australian Workers Union (AWU) affiliated to the QCU for the first time.
31. In late 2024, the Electrical Trades Union (ETU) and the Plumbers Union who are both part of the federal CEPU union disaffiliated and this year the AFULE, which is amalgamated with the state branch of the ETU, also disaffiliated.

CFMEU and QCU

32. Between late 2015 and early 2020 I relocated to Northern New South Wales for personal reasons and returned to the QCU as Assistant General Secretary in February 2020. On my return, I was made aware of the events that had occurred in relation to the disaffiliation of the CFMEU in [REDACTED].
2017
33. As best I recall those conversations with several union leaders including the former QCU General Secretary: in 2017, the then Queensland Government initiated a Best Practice Review of Queensland's work health and safety laws arising out of two fatalities that occurred at Northgate in the construction industry as well as the high profile Dreamworld fatalities (the 'WHS Best Practice Review'). The WHS Best Practice Review had recommended the introduction of industrial manslaughter laws.
34. My understanding is that in the course of Government consulting about the introduction of industrial manslaughter laws at the time with industry stakeholders, including the union movement, that the CFMEU took a certain position which called for adoption of an industrial manslaughter offence that would potentially apply to all duty holders, including workers, who hold a duty of care under the *Work Health and Safety Act 2011* (Qld) (the WHS Act).
35. At the same time, the QCU adopted an alternative position (consistent with the Government proposal) to draft the offence to focus primarily on the negligence of corporate players where that negligence led to a fatality on a worksite, as opposed to laws that would also capture workers. This was also on the basis that workers who may be involved in the manslaughter of a worker at a worksite or workplace were and are already subject to manslaughter laws under the *Criminal Code* (Qld).
36. At the time, the only laws in the country which contained a version of an industrial manslaughter offence was the *Crimes Act 1990* (ACT). These laws were not restricted to those within the corporate veil but could extend to workers.
37. The primary objective with introducing industrial manslaughter laws under the WHS Act, from a union perspective, should be to ensure that those persons who are responsible for a relevant workplace from a corporation sense, should no longer be able to hide behind the 'corporate veil.' Industrial manslaughter laws that focus on the corporation itself are about holding a person conducting a business or undertaking (a PCBU) and its senior officers accountable for any decisions taken which may lead to the fatality of a worker while at work, or other person, as a result of the conduct of the business or undertaking. That is, the laws should be strong enough to allow for prosecution of senior officers within corporations, as opposed to workers who were and are already potentially subject to charges of criminal manslaughter.
38. A related concern, looking at the pre-existing ACT model, was that once prosecutors inherited a matter they would often go for the 'lowest hanging fruit' which on an industrial site was ordinarily the workers or people directly involved in the incident.
39. Consequently, the concern that the union movement held, both in Queensland and nationally, was to ensure work health and safety legislation focused on the person with the primary duty of care, i.e., the PCBU and its senior officers, to ensure the health and safety of workers and other persons by putting in place measures to eliminate or minimise the risk of hazards, including fatalities, from occurring, as far as is reasonably practicable. This is consistent with their primary duty of care under the WHS Act.
40. In summary, I was informed there was significant debate in Queensland around the framing of the legislation and a substantial difference of opinion arose between the QCU and the CFMEU as to which model of legislation should be adopted. As a result, there were significant arguments and threats of disaffiliation from the CFMEU if the QCU did not adopt their position and publicly campaign against the Government at the time. Disaffiliation subsequently occurred.

My workplace involvement with the construction industry and the CFMEU

41. Over the years during my work in the union movement I have developed knowledge of the operations and culture of the construction industry. This includes in my work as an Industrial Officer with the QCU between 1994 and 1998 working directly with the building trades group and also specifically in my role working with the ETU during 2009 and 2010 where I was responsible for training and coordinating the external organisers for the union on non-union construction worksites.
42. During these times, I was made aware and experienced first-hand the culture of the industry, with incidents ranging from representing construction female union members, one of whom had been sexually harassed and assaulted by a contractor, to a union organiser who was directly threatened by a foreman with a chisel to his ribcage if he returned to the worksite, after he was onsite legally exercising his right of entry to the site.
43. As the General Secretary of the QCU I am also deeply involved in a range of workplace cultural change projects relating to blue collar workplaces and industries, one of which is overseeing a Commonwealth Government funded program to support the implementation of gender equity initiatives for women working in male dominated industries in Queensland with the Commonwealth Department of Employment and Workplace Relations. This program includes the conduct of a best practice literature review of flexible work policies, the provision of safe and dignified amenities and toilets at worksites for women, and WHS risks that disproportionately affect women working in male dominated industries, underpinned by a commitment to a cultural change program. This program includes four current workplace pilots working directly with employers in the maritime, transport and civil construction sector.
44. I have also undertaken a significant amount of industrial, work health and safety, and training work directly with the CFMEU Queensland Branch over the years, including:
 - (a) work as an Industrial Officer with the QCU between 1994 and 1998 with the building trades group of unions including the CFMEU and the former BLF;
 - (b) development and delivery of union education for delegates and organisers for the CFMEU and former BLF in my capacity as Assistant Director of the ACTU Organising Centre between 2004 and 2006;
 - (c) direct work with the union in my capacity as Chief Executive Officer of "Future Skills" principally in the provision of work health and safety training such as Health and Safety Representatives Training and Certificate IV and Diploma of Work Health and Safety training qualifications, particularly between 2010 and 2015; and
 - (d) consultancy work on behalf of Future Skills for the CFMEU in developing a nationally accredited course for the identification of asbestos containing materials in the construction industry which became an industry induction course, and a further accredited course for working safely to manage the risk of hazardous dust exposure in the construction and related industries between 2016 and 2020.
45. When I returned to Queensland as the Assistant General Secretary of the QCU in February 2020, I reached out to both the Secretary (Michael Ravbar) and Governance Manager of the CFMEU. However, they both refused to take a phone call from me and refused to engage me with in my role throughout my time as both Assistant and General Secretary. I believe this was because they were no longer affiliates of the QCU and refused to recognise the role of the peak council. Even though I would see the CFMEU Secretary at various meetings between the government, unions and other industry stakeholders, I have not held a conversation with Mr Ravbar since well before 2020.

THE CFMEU's relationship with the government Work Health and Safety team

46. In August 2022, the Queensland Government announced a five-year statutory review of the *Work Health and Safety Act 2011* (Qld). As part of this review, the QCU invited representatives

from the WHS Regulator (WHS Queensland) to a meeting with unions to discuss the terms of reference and processes for the Review. Those representatives were Jodie Deakes, the former Executive Director of WHS Queensland and Andrea Fox, Director Policy WHS Queensland.

47. As the QCU Officer responsible for WHS issues and leading affiliates input into the Review, I organised a meeting of all QCU affiliates and also invited representatives from the Australian Workers Union (AWU) and the Shop Distributive and Allied Union (SDA) to meet with the Regulator representatives to discuss the review. I did not invite the CFMEU to the meeting because of discussions with other union Secretaries on the Management Committee about the previous behaviour of the CFMEU and their conduct around industrial manslaughter laws. I also recall representatives on the QCU WHS Committee expressing their concerns that they would not feel comfortable discussing their WHS issues in the same room as the CFMEU.
48. On the day of the meeting with the WHS Regulator representatives, an incident occurred with a representative of the CFMEU attending whom I did not know at the time. I became aware after this that the person was Kurt Pauls, the CFMEU Work Health and Safety Officer. Mr Pauls was particularly aggressive at the opening of the meeting toward the two representatives from the WHS Regulator and I had to intervene to prevent him from further discourtesy.
- 48.1. Mr Pauls attended the meeting without an invitation. I was unaware of who he was because I did not know him. He attended with an organiser from the Plumbers' Union so I assumed he was a Plumbers' Union representative. His conduct was rude and discourteous. He started to abuse the OIR representatives and swear, stating why wasn't the CFMEU invited to the meeting when even the "fucking Shoppies Union" (the **SDA**) had been invited who was sitting beside him. He carried on for a minute or two about how outrageous it was they were not invited and they were not going to be left out of discussions on the terms of reference for the Review. I intervened as the Chair of the meeting pointing out the Statement of Safety and Respect that the QCU operated under. I stated that he clearly was not an invitee and that who the QCU invited was a matter for the QCU to determine, not the CFMEU, and that he had two choices - either to immediately leave the room or alternately stay and comply with how we operate including being respectful to everyone in the room, including the Regulator staff. He chose to stay and behaved himself to that extent.
- 2017
49. A discussion about that incident (also informed by the [REDACTED] pre disaffiliation behaviour) then occurred in the QCU Management Committee about our engagement with the CFMEU through the Review, which resulted in a delegation to meet with the CFMEU Secretary about their conduct towards other affiliates.
50. I was not part of the delegation. Subsequently, representatives from QCU affiliate unions involved in the WHS Review elected to participate in separate meetings and briefings with the WHS Regulator. It then fell to myself to meet separately with the building trades group (BTG) of unions who were affiliates of the QCU to discuss issues the CFMEU and other members of the BTG were raising.
51. Through these meetings and discussions, I was aware that the CFMEU had a major difference of opinion with respect to draft legislation about permit holders and access rights to workplaces under the WHS Act.

Workplace Health and Safety Board

52. I recall several discussions among affiliates and with staff of the WHS Regulator about the conduct and behaviour of Royce Kupsch when he was both the President of the CFMEU and a member of the Work Health and Safety Board. From these discussions, I understood that Mr Kupsch was renowned among people in the WHS world for his disrespect to senior employees employed by the WHS Regulator (the majority of whom were and are women), as well as his conduct when these senior employees addressed the Board or other general meetings. For example, several Board members and senior employees of the WHS Regulator informed me on numerous occasions about Mr Kupsch's behaviour towards women employees of the Regulator when asked to address a Board paper or respond to Board questions – in that Mr Kupsch would regularly spin his chair backwards and talk loudly to other Board members in

a disrespectful manner rather than listening to the women speak and generally behave in a manner designed to undermine and disrespect those speakers and their authority.

53. I was concerned about the ongoing reports of Mr Kupsch's behaviour and lack of professionalism, so much so that I recall ringing the then Chair of the Board, Mr Jorgan Gallestrup, and raising my concerns about the inappropriateness of this type of unprofessional conduct in a Board environment. I knew Mr Gallestrup from his former time as the Secretary of the Plumbers Union and also in his capacity as former CEO of Mates in Construction. Mr Gallestrup's expressed a similar opinion to me but indicated he had formed a view that the Board needed to meet separately to the WHS Regulator without staff attending Board meetings, with the exception of its Secretariat, in order to alleviate the behaviour of Mr Kupsch.

WHS Regulator

54. Kim Bancroft was appointed as the Deputy Director General of the Office of Industrial Relations at some time in 2022. In this role, Ms Bancroft became an early target of the CFMEU who adopted a strategy of demanding that only Ms Bancroft personally respond to all WHS compliance matters from the union because of her substantive position (the Deputy Director General is the appointed Work Health and Safety Regulator that exercises a range of statutory functions as the regulator in Queensland under the WHS Act (Qld)).
55. This meant that Ms Bancroft was in practice inundated with daily emails and phone calls directly from I believe principally Mr Kurt Pauls (CFMEU WHS Officer) very early on in her appointment with demands that she personally and immediately respond to each matter within 24 hours. These matters, as I understand, were day to day inspectorate matters arising in the construction industry. The emails directed to Ms Bancroft would also say that if she didn't resolve the matters immediately that Ms Bancroft was personally risking the lives of construction workers.
56. It is my understanding that the CFMEU at that time determined that they would not engage with anyone else in the WHS inspectorate except for Ms Bancroft, ostensibly because she was the appointed WHS Regulator, and while they were escalating an ongoing dispute with a number of construction inspectors who were former BLF and CFMEU organisers.
57. I became aware of these matters as I had several conversations with Ms Bancroft when she took up her new role where we discussed the concerns of a wide range of industry stakeholders who were experiencing issues with the inspectorate at the time.
58. In those conversations, I recall expressing a view that Ms Bancroft should not succumb to the demands and continue to advise the union that they should engage with the Regulator through normal processes. Instead, I recall suggesting the need for her as the Regulator to convene a number of Industry Roundtables with employers and unions to work through the issues of what all of industry regarded was poor performance emanating from within the inspectorate.
59. I was also concerned that Ms Bancroft would become compromised as the WHS Regulator because of the deliberate tactics of the union in targeting her and that other matters in the Regulator were not being attended to. This included the many complaints I was personally fielding from QCU affiliates about lack of progress or engagement on serious WHS issues with the inspectorate in other industries such as schools, manufacturing, transport, health etc.
60. Not long after this escalation, which I believe occurred in early 2023, I recall receiving a phone call from the then Director General of the Department, Mr Michael D'ath, to meet with him for a coffee in the city. At that meeting Mr D'ath outlined his concerns that Ms Bancroft had not been performing well in the Deputy Director General position, and that she had agreed to leave the position. I believe this was some nine months after she took up the appointment.
61. In context, I had been one of two Independent Panel Members for the interview process for the then vacant position of Deputy Director General that Ms Bancroft was appointed to. The other Independent Panel Member was Ms Rebecca Andrews, who was at that time, the Chief Executive Officer of the Australian Industry Group. The other Panel Members were Mr Michael D'ath the Director General of the Education Department and Mr Rob Setter the Public Service

Commissioner at that time. Collectively, the Panel had recommended Ms Bancroft's appointment to the position of Deputy Director General.

62. After Ms Bancroft left, the Deputy Director General position within the Department was only temporarily filled and still remains a temporary appointment to this day. Ms Megan Barry and then Mr Peter McKay filled the role for the main part a short time after Ms Bancroft left and stayed in the position until his appointment as the Director General of the then Department of Employment, Small Business and training.
63. The fact that the WHS Regulator role continued to be temporarily filled caused concern from a range of industry stakeholders. I recall having several conversations with various people in the public service and within industry that it would continue to be difficult to attract and retain the right person as no one wanted to be tarred with having to deal constantly with the poor conduct of the CFMEU in the role. There were also the ongoing internal issues within the Construction part of the Inspectorate with frequent reports of factions of inspectors warring against the Director (Ms Helen Burgess).
64. My understanding of those factions were that there were around five construction inspectors, which I believe included three former BLF and/or CFMEU organisers that Mr Ravbar had previously sacked at some point from their roles. This included an inspector by the name of Mr Mike Barber. I heard numerous stories of how Mr Barber and his co-inspectors would refuse to take direction from the Director and would actively cause problems on construction sites for CFMEU officials exercising their WHS right of entry, including obstructing them from resolving WHS issues.
65. My understanding is that these inspectors were at the heart of making multiple bullying complaints against the Director and that they were involved in ongoing complaints which had resulted in internal investigations as well as several before the Crime and Conduct Commission (CCC).
66. One of these matters became quite high profile when the matter was aired in the media around April 2023 when a public decision of the Queensland Industrial Relations Commission was released traversing the issues. That matter related to a finding of the CCC that Ms Burgess had used her personal phone for dealing directly with complaints from the CFMEU and covered the subsequent disciplinary action that the Department had taken against her.
67. In that context, the inspectorate part of the WHS regulator, appeared to be completely dysfunctional from the outside. QCU affiliated unions also expressed ongoing high levels of frustration in dealing with the inspectorate for day to day compliance assistance across industries and this has continued today where there appears to be an ongoing poor culture from many inspectors still existing today that is anti union stemming from the poor relationship with the CFMEU that had developed over time.

Meeting with Jade Ingham (International Women's Day on 8 March 2024)

68. On International Women's Day 2024, I missed a call from Jade Ingham, Assistant Secretary at the CFMEU. I did not have his number in my mobile so I let the call go to message bank. When I listened to the message, he said that he needed to see me urgently that day. Mr Ingham said he was at an International Women's Day luncheon in West End/South Brisbane but wanted to meet with me that afternoon and that he would come to my office. I rang Mr Ingham back and said he could come to my office in Peel Street South Brisbane and he arrived about an hour or so later.
69. When Mr Ingham sat down in my office he said he wanted to talk to me about the Work Health and Safety Amendment Bill that had been tabled in the Queensland Parliament and which had arisen as a result of the five-year Statutory Review initiated in 2022. At this point, the Bill was a result of 2 years of extensive work and period of consultation between a range of parties arising from the independent review that contained a raft of recommendations for legislative change, and including the Government's response to those recommendations, circulation of

draft legislation, and extensive consultative meetings from the WHS Regulator with employers, the QCU and unions, and other stakeholders.

70. As a result of these consultations and meetings from within the Building Trades Group, I was aware before Mr Ingham came to see me that the CFMEU had issues with aspects of the legislation relating to amendments proposed to restrict access to union officials to workplaces for assisting health and safety representatives and for WHS issue resolution to only those union officials who held a permit.
71. In context, the QCU through our respective decision-making forums – being the QCU WHS Committee, the QCU Management Committee and the QCU Executive, had endorsed a position which supported the introductions of restrictions to the WHS Act to limit alternative ways of accessing workplaces without a *Fair Work Act* and *WHS Act* permit, and to restrictions of the use of permits consistent to a union's eligibility rules under industrial law.
72. These proposals were also consistent with not providing access to workplaces for non-registered unions such as the so-called 'Red Unions' under WHS law, which as non-registered unions were not subject to the same accountabilities as registered unions. This policy was also consistent with the QCU position adopted towards similar legislative amendments that the Government had made to the *Industrial Relations Act 2016 (Qld)* in 2022.
73. At the meeting Mr Ingham told me he wanted my support to get the Government to withdraw the WHS Amendment Bill from going to the House the following week. He told me specifically that I needed to agree with him that very day that the QCU would do this as Mr Ravbar (the Secretary of the CFMEU) was on leave that week. He stated that if he could deliver this before Mr Ravbar returned to work the next week, he would have the kudos to get support to run against Mr Ravbar for Secretary. He said that in return the CFMEU would re-affiliate with the QCU and to the Left of the ALP.
74. I told him there was no offer for reaffiliation to the QCU on the table on the part of myself as General Secretary or the QCU Executive because of their previous and ongoing conduct towards other unions. I advised him that there were a large amount of affiliate unions who had expressed strong views opposing their reaffiliation under Mr Ravbar's leadership. I also told him that I had nothing to do with the Left of the Labor Party in my role and that was a matter for others to determine. I also said I wasn't able to support any delay to the Bill being debated and that that was a matter for the Government and Parliament to deal with.
75. At that point I recall saying to him words to the effect that while you're here let's have a discussion about your conduct and the conduct of the union. I also recall saying to Mr Ingham that I was appalled about some of the conduct that had been reported to me about the union's behaviour including his own toward the AWU. I indicated that I thought his and the union's behaviour towards the AWU on Labour Day was not acceptable and I would not tolerate any further examples of this at the 2024 Labour Day marches. Mr Ingham did not elaborate on any of these matters.
76. Mr Ingham asked again about gaining my support for trying to defer the Bill because if I didn't agree with him on that point today, he advised that when Mr Ravbar returned on the following Monday he was going to go "nuclear" and there was nothing Mr Ingham could do. I informed Mr Ingham we were supportive of the Bill and that its passage and timing of passage was a matter for the Government and the Parliament.
77. I recall the Amendment Bill was introduced the following week and eventually passed through the Parliament on March 21, 2024, a few weeks after the meeting between Mr Ingham and myself. I remember being somewhat surprised that there was no "nuclear noise" from the CFMEU on the matter in the interim, or at its passing.
78. On the day the Bill passed, me and the President of the QCU (also the General Secretary of the Queensland Teachers Union) went to the Parliament to watch in the Gallery as the Bill passed. It was an historic moment for the QCU and unions as the Bill included a suite of improvements to strengthen the rights and powers of Health and Safety Representatives, in

addition to including provisions that tightened up right of entry provisions to workplaces by permit holders.

79. After its passage, Ms Ruttiman and I had a photo taken with the then Minister Grace Grace with a copy of the Bill which was then posted to our QCU Facebook page. On the Monday or Tuesday of the week after the Bill had passed, I received a call from Brendan Crottie (Deputy General Secretary of the Queensland Teachers Union) who was a Member of the WHS Board to say that Kurt Pauls (the CFMEU WHS Officer) had been at a Board meeting with him and that the Secretary of the CFMEU had just discovered that the Bill had passed only via our Facebook post. Mr Crottie advised me that Mr Pauls was not happy in the board meeting and had faced wrath from Mr Ravbar as the Secretary of the Union for "allowing it to go through".
80. A number of weeks later, industrial action escalated at the Cross River Rail sites in Brisbane and also on the Centenary Bridge Upgrade project. In my view, while there were clear ongoing industrial and work health and safety issues particularly at the Cross River Rail site, the escalation of the CFMEU behaviour at both sites at the same time was clearly connected to the WHS Act amendments and, quite probably in part, to punish the Government.

The CFMEU's relationship with the Australian Workers Union (AWU)

81. From my experience in the union movement, there have been ongoing historical issues between the CFMEU and the AWU mainly to do with coverage in the civil sector. However, the conduct of the CFMEU toward AWU officials rapidly increased around the time Stacey Schinnerl took over as State Secretary of the AWU in 2022. I recall Ms Schinnerl made a throwaway line at an ALP Conference on the Sunshine Coast in November 2022 about the CFMEU at which point the entire CFMEU delegation, on the request of Mr Ravbar, got up and exited the Conference.
82. Up until that time, I had had little to do with Ms Schinnerl except to say hello at various meetings. However, I recall talking to Ms Schinnerl about some of the incidents I had had described to me by others at a function later in 2023 and saying that I was deeply concerned at some of the behaviour and for her safety. I also informed her that I was strongly opposed to standing by and allowing violence or intimidation to occur to anyone in the union movement, regardless of whether they were an affiliate of the QCU or not, and I said to her if there was anything I could do, I would do so. I did so as a feminist and a unionist because of my opposition to the use of violence, fear, intimidation and to misogyny, which are the antithesis to the practice of union values.
83. Around this time, the AWU was not an affiliate of the QCU and had never been historically. However, Ms Schinnerl and I continued to discuss further incidents that occurred after then and into 2024, and I have knowledge of some of the incidents that occurred as Ms Schinnerl would contemporaneously call me and provide her version of what had occurred. Often in these calls I observed that Ms Schinnerl was presenting as particularly distressed about the events that she was relaying and her concerns for her staff and her personal family.
84. Out of this, Ms Schinnerl and I were able to develop a respectful relationship and ultimately, the AWU sought, and was granted, affiliation to the QCU by the QCU Executive from 1 July 2024 and have remained an affiliate since.
85. Throughout this time, a number of discussions occurred in the QCU Management Committee and QCU Executive about the ongoing conduct towards the AWU and Ms Schinnerl, with many union leaders expressing their dissatisfaction with the events and also reaching out to express their support to Ms Schinnerl.

Labour Day 2023 - AWU and CFMEU

86. The QCU coordinates an annual Labour Day event for all unions across Queensland including a large event in Brisbane – of recent times above 40,000 people – for union members and their families. There are also a range of smaller events within and across the regions. The Brisbane Labour Day event commences around 10.00 am at the Corner of Turbot and Wharf Streets in

the city with a procession of unionists marching to the Royal Exhibition Showground. The event is a large family fun day with families and children, and includes children's rides, union marquees and food at the RNA after the march. It is what we call "Union Christmas". QCU affiliates and non-affiliates participate in the event every year.

87. I recall a specific incident on Labour Day in 2023 at the Brisbane Labour Day event involving the CFMEU and the AWU.
88. It is normal practice for unions to set up their marquees on the Sunday (the day before the Labour Day) and then finalise their set up early at the RNA early on the Monday morning of the Labour Day itself. When I turned my phone on in the morning at around 7am, I recall seeing that I had a number of missed calls from Ms Schinnerl who had tried to call me a number of times just after 7 am on the day. I also received a call from Renee Kempin, QCU Executive Officer stating that Stacey had tried to call me. I attempted to ring her back as soon as I could.
89. When I returned her call, Ms Schinnerl sounded upset and wanted to speak to me about an incident that had occurred that morning at the showgrounds. She told me that she had been doing 'set up' for the union at the RNA and had some of her children with her when she was approached in the marquee by one man who was aggressive with her. She also said she was followed by some of the CFMEU youth crew on the way out. This was particularly offensive as it was occurring on a day that is meant to celebrate union history and unions working together. Ms Schinnerl told me she asked them to leave her alone and to please not do this in front of her children.
90. Ms Schinnerl also told me that she believed the CFMEU youth crew had stickered the whole Brisbane march route with anti-AWU stickers, which were used in the AWU colours to make the stickers look like they were being produced by her own union. Those stickers had things on them like 'Australia's weakest union', and 'Australia's worst union.' I can't remember which one it was but they were stickered along the entire route, all the way up the power poles, so they were very difficult to get down.
91. At the time I asked her if she was okay. She sounded really shaken and very concerned about what might occur throughout the day during and after the march at the RNA with respect to CFMEU conduct and engagement with AWU members.
92. At marches like this I am always conscious that a variety of things may potentially go wrong and as such it is always a highly orchestrated operation. Part of my role as General Secretary of the QCU alongside the Executive Officer is to arrange police permits and coordinate with the police to ensure everything proceeds as organised and safely.
93. Kristy Schmidt is the normal Protest Planning Officer for Brisbane Regional Major Events for the Queensland Police Service and was for the 2023 event. Kristy has managed the Labour Day March for at least the last 5 years that I have been at the QCU. It is always a big operational exercise falling to the QCU to organise and coordinate the entire event with and among all unions, including the CFMEU and AWU.
94. I indicated to Ms Schinnerl that I would talk to the police when I arrived at the start of the march around 8.30 am. When I did so, I introduced myself to Kristy Schmidt again and advised her that there may be some issues between the CFMEU and the AWU down the back of the march. Ms Schmidt indicated she would reach out to the police stationed at the RNA and also on the march route to monitor for any further problems.
95. In context, a similar occurrence had already occurred at the Ipswich Labour Day March on the preceding Saturday which commenced at 1 pm in Ipswich. I recall at the time, when I was driving down the range from the earlier Toowoomba Labour Day event (which had started in the morning) towards Ipswich, receiving a phone call from one of my staff Kylie Muscat who was on the Ipswich Labour Day Organising Committee. Ms Muscat was quite upset and put a person on the phone named Amy Williams who was an organiser for the United Workers Union (UWU) who told me that the Ipswich Labour Day march route had been stickered with anti-AWU stickers.

96. I asked whether they could get a few people to see if they could safely remove the stickers and get down as many as they could which they agreed to do. Kylie and Amy rang me back a short time later while I was still driving. Both seemed very upset as they described having spoken to a CFMEU organiser or delegate who had abused them and then laughed at them saying "it's not us, how do you know it was us and that they would not assist." Kylie and Amy both informed me that they had received reports that it was members of the CFMEU youth crew who had stickered the route. The Youth Crew is a name given by the CFMEU to its young members who participate as part of a youth committee, similar to youth committees in a range of other unions. The QCU also has a Youth Committee, but it is comprised of young representatives from affiliate unions to discuss matters and advocate on issues that have import to young people.
97. Shortly after, I had received a phone call from Ms Schinnerl about the same thing. She told me she was driving to Ipswich to talk to her staff and support their local members as a result.
98. This was the first time that I could recall seeing such a public kind of display of anti-union behaviour and conduct toward another union at a Labour Day march. This really concerned me because as unionists we consider Labour Day as our Christmas Day, and it's a fun, family oriented picnic kind of day, held throughout the regions. All of the events are supposed to be positive, and not an environment where you have angry men aggressively standing over women and upsetting them and their children.

Cross River Rail, the CFMEU and the AWU

99. Ms Schinnerl also advised me of a number of ongoing incidents involving intimidation and violent conduct directed by some people within the CFMEU towards the AWU that occurred on a number of Cross River Rail sites commencing in 2023.
100. I recall a serious health and safety incident in 2023 at a Cross River Rail site and Ms Schinnerl told me that both the CFMEU and the AWU had gone afterwards to the site to talk with members. As I recall what Ms Schinnerl told me, one of the AWU organisers had arrived earlier than everyone else and when they arrived, they remained within their vehicle. At that time AWU vehicles were clearly marked with AWU insignia and were easily recognisable. As the AWU employee pulled up, what they believed were CFMEU youth crew came and stood around the vehicle in a group of about 10-15 chanting 'scab, scab, scab.' It was reported that one of the CFMEU members had a knife. I believe the intimidation tactic was to pressure the AWU employee to remain in their vehicle and not get out and attend the site.
101. Another incident that I recall occurring involved an AWU employee, Barry Watson, a senior industrial officer. Ms Schinnerl recounted to me that when Mr Watson was driving to work in his AWU vehicle (which again was clearly identifiable as an AWU vehicle) he pulled up in peak hour traffic outside the Gabba side of the Cross River Rail site. He was in one of the two far right lanes just before you go over the overpass to come into the city via Adelaide Street. A bunch of CFMEU members came out of the site entrance in CFMEU gear, surrounding the vehicle in peak hour traffic and started shaking the car while he was in it. They removed themselves once the traffic began to move but I understand that Mr Watson was clearly frightened and effected by this.
102. Mark Raguse who is the Assistant Secretary of the AWU Queensland Branch also recounted to me an incident that occurred around this same time frame when he was sitting across the road from the union office in Adelaide Street working in a coffee shop on a Friday afternoon. Mr Raguse advised me that he observed the CFMEU entering the basement of the AWU building when he walked over and confronted them at which point they had already stickered the entirety of the AWU vehicles that were in the underground carpark to the point that the vehicles were no longer driveable, covering their windscreens and backscreens. At that point Mr Raguse raised that they were trespassing and asked them to leave. Both Mr Raguse and Ms Schinnerl relayed this same incident to me on separate occasions.
103. Shortly after that, there was another episode that Ms Schinnerl told me about which had to do with the Ipswich AWU office where CFMEU members had climbed onto the roof of the office building while the AWU staff were inside causing the office staff to be very frightened.

104. I can't recall the precise date or time, but I also recall Ms Schinnerl ringing me for advice about something that had occurred to her personally. Ms Schinnerl said she had been driving, again in an AWU identifiable vehicle, on her way to her residence on the Gold Coast and said that she was certain that she was being followed in the traffic by two intimidating men on large motorcycles. She could not say whether these persons were CFMEU affiliated or whether they were 'bikies' but she was clearly shaken.
105. Ms Schinnerl also indicated in the same conversation that on the same weekend one of her organisers had been in a similar incident on the Sunshine Coast motorway while driving with their grandchild in the backseat, where they believed they were followed aggressively by men on large motorcycles. Again, they couldn't say whether they were CFMEU affiliated but by this stage Ms Schinnerl was concerned about these incidents being part of an orchestrated campaign against the AWU by the CFMEU.
106. Ms Schinnerl informed me of another incident that happened to AWU organisers at the BMD Centenary Motorway Upgrade site where I saw photos of a crowd of CFMEU people surrounding an AWU vehicle leaving the worksite. Ms Schinnerl had told me prior to the incident where the AWU organiser was surrounded in his vehicle, that two AWU organisers had been on site in the lunchroom talking to workers when the CFMEU had shown up and hurled abuse at the two organisers until they retreated to their vehicles. After that, the crowd of CFMEU surrounded the front vehicle chanting "scab, scab, scab".

My Meeting with BMD

107. In about July 2024 I had an intermediary reach out and request a potential meeting with BMD Constructions which is a large civil contractor operating in Queensland and nationally about what was occurring at the Centenary Bridge Upgrade worksite. I was curious as this is not something that is normal with regards to industrial relations in my experience. At this meeting, the representatives from BMD, including Mr Rob Pickard General Manager of the Infrastructure Services for BMD Queensland and Northern Territory, informed me that they believed they were subject to an orchestrated campaign of fear and intimidation against them from the CFMEU and showed me a number of different filmed footage of several incidents. They subsequently provided me with a USB stick that depicted those incidents, including of the same incident that Ms Schinnerl from the AWU had reported to me with a photograph of the vehicle with the AWU organiser inside.
108. The intermediary I met with was Greg Power, who is an industrial relations consultant who advises to BMD whom I knew from many years ago because he used to work for the Chamber of Commerce. This type of meeting was unusual, but it accentuated to me that the behaviours we were seeing and hearing about involving members of the CFMEU were not normal industrial relations behaviour.
109. Mr Pickard and other BMD representatives at the meeting informed me that they believed they were a particular target because they had refused to sign a CFMEU agreement in Victoria and that the conduct was part of a campaign to make them sign a CFMEU agreement, even though they had an enterprise agreement in place with the AWU in Queensland and that the conduct had escalated from early 2024.
110. At that meeting, BMD indicated that they had tried on several occasions to have the police attend the site. However, the police had informed them that because the incidents involved right of entry matters, they had no jurisdiction and could not assist, and that the WHS Regulator (whose nominated contact for right of entry matters was Ms Helen Burgess, Director of Construction) would essentially tell them similarly that the union had a right of entry.
111. As I recall, the USB stick provided to me by BMD depicted footage of the CFMEU surrounding the AWU organiser's vehicle trying to exit the BMD site. It also had footage of a scene at the entrance to the Centenary site depicting a picket line with a marquee under which there was about 30 to 35 people in CFMEU and other work shirts blocking entry to the site. BMD said that this was occurring every day. They also told me that they had hired a private investigator to investigate who the people were, and that they had been advised that the guys on the picket

line were Croatians, most likely associated with John Setka's crew from Melbourne, and that some may have had some connections with bikies.

112. BMD also told me that the investigator had found three trackers on BMD vehicles and that they had concerns for the safety of some of their crew and for the security of the site.
113. I am aware that there has been a Memorandum of Understanding (MOU) in place between the Queensland Police Service and the Office of Industrial Relations (WHS Regulator) for some time, including from as far back as the 1990s. I eventually saw the MOU that was operational in 2024, which included a number of matters: arrangements for which agency would attend and take lead in the event of a fatality or serious injury on a worksite; and matters relating to right of entry including that unions had a right to enter a worksite without a permit under section 81(3) and section 68 of the WHS Act. I recall seeing this provision knowing it was incorrect given my knowledge of the WHS Act and permit provisions.
114. The MOU in existence at the time also had the contact officers for the QPS and WHS Regulator. I recall the contact person for the WHS Regulator was Ms Helen Burgess, Director of Construction.
115. I recall that this informal meeting happened around the time the federal Government had announced administration of the CFMEU was going to occur, but prior to administration. Once the union went into administration, which was shortly thereafter, I provided a copy of the USB stick to the local administrator Mr Travis O'Brien and a copy to the ACTU Secretary, Ms Sally McManus. I also provided a copy to the Queensland Police Commissioner at a following meeting during July 2024. I no longer have a copy of the USB stick as I was only able to have a staff member create 2 copies (plus the original). The AWU also had footage of the incident involving the surrounding of the AWU organiser by the CFMEU from a vehicle camera.

Involvement of the Police

116. After the incidents Ms Schinnerl told me about involving motorcycle bikes and potential serious threats to herself and staff (as described above), I formed a view that Ms Schinnerl should speak to the police, at the very least to get some security and assistance in monitoring what was happening. As Ms Schinnerl and I talked about these incidents and their escalation, we also discussed Ms Schinnerl's and her family's personal safety, as well as the duty of care she owed as an employer to AWU staff and the steps that should be taken to protect people. I recall at that time, I suggested that she might want to seek advice from Simon Tutt at the Queensland Police Union about who to speak to within the police as these were clearly not matters a person could simply walk into a local police station and ask for assistance with. I understand from later conversations with Ms Schinnerl that she did speak with Mr Tutt and that she had taken steps to instal home CCTV and other personal safety measures. I am also aware the union took a decision to remove any signage from AWU vehicles, and limited AWU organiser activity on civil construction sites.
117. Ms Schinnerl also told me she had been informed by BMD senior management that they could no longer protect or provide safety to her as the union state secretary to come onto site because they could not control the violence or escalation of incidents that might occur in the future involving the CFMEU. I recall Ms Schinnerl had been quite upset about that, because the AWU had an enterprise agreement with BMD and she couldn't access the site with her legal right of entry permit.
118. In July 2024, I recall speaking with Ms Schinnerl and suggested that we should seek to have a meeting with the Police Commissioner to discuss the issues which appeared to be escalating and I was concerned about what might occur if we did not take some form of intervention. I reached out and was able to organise a meeting with the Police Commissioner at QPS headquarters at Roma Street with Ms Schinnerl and myself. I recall the Deputy Commissioner Cheryl Scanlon also attended along with a Director of Regional Operations whose name I cannot recall.

119. At that meeting we talked about our concerns, the violence directed towards the AWU and the real potential for it to escalate. I provided the USB stick to the QPS Commissioner who indicated the Deputy Commissioner would be back in contact with us. I am unsure whether an actual investigation took place, although they kept a copy of the footage.

Recent incident at QCU involving the CFMEU

120. Jared Abbott is the Assistant General Secretary of the QCU but is currently on leave without pay. In early 2025, Jared was approached by the Administrator's Office to undertake the role of Executive Officer for the Administration after Travis O'Brien had left the position in late January 2025.
121. Jared Abbott had held a similar role as the branch executive officer under the Administration of the Transport Workers Union (TWU) Queensland Branch by the TWU New South Wales branch (rather than via compulsory legislative administration) since 2022. Prior to this Jared Abbott was a senior national union official from New Zealand, and had been headhunted by the TWU National Office to undertake the role.
122. After I took over as QCU General Secretary in 2023, I approached Mr Abbott to come and work with me as the Assistant General Secretary because of his skills and experience in particular working in a blue collar union. He worked with me in that capacity throughout 2024 and into early 2025. In early 2025, Mr Abbott was approached by the Administrator about the vacant Administrator Executive Officer role in the CFMEU Queensland Branch and approached me to ask if I would support him to do the role, including supporting a leave of absence.
123. Given my experiences with Travis O'Brien who had undertaken the role up until that point, I said he should speak with Mr O'Brien to get a frank picture of what he was likely getting into. I expressed my concerns and told him it I believed it would be a very difficult role given where the branch was at and that he would need to go into it with his eyes wide open.
124. In considering the role, Mr Abbott had some concerns about his tenure given what had occurred in some of the other branches with Administrator staff and asked if he could have a flexible leave of absence of up to two years and then come back to his job at the QCU. I told him I would support him to do so but that was a decision of the QCU Management Committee and ultimately the QCU Executive under our rules.
125. In February 2025, the President and myself as General Secretary convened a special Management Committee meeting to discuss his request for leave without pay on a flexible basis of up to two years. That meeting was called for 19 February 2025 to commence at 8 am. The meeting was held with some members of the Committee online and some in the Boardroom at the 16 Peel Street South Brisbane building.
126. I arrived at work around 7.40 am to prepare for the meeting. The meeting commenced in the Level 5 Boardroom on time at 8.00 am and shortly thereafter, we could hear a lot of noise coming down the street to the front of the Peel Street building. I asked Renee Kempin, the QCU Executive Officer who was in the room at the time to take minutes, if she could find out what was happening.
127. Ms Kempin stepped out of the room and came back stating that there was a large presence of CFMEU people assembling at the front of the building that she could see from the external CCTV and also that a number of staff had been ringing in to say they were arriving at work but couldn't get into the building because the CFMEU were blocking access to the driveway and carparks. Mr Abbott had also texted me to say he couldn't get into the building and had gone down the road. Mr Abbott had not been asked to attend the meeting as he had a direct conflict of interest in that the agenda item was in respect to his leave.
128. I immediately asked Ms Kempin to initiate a building lockdown given I am the responsible person for ensuring the safety of the building, including QCU staff, tenants and other persons who may be visiting or attending training at the building. Ms Kempin is the person who has

access to the lifts to lock them off at each floor which meant that only the ground floor foyer could be accessed at that point. I also asked Ms Kempin to contact the police to attend the site.

129. We resumed the meeting and a short time later another member of staff came in to inform us that three people were in the Level 5 foyer demanding to see Mr Abbott and that they had something (written) to present to him about not taking up the role of Executive Branch Officer to the Administrator in Queensland. They were also filming with a hand-held phone. Later, staff advised that they had accessed the Level 5 by entering the fire stairs on the ground level and tenants on a lower level had let them into the lift.
130. I asked Ms Kempin to meet the members in the foyer to advise them that Mr Abbott was not in the building and that they needed to leave. After they left, Ms Kempin returned to the Boardroom and advised us that the three members had, upon being told to leave the foyer and depart the building, said that they would not leave and that they had every right to be there because it was public property (which it is not). They were filming her and Ms Kempin stated that she was not consenting to being filmed and to please turn it off. She repeatedly advised them to leave the building and to turn off the phone camera. They eventually did leave but only after presenting her with the piece of paper demanding that she provide it to Mr Abbott. Ms Kempin then came back into the meeting room and advised us that the police had arrived and that the police had asked the crowd to move on which they did.
131. It was very clear in my mind and the Committee's mind that the crowd had arrived to put pressure on the members of the Management Committee to not support the resolution to grant Mr Abbott leave to take up the position. Only the members of the Management Committee were aware of the date and time of the special meeting and it was very clear that someone had advised the former removed leadership of the date and time otherwise there would have been no protest planned at that very specific date and time at 8.00 am in the morning.
132. I had a conversation with Mr Peter Ong Secretary of the Electrical Trades Union (ETU) at a pre-organised meeting that afternoon who advised me that the Building Trades Group, including the current internal leadership within the CFMEU, had nothing to do with the rally. It was clear to me that the protest had been organised by Mr Ravbar and/or Mr Ingham. I saw footage on the Your Union Your Choice Facebook page of the protest that occurred later on that day where Mr Ingham was present and speaking.
133. Regardless of the protest outside, the QCU Special Management Committee meeting resolved to approve the resolution to recommend to the Executive that Mr Abbott be granted a flexible leave without pay arrangement for up to two years from his role as Assistant General Secretary of the QCU. The Special Executive meeting was convened for the following week on 24 February 2025 and Mr Abbott's leave was granted by approval.
134. I was informed during the Management Committee by the President of the Services Union (TSU) who is a member of the Committee that their members who had been present for a meeting on Level 2 were distressed because they were unsure what was happening and in fact Ms Jennifer Thomas left the Boardroom at the time to go down and sit with the members on Level 2 until the incident was over, all the time continuing the meeting online. I was also informed that a number of women who had been attending a Health and Safety Representatives course on Level 3 were upset, shaken, and crying and that QCU staff had to comfort them and reassure them of their safety.
135. I am particularly cognisant of my legal responsibilities as a person conducting a business or undertaking (PCBU) to ensure the health and safety, so far as is reasonably practicable, under work health and safety law not just to staff but to tenants and other people in the building. We also had union and non-union members doing a health and safety courses for safe work in that building on that day. I had staff who were quite unsettled trying to get into the workplace and basement and being blocked by the CFMEU members.
136. While I respect the right of unionists to protest, it is also the right of every worker to feel safe and respected in their own workplaces. I have a view that the protest was definitely designed to send a message to us while we were meeting.

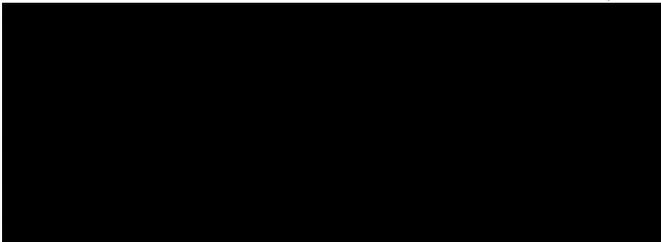
137. At the time, we had CCTV at the front of the building which has since been upgraded for security purposes, not just because of the CFMEU but because of a number of other incidents and general security in the area.
138. The day after the incident I was at ACTU Executive in Melbourne and was contacted by our Executive Officer to advise that an inspector from the Fair Work Ombudsman (FWO) was at the office seeking to speak with Mr Abbott about media reports of the protest the day prior. Mr Abbott was not in the building. I advised Ms Kempin to cooperate with the inspector and he asked for a copy of the CCTV and said they were investigating whether there had been any adverse action taken against Mr Abbott. **Annexure 1** to this statement are copies of CCTV footage of the 24 February 2025 protest.
139. I subsequently received a letter from the FWO stating they were investigating whether the incident was part of activities seeking to undermine the administration under the *Fair Work (Registered Organisations) Act* and asking us to provide them with a copy of the CCTV footage from the day which we did. I spoke with the FWO Legal Director some time later about the incident, and then we received a letter from them a few months later advising them they had closed the matter.

Recommendations for Change

140. From my experiences and discussions with unions, the main problem that had been occurring in the CFMEU in the Queensland Branch appears to be related to the conduct of the union under its former removed leadership, in particular towards other unions.
141. While the QCU does not support the concept of legislative administration of a union because it means that a legislature has control over the operations of a democratic organisation, the administration of the union has led to significant changes and reforms in my opinion within the Queensland Branch, particularly since the High Court decision.
142. Up until around the time of the High Court decision in June 2025 it was very apparent to me and other union leaders that Mr Ravbar and Mr Ingham were still in control of a significant number of employees within the union. I formed this view from my discussions with Mr O'Brien in his former role as Executive Officer of the branch between August 2024 and January 2025 and from conduct that had occurred towards Mr Abbott once he took up his role as Executive Officer for the Administration. For instance, I had been informed that organisers were still reporting directly to Mr Ingham on a daily if not weekly basis about their activities and taking instructions on work matters; organisers had moved resolutions against Mr Abbott refusing to work with him; both Mr Ravbar and Mr Ingham continued to show up to public rallies and seek to speak with authority on behalf of the union branch while organisers were present; and because of the organised conduct of members outside the branch that occurred after the High Court decision.
143. After the release of the Watson Report into the Queensland branch of the union, I understand that around fourteen union organisers were terminated and a number of delegates stood down. I have also observed a new cooperation between senior lead coordinators in the CFMEU branch (Matt Vonhoff and Dylan Howard), as well as the Training Manager (Ross Davidson) and other industrial and administrative staff with the Administration and steps to move the branch forward to restore its relationship with other unions and the QCU. I have also observed commentary from employers within the industry that the branch had also moved forward and was being cooperative and representative of its members at the same time.
144. The legislative changes that brought about the Administration of the union envisage that the branches of the union can remain in administration for up to five years. The QCU Executive has resolved that it will continue to work with the branch to assist where it can to help the branch move forward and make the changes required, including cultural change, to end the administration, noting also that this may take some time. On that basis, the QCU does not support any further legislative change in relation to the conduct that occurred under the watch of the former removed leadership because we believe the changes that have already occurred are sufficiently wide enough.

145. Because the WHS Regulator has been an internal part of a larger Department for a long period of time, the statutory appointment of WHS Regulator rests with what is now the Deputy Director General of the Office of Industrial Relations, which itself sits within the Department of State Development, Infrastructure and Planning. Previously, it was within the Department of Education.
146. This has meant that the statutory appointee to the WHS Regulator position reports to a Director General of another Department without the expertise and experience required in the field of work health and safety which is a fairly serious role.
147. I would recommend that the WHS Regulator and functions carried out by public service officers for the Regulator be established as an independent statutory body that is funded and overseen by an Industry Board which includes representation from key industries – both employer and registered unions – that in turn reports to a Minister. This recommendation is based on my observations of what occurred over time and my personal view that an appointed Regulator with statutory functions should not have to report to and take direction from a Director General that sits over them from effectively another Department.

I swear the contents of this statement are true.



Place BRISBANE Date 27 / 11 / 2025


Before me (signature of witness)

PATRICK AIDAN MACDONAGH TURNER
Full name of witness (please print)

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

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