

## Senate Standing Committee on Education and Employment

### QUESTIONS ON NOTICE Supplementary Budget Estimates 2015 - 2016

**Agency - Fair Work Commission**

**Department of Employment Question No. EMSQ15-000337**

**Senator McKenzie asked on 22 October 2015 on proof Hansard page 76**

#### **Question**

#### **FWC - Craig Thomson Investigation**

CHAIR: How much time would have elapsed between the commencement of the investigation into Mr Thomson by the commission and the hearing of the matters by the court?

Ms O'Neill: I might have to take that on notice. I do not think I have the commencement of the investigation in front of me.

#### **Answer**

On 6 April 2009 the Industrial Registrar of the Australian Industry Registry, Mr Doug Williams, commenced an inquiry under section 330 of Schedule 1 to the *Workplace Relations Act 1996* regarding compliance with that Act by the National Office of the Health Services Union and its officers, including the former National Secretary Mr Craig Thomson. On 26 March 2010 the delegate of the General Manager of Fair Work Australia (as the Fair Work Commission was then known), Mr Terry Nassios, commenced an investigation under section 331 of the *Fair Work (Registered Organisations) Act 2009* (as Schedule 1 became known) regarding compliance with that Act by the National Office of the Health Services Union and its officers, including the former National Secretary Mr Craig Thomson.

On 15 October 2012 the General Manager of Fair Work Australia, Ms Bernadette O'Neill, commenced proceedings against Mr Thomson in the Federal Court of Australia. The Honourable Justice Jessup handed down a decision on 11 September 2015 finding, at a high level, that the allegations in the Statement of Claim were made out. A hearing to receive submissions on penalties and other relief was held in the Federal Court on 9 November 2015.