

Re: NFL SERENDIPITY 2022 - Week 16 - Reminder

From: "MCBURNEY,Stephen" <stephen.mcburney@abcc.gov.au>
To: s 47 F Personal Privacy
Date: Thu, 22 Dec 2022 11:46:38 +0000

s 47 F Personal Privacy
tips Jets
tips Jets
tips Jags

From: s 47 F Personal Privacy
Sent: Thursday, December 22, 2022 8:42:59 PM
To: s 47 F Personal Privacy
Subject: NFL SERENDIPITY 2022 - Week 16 - Reminder

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hi Everyone.

Reminder that the early Thursday Game is **Jacksonville JAGUARS @ New York JETS**
Tip required by Midday on Friday (AEDST) or **JAGUARS** will be allocated as your tip.
Most games are **on Saturday, Not Sunday** so all tips are required by **Midnight (AEDST) on Saturday Night (Christmas Eve)**.

Have a great Christmas Day watching all the games! And Boxing Day!!

Cheers

s 47 F Personal Privacy

Re: NFL SERENDIPITY 2022 - Week 17 Reminder

From: "MCBURNEY,Stephen" <stephen.mcburney@abcc.gov.au>
To: s 47 F Personal Privacy
Date: Thu, 29 Dec 2022 12:18:06 +0000

s 47 F Personal Privacy picks Cowboys
s 47 F Personal Privacy picks Cowboys
s 47 F Personal Privacy picks Cowboys

From: s 47 F Personal Privacy >
Sent: Thursday, December 29, 2022 11:13:00 PM
To: s 47 F Personal Privacy
Subject: NFL SERENDIPITY 2022 - Week 17 Reminder

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hi Everyone.

Week 17 reminder that the early Thursday Game is **Dallas COWBOYS @ Tennessee TITANS**

Tip required by Midday tomorrow (AEDST) or **COWBOYS** will be allocated as your tip. All other tips by Midnight on Sunday (AEDST)

Cheers

s 47 F Personal Privacy

FW: Treatment of ABCC staff [SEC=OFFICIAL:Sensitive]

From: "MCBURNEY,Stephen" <stephen.mcburney@abcc.gov.au>
To: "MCBURNEY,Stephen" <stephen.mcburney@abcc.gov.au>
Date: Fri, 06 Jan 2023 04:25:13 +0000
Attachments: DOC19-49661 BP5. Commissioner - Senate Estimates - April 2019 - Recent Social Media posts.DOCX (3.21 MB); 1 July 2014 to 1 July 2019 - Security incidents between s.47G & ABCC .docx (28.84 kB); s.47G Business Informant intimidation of ABCC staff.docx (18.4 kB); RM Workspace - DOC19-65675 Steve briefing material for A.G - supporting background re s.47G officials and intimidation of ABCC staff.DOCX (895.43 kB)

OFFICIAL: Sensitive

For action.

OFFICIAL: Sensitive

From: s.22 Irrelevant information@abcc.gov.au
Sent: Monday, 21 November 2022 4:01 PM
To: MCBURNEY,Stephen <Stephen.McBurney@abcc.gov.au>
Cc: s.22 Irrelevant information@abcc.gov.au; KELLEHER,Matt <Matt.Kelleher@abcc.gov.au>; s.22 Irrelevant information@abcc.gov.au; HANSEN,Georgia <Georgia.Hansen@abcc.gov.au>
Subject: Treatment of ABCC staff [SEC=OFFICIAL:Sensitive]

OFFICIAL: Sensitive

Hi Steve

Further to our discussion earlier, I have several documents which identify incidents of abuse / intimidation of staff, social media posts, and security incidents – see **attached**.

Some need to be updated. There is a fair bit of overlap with the content in some of these documents.

Ideally we would consolidate them into:

- One document detailing incidents of abuse and intimidation, and social media posts.
- Another document listing security incidents – the attached version is out of date – so we will need to liaise with s.22 Irrelevant information about this.

I don't have capacity to review and consolidate these, but perhaps s.22 Irrelevant information does (?).

The CFMMEU's media release about the ACCC's case from August 2021 is here: <https://cg.cfmeu.org/news/collapsed-cartel-case-reveals-accs-abuse-power>

Thanks

s.22 Irrelevant information

OFFICIAL: Sensitive

s.22 Irrelevant information

2016						
5/08/2016	Friday	5.30 PM	Abusive Stakeholder	s.22 Irrelevant information	Around 3.30 pm on 5 August 2016 Investigator s.22 Irrelevant information arranged a meeting with s.47 F Personal Privacy s.47 F Personal Privacy at the Sydney office of FWBC. The purpose of the meeting was to discuss reprisals that s.47 F Personal Privacy had alleged by s.47G Business Information s.47G Business Information against his company following his disclosure of complaints about misconduct by	Reported FYI of ASA

				<p>s.47G Business Information training Assessors. s.47 F Personal Privacy had referred these complaints to FWBC on 23 March 2016 which was subsequently forwarded onto s.47G Business Information for their appropriate action.</p> <p>During the interview s.47 F Personal Privacy behaved in an incoherent, rambling manner. He was in a highly emotional state. He became visibly upset and teary. He also erupted into fits of rage. He shouted abusive comments about the Government's inaction regarding his complaints against s.47G Business Information s.47 F Personal Privacy was especially frustrated that s.47G Business Information had failed to contact him following FWBC's referral of his complaints to them in March 2016.</p> <p>s.47 F Personal Privacy abusive comments and shouting drew the attention of Regional Manager, Eastern, s.47 F Personal Privacy and Manager, Professional Standards s.47 F Personal Privacy who called me out at twice during the interview to check on my welfare.</p> <p>On the second welfare check I explained to s.47 F Personal Privacy that s.47 F Personal Privacy was rambling and not providing any meaningful information. s.47 F Personal Privacy instructed me to wind up this meeting and to meet on another occasion when he might be in a more stable state of mind.</p> <p>s.47 F Personal Privacy e was in such a state of distress to the point where he was rambling and incoherent</p>	
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					<p>that I was unable to establish from him the names of the people involved or any other circumstances.</p> <p>As ^{s.47 F Personal Privacy} [redacted] left the interview room he punched the walls in the corridor leading to the common area and also punched the doors of the lift</p>	
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Perth

2017

10/03/2017	Friday	4.57 PM	Abusive Phone Call	^{s.22 Irrelevant Information} [redacted]	<p>Investigator ^{s.22 Irrelevant Information} [redacted] received a 1800 call from an anonymous male person (sounded young), ranting about how the taxation system was unfair to workers and how workers were constantly being undermined and losing their conditions. He went on about workers getting smashed with tax while big companies got away without paying taxes etc. and big companies just don't care. He felt that nobody in government seemed to care and that "people may have to be assassinated" so governments will listen. Callers Mbl No ^{s.47 F Personal Privacy} [redacted] displayed on ^{s.22 Irrelevant Information} [redacted] phone. Reported as it coincides with a number of WA politicians, including the</p>	Reported to Police for possible Investigation
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				s 47 F Personal Privacy	having been sent death threats in the mail in the last few days.	
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Brisbane

2015

6//5/15	Wednesday	5.42 AM	Abuse of Staff	s 22 Irrelevant information	<p>Abusive Email received by inspector s 22 Irrelevant information allegedly sent by s 47 F Personal Privacy Employee) in response to a letter sent to s 22 Irrelevant information offering the opportunity to participate in a Record of Interview re an alleged offence of Unprotected Industrial Action. "No one will be attending you're interview you fucking dog cunts ,shame on you,you fucking grubby piece of shit,fuck off!!!! Your 4 fathers would roll in there grave if they knew the grubby dog act's you were trying to pull.SHAME"</p> <p>Sent by: s 47 F Personal Privacy</p>	Reported to ASA FYI. Enq's with & head contarctor dealing with employee.
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2016

25/05/2016	Wednesday	10.25 AM	Staff Abused/Intimidated	s 22 Irrelevant informa	<p>Investigators s 22 Irrelevant info & s 22 Irrelevant informa attended Casino Redevelopment Site, ProBuild, Gold Coast for a routine visit. Whilst meeting with Probuild site Mgt (2 x Project Mgrs & 1 x Construction Mgr) ,</p>	Reported to ASA for Info. Enquiries made by s 22 Irrelevant info with QLD Police re: Personal
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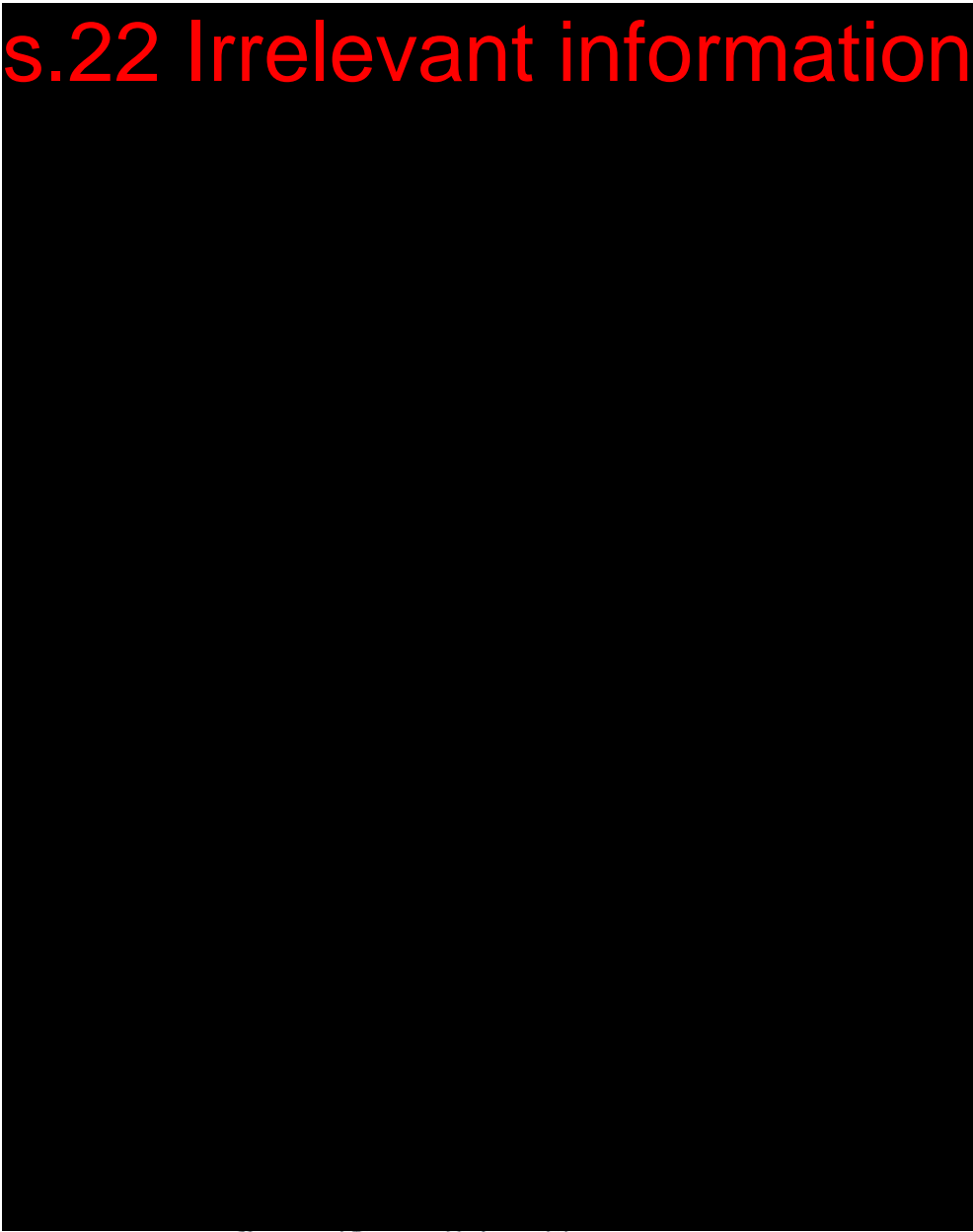
BP5. Commissioner - Recent social media posts

s.22 Irrelevant information





s.22 Irrelevant information



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s.22 Irrelevant information



Australian Government
Australian Building and
Construction Commission

s 47 F Personal Privacy

Construction, Forestry, Mining and Energy Union (CFMEU)
540 Elizabeth Street
MELBOURNE VIC 3000

9 January 2018

Dear

s 47 F Personal Privacy

REQUEST FOR RECORDED INTERVIEW

The Australian Building and Construction Commission (**ABCC**) is the Federal Government agency responsible for monitoring compliance with the *Fair Work Act 2009 (FW Act)*; the *Building and Construction Industry (Improving Productivity) Act 2016 (BCIIP Act)*; the Building Code 2013 and Building Code 2016.

The ABCC is conducting an investigation into suspected contraventions of the BCIIP Act. As a result of its investigation to date, the ABCC has identified you as a person who may have contravened section 54 of the BCIIP Act by organising or taking, or threatening to organise or take, any action against Element Five Pty Ltd (**Element Five**) and VCON Pty Ltd (**VCON**) with intent to coerce Element Five and VCON to make an enterprise agreement.

In order to provide you with an opportunity to respond to the suspected contraventions, we invite you to attend a voluntary interview at the ABCC's offices. You may be accompanied by a legal representative or support person during the interview.

Please contact me by 5:00 pm on 19 January 2018 to advise whether you would like to participate in an interview as part of this investigation. Should you not respond by this date, we will presume you have declined this interview request.

If you have any questions, please contact me by phone on [redacted] or email at [redacted]

Yours sincerely

[redacted signature]

[redacted signature]

Australian Building and Construction Inspector
Australian Building and Construction Commission



s.47 F Personal Privacy

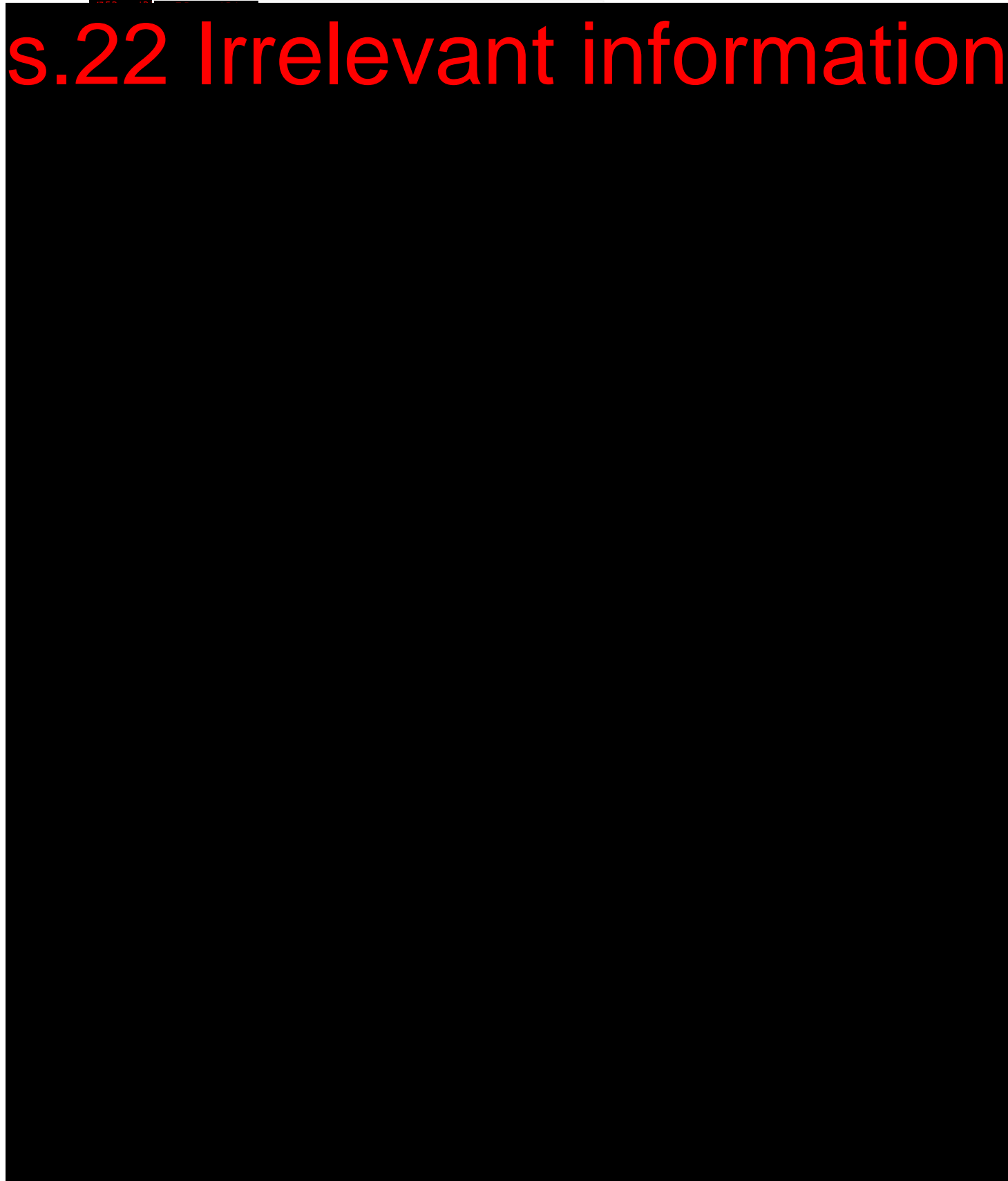
16 November 2018

s.22 Irrelevant information



s.47 F Personal Privacy – Facebook post 19 September 2018

s.22 Irrelevant information





Australian Government
Australian Building and
Construction Commission

Senate Standing Committee on Education and Employment
Senate Estimates Brief – April 2019

s.22 Irrelevant information

tweet – 18 September 2018

s.22 Irrelevant information

Release
Freedom



Australian Government
Australian Building and
Construction Commission

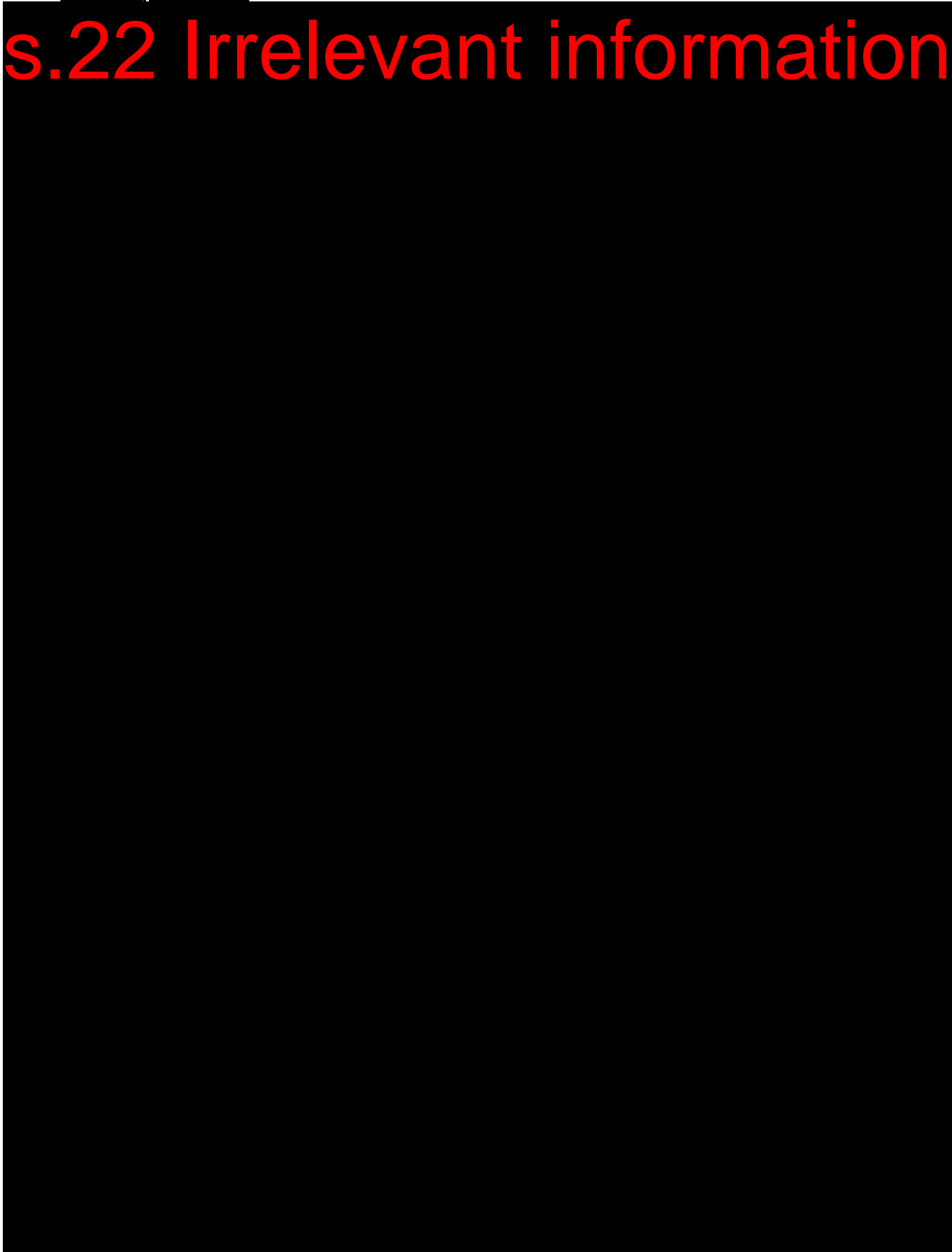
Senate Standing Committee on Education and Employment
Senate Estimates Brief – April 2019

s 47 F Personal Privacy

Facebook post – 18 September 2018

s 47 F Personal Privacy

s.22 Irrelevant information





s 47 F Personal Privacy

Facebook post 17 September 2018

s.22 Irrelevant information

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under
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Australian Government

Australian Building and
Construction Commission

Senate Standing Committee on Education and Employment
Senate Estimates Brief – April 2019

s. 47 F Personal Privacy

tweet re Cathy Cato

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s.22 Irrelevant information

s.47G Business Information

INTIMIDATION

s.47G Business Information

intimidation of a police female officer – Barangaroo South case

In the Barangaroo South case, Justice Flick accepted the evidence of a female police constable in relation to her interactions with [§ 47 F Personal Privacy]. The female police constable described [§ 47 F Personal Privacy] “body language” as “standing tall, he had broad shoulders, he was leaning down and toward me, his eyes were wide as if he was trying to stare me down”.

She described [§ 47 F Personal Privacy] body language as follows:

“He made sure that I was feeling either intimidated or scared.”

“...in my line of work we deal with people like him a lot.”

“When someone is trying to intimidate another person they do certain actions to intimidate a person.”

About the approach to the police officer, the Court found:

“The exchange with the police Constable formed part of the background factual context in which it can readily be concluded that [§ 47 F Personal Privacy] was deliberately setting out to create an atmosphere of defiance, even as against those charged with enforcing the law.”

s.47G Business Information

intimidation of ABCC staff

VIC – intimidation of a female ABCC inspector on multiple occasions ([§ 47 F Personal Privacy]

[§ 47 F Personal Privacy] and others)

On 18 February 2009, a female ABCC inspector and a male colleague attended the Royal Children’s Hospital Project in Nth Melb (RCH project). [§ 47G Business Information] official [§ 47 F Personal Privacy] hit their ABCC Vehicle with a tree branch as the vehicle was driven on site. [§ 47 F Personal Privacy] and another [§ 47G Business Information] Organiser [§ 47 F Personal Privacy] made calls to the mobile phone of the female inspector. [§ 47 F Personal Privacy] left her an offensive message.

The same female inspector also received a phone call to her home phone on 10 October 2009. The unknown caller was a male with an Irish accent who said “[name of female inspector] isn’t it, [name of female inspector]. Me and my seven mates are going to come and f**k you”. He continued to talk until she terminated the call. The female inspector had previously received a call to her home phone by an unknown male caller who left a message saying “You f***ing rat, f**ker”.

The following year, the female inspector also received numerous calls to her work mobile from [§ 47 F Personal Privacy] between 20 July and 23 August 2010 whilst on annual leave. The same inspector had previously received two calls from [§ 47 F Personal Privacy] to her work mobile (8:08pm and 10:02pm). Calls were not answered and no messages were left. It was considered inappropriate as these calls were unsolicited, late in the evening and given [§ 47 F Personal Privacy] past history of calling whilst intoxicated.

Prior to the RCH Project incident in 2009 and the resulting phone calls, on 6 August 2008 the female inspector and a male colleague attended AIRC in furtherance to matters at the RCH Project whereby the female inspector was subject to verbal abuse and sexually derogatory remarks.

She had also been with two male colleagues on 5 August 2008 when they were subjected to verbal abuse, with photographs taken and firecrackers thrown at their feet. Offending parties were made up of [redacted] and [redacted] Organisers.

VIC – intimidation of ABCC investigators at the Regional Rail Project [redacted]

On 21 February 2014, three ABCC investigators (two males and a female) attended the Regional Rail Project in response to a call that [redacted] was blocking access to the site. Upon attendance, [redacted] recognised the staff and verbally abused/swore at them and took photographs at close proximity. On 27 February 2014, the two male investigators attended the site in response to a call that [redacted] was blocking access yet again. Mr [redacted] verbally abused/swore at one of the inspectors and took photographs of him.

NSW – Barangaroo South (numerous senior [redacted] officials including [redacted])

FWBC Investigators were repeatedly abused over various days (24, 25 and 28 July 2014) and subjected to insults such as being called “F***ing dogs”, being spat at etc.

QLD – John Holland Enoggera Army Barracks and QUT [redacted] and [redacted]

On 12 November 2013, [redacted], in the company of an unknown male, punched the driver’s side window of a FWBC vehicle while two inspectors were attending the John Holland QUT project. [redacted] also appeared, ran at the vehicle and swung a punch towards the open passenger window, just short of making contact with the inspector on that side. [redacted] continued to abuse both staff with obscenities.

Also on that day at the Enoggera Army Barracks site, [redacted] drove towards a FWBC stationary vehicle. Several other attendees protesting at the project hit the FWBC vehicle with placards.

Assault of a process server

The following account was provided by a process server who attempted to serve a union official with court related documents. The process server declined to report the matter to police.

I attended the given address on 8 April 2019 at 6.15pm as a matter of urgency. The door was answered by a male occupant.

The conversation went, or words to the effect:

"Hi, can I speak to [REDACTED]?"

The occupant replied "Who are you?"

I answered "I have some documents for [REDACTED]."

He then turned to his wife who was in the hallway and said "This bloke wants to serve me."

I then said "Are you [REDACTED]?"

He said "Get off my property."

The male then opened the door, grabbed me and threw me off the front porch, about 4 steps. I landed on the lawn.

The male then followed and manhandled me to the front of the property where he again grabbed me and threw me face first to the nature strip and held me down by the neck.

I struggled with him to get up and he only released his grip when his wife and young children intervened, and the wife dragged him off me.

The documents were scattered across the street. I'm sure that the wife was referring to him as "[REDACTED]!". The children may have referred to [REDACTED] as the brother of the occupant.

I then collected the scattered paperwork and left the address.

Released by the [REDACTED] Ombudsman
Freedom of Information Act

Social media posts on ABCC staff

On 18 September 2018, after ABCC investigators attended the Royal Hobart site, [s.47G Business Information] officials [s.47 F Personal Privacy] and [s.47 F Personal Privacy] posted their photos on social media, generating the following abuse:

s.22 Irrelevant information



Former Deputy Commissioner Cathy Cato social media abuse

Following an appearance at the February 2018 senate estimates, former Deputy Commissioner Cathy Cato was subjected to the following abuse following a s.47G Business Information post

s.22 Irrelevant information

