

**Senate Standing Committee on Education Employment and Workplace
Relations**

**QUESTIONS ON NOTICE
Budget Estimates 2012-2013**

Outcome 4 – Workplace Relations and Economic Strategy

DEEWR Question No. EW0284_13

Senator Abetz asked on 29 May 2012 , Hansard page 72

Question

Senate parliamentary question 1570

Senator ABETZ: Of course it does. Look, the answer: The Minister for Employment and Workplace Relations has provided the following answer to the Honourable Senator's question. The General Manager ... an independent statutory office holder, is responsible for the conduct— That does not answer at all whether or not the minister believes it has taken an unreasonable time, so we can delete that paragraph from the answer as being irrelevant. We move to the next paragraph: I note however that at the recent Additional Estimates hearings the then Acting General Manager acknowledged "that, on the face of it the inquiries and subsequent investigations have taken an unreasonably long time.' That is the acting general manager, not the minister— To that end, the Acting General Manager announced that KPMG will be undertaking an independent review into the conduct of the investigations and that the outcome of the KPMG review will be made public. Still—even after all those words—we are not given an insight as to whether the minister believes that the investigation has taken an unreasonable amount of time. We then go to the last paragraph, the final sentence: As the investigations are completely independent of the Government, the Government will consider the findings of the KPMG review before deciding whether to comment publicly on this matter. The matter being the unreasonable amount of time, which is the question. So we still do not have an insight into what the minister believes, yet we do know from the media that he does accept that it described the delays as unacceptable. Disaggregating all this spin and nonsense, we have a non-answer here, Parliamentary Secretary. The head of the department has done a good job to try to spin it for you, but it has spun out, having gone through it step by step. Can we please be advised, on notice, whether the minister actually believes that it has taken an unreasonable amount of time—that is, the FWA investigation into the Health Services Union? Does the minister believe that has occurred? Why did the minister say that the government would consider the findings of the KPMG review before deciding whether to comment, when he in fact did comment on 13 April. And just in case you need to know, that was an AAP story on 13 April at 8:59am, where we are told that that is the case. The minister is in the media seven days before we finally get the answer, which might be another example of answers hanging around far too long in the minister's office. In relation to question 1570, can I be advised when the department provided the draft answer to the minister's office? Ms Paul: We can take that on notice. Senator ABETZ: I think it will be shown that although it is non-responsive it was provided earlier and then there was clearly a change of mind by the government— Ms Paul: I do not know that until we take it on notice. CHAIR: The question has been taken on notice. There is no benefit in then speculating on what the answer may be.

Answer

Can we please be advised, on notice, whether the minister actually believes that it has taken an unreasonable amount of time—that is, the FWA investigation into the Health Services Union? Does the minister believe that has occurred? Why did the minister say that the government would consider the findings of the KPMG review before deciding whether to comment, when he in fact did comment on 13 April.

In an interview with Fran Kelly (ABC Radio National) on the morning of 13 April 2012, the Minister said:

“You’re then raising the issue of the Fair Work Australia process. I think before you even asked I acknowledged that having had a look at the delays, that’s unacceptable. We certainly will consider, once we’ve got the reports, what are the lessons in terms of the processes.”

The Department is not in a position to add to the Minister’s comments.

In relation to question 1570, can I be advised when the department provided the draft answer to the minister’s office?

The draft response was provided to the Minister’s office on 30 March 2012.