



COMMONWEALTH OF AUSTRALIA

PARLIAMENTARY DEBATES



**THE SENATE**

**PROOF**

**QUESTIONS WITHOUT NOTICE**

**Building and Construction Industry**

**QUESTION**

**Tuesday, 11 August 2015**

BY AUTHORITY OF THE SENATE

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## QUESTION

**Date** Tuesday, 11 August 2015  
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**Questioner** Lambie, Sen Jacqui  
**Speaker**

**Source** Senate  
**Proof** Yes  
**Responder** Abetz, Sen Eric  
**Question No.**

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### Building and Construction Industry

Building and Construction Industry

**Senator LAMBIE** (Tasmania) (14:45): My question without notice is to the Leader of the Government in the Senate, Senator Abetz. Can Senator Abetz confirm for the chamber that he has stated in this place that: (a) the construction sector is dominated by the CFMEU and the outlaw bikie gangs with which they associate; (b) there is a sinister veil of silence from witnesses and victims because they fear retribution and reprisal from speaking out against the intimidation that we so often see in this industry, most commonly on the part of the CFMEU; and (c) the courts have said time and time again that the CFMEU continues to ignore the law, despite the imposition of penalties. And could the senator say who was worse in his opinion, the CFMEU or the BLF?

**Senator ABETZ** (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:46): I thank Senator Lambie for the question because the very last part of her question allows us to see the very sad and sorry history that has bedevilled the construction sector now for decades.

It was in fact a proud union movement, and a proud Labor leader was willing to call corruption as corruption and thuggery as thuggery, and that is why Bob Hawke and the ACTU at the time were willing to move for the deregistration of the BLF. They would not countenance the good name of trade unionism being trashed by those elements.

Regrettably, those elements have re-emerged in the construction sector of the CFMEU, and that has now been shown to be the case by the Cole royal commission. It was also confirmed by Justice Wilcox when he had a review of our Australian Building and Construction Commission legislation when he said words to the effect of that he wished he did not have to recommend the ongoing use of the coercive powers which the Labor Party now seeks to deny.

We have since had the revelations of the Heydon royal commission indicating similar thuggery. Indeed we have now had arrests. And indeed the CFMEU used to run this line: 'Don't have a special body. Report these matters to the police.' Well, do you know what happened just the other day? The police actually took action and arrested somebody, and what did Mr Noonan of the CFMEU say? 'That shouldn't be a police matter; it's an industrial matter.' No matter what the circumstances, they will twist and weave. In direct answer, I think it is a toss of the coin between the BLF and the current division— (*Time expired*)

**Senator LAMBIE** (Tasmania) (14:48): My supplementary question to Senator Abetz is: does the senator agree with Senator Nash when she told this chamber in November 2014 that 'counsel assisting has found that the CFMEU engaged in secretly stealing private information of its members, boycotts, cartels, blackmail, extortion and even death threats'?

**Senator ABETZ** (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:48): I usually hang on every word that Senator Nash tells this Senate and I have no reason to disbelieve that that is something that Senator Nash may have said and that Senator Lambie is faithfully representing that to the chamber.

What it once again shows is the horrid culture of corruption within the building sector. I said when the Heydon royal commission was launched that this would be a two-edged sword and that, if inappropriate payments were being made to trade unions, chances were that those payments were being made by employers and contractors who in effect want an easy life and, therefore, pay themselves out of trouble—the sort of circumstance which

has now been revealed as having occurred with Chiquita Mushrooms, when a certain trade union official, now parading as an alternate Prime Minister, engaged in it as well. *(Time expired)*

**Senator LAMBIE** (Tasmania) (14:49): Given that the senator agrees that the CFMEU leadership is involved in a wide range of serious criminal activities—blackmail, extortion, death threats and assault—and associations with outlaw bkie gangs, killers and underworld figures, and given that there is little difference between the CFMEU and the BLF, can the senator explain why his government, that has now been in office for two years, has not deregistered the CFMEU, just as it knows the Hawke-Labor government did in 1986? Why have you not deregistered the BLF?

**Senator ABETZ** (Tasmania—Leader of the Government in the Senate, Minister Assisting the Prime Minister for the Public Service and Minister for Employment) (14:50): The proposition that the senator puts forward is a very interesting proposition. The situation was that in the Hawke era you had a responsible Labor leadership supported by a responsible opposition. There was unanimous support in the parliament for that course of action, yet what we have from this government is Mr Shorten wheeling in frontbenchers to Senate estimates to run interference and to run defence for the CFMEU, including trying to ask questions as to why a CFMEU official, that lied on his statutory declaration—

**Senator Cameron interjecting—**

The PRESIDENT: Pause the clock. Order!

**Senator Lambie:** Mr President, I rise on a point of order. I just simply asked Senator Abetz why they have not deregistered the CFMEU, with or without support. I just want to know why you have not used that instrument and deregistered them?

**Senator ABETZ:** I would be very interested to see if there would be support for that in this chamber. One suspects, if there is not support for the ABCC, there clearly would not be support for deregistration. *(Time expired)*