

Media Release



MASTER BUILDERS
AUSTRALIA

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Union Appeal To High Court Refused

Master Builders Australia welcomes the High Court of Australia's refusal to grant special leave to the CFMMEU to appeal against a Full Federal Court decision to impose \$306,000 in fines for the illegal conduct of its former President, Dave Hanna.

The appeal stemmed from a 2017 decision to impose penalties on the union for its abuse of safety powers to illegally gain access to a Fortitude Valley construction site ('The Broadway on Anne case') in 2015. In the original decision, the Court found then union President, Dave Hanna, guilty of refusing to leave the site, squirting water in the face of a site manager, and threatening the manager by saying '*Take that phone away, or I'll f**king bury it down your throat*'.

Master Builders Australia CEO said, "It's bullying pure and simple. This behaviour is not tolerated anywhere else in the community and people working in the building industry should not have to. We must not let the union bullies win on construction sites."

Since the original decision in 2017, the CFMMEU has appealed twice; once in August this year, and when they lost, again to the High Court.

"The fact the CFMMEU appealed this decision, not once but twice, shows that they think what Hanna, and many other CFMMEU officials before him have done, is okay. It is not," Denita Wawn said.

In handing down the original penalty, the Federal Court Judge, Justice Vasta, described the union as the '*most recidivist corporate offender in Australian history*'.

He went on to say '*the Union simply regards itself as free to disobey the law*'. Another judge who heard the initial appeal, indicated that the parliament should consider deregistering the Union, when he said '*...an organisation which manifests an inability by its internal governance to rein in aberrant behaviour cannot expect to remain registered in its existing form*'.

For further information contact:

Ben Carter, Director Media & Public Affairs, 0447 775 507