

Alliance

To address allegations of criminal or unlawful conduct
on Victorian Government construction sites

Terms of Reference

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1. Background

On 20 July 2024, the Premier established the *Formal Review into the Victorian Government Bodies' Engagement with Construction Companies and Construction Unions* (Wilson Review) to consider how Victorian Government bodies interact with construction companies and unions. The review was established to recommend ways of strengthening government bodies' ability to respond to allegations of criminal and other unlawful conduct in the Victorian construction sector.

The final report of the Wilson Review was published 18 December 2024. The report made eight recommendations.

While most relevant interventions sit with the Commonwealth in industrial relations, this alliance should share information, coordinate action and inform government of emerging issues on these sites

Recommendation 2 of the Wilson Report proposed that the Victorian Government establish an alliance involving state and federal law enforcement and regulators and other relevant entities with a role in addressing allegations of criminal or unlawful conduct on Victorian Government construction sites.

The Alliance is established by the Minister for Industrial Relations and the Chief Commissioner of Police (or their delegate) in response to the findings of the Wilson Report.

2. Purpose

The purpose of this Terms of Reference (ToR) is to establish the Alliance to bring together key government agencies to allow the effective exchange of information and a collaborative approach to further support government response to criminal or unlawful conduct on Victorian Government construction sites.

The foundational purpose of the Alliance is to share information, coordinate action and inform government of emerging or systemic issues on these sites. In addition, the Alliance is to ensure information that an agency cannot act on, is shared with any other member of the Alliance that may be able to use it to support its own legal or regulatory obligations. As the work of the Alliance progresses, there will also be opportunities to work together to embed lasting reform.

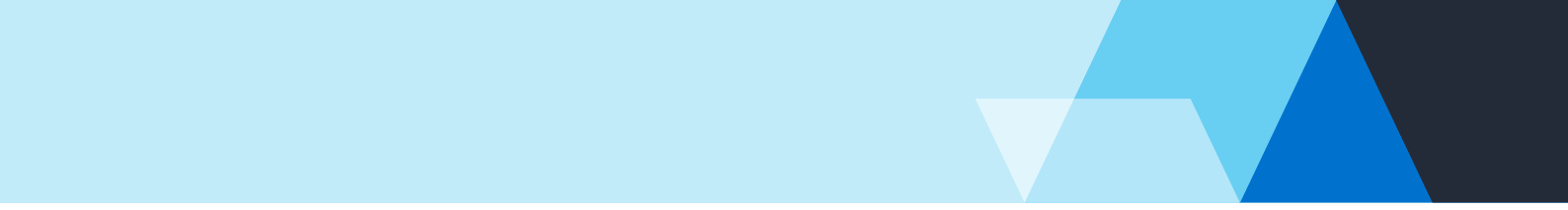
The Alliance is not intended to duplicate the work of the national Joint Agency Working Group (JAWG) chaired by the Australian Federal Police (AFP) or intersect with internal Victoria Police operational coordination arrangements and investigative processes.

3. Overarching Principles

This ToR is to be read in a spirit of cooperation and parallel with any arrangements that may already exist between individual members of the Alliance.

3.1 Sharing information

It is the responsibility of each agency sharing information to ensure that the members of the Alliance are lawfully able to receive that information and are aware of any restrictions on its use.



The Alliance members will have a tendency towards the sharing of information, to the greatest extent permitted by each members' respective legislative obligations, including in relation to criminal and unlawful activities on public construction in Victoria. This will ensure that allegations are being considered by the most responsible agency or regulator best placed to address the relevant conduct.

Where there are barriers to sharing information, Alliance members should attempt to address them, as far as possible, through information sharing agreements between Alliance members, to support members working together to address systemic criminal and unlawful conduct.

3.2 Acting on information shared

The decision to accept or initiate an investigation will remain with individual agencies. Alliance members should facilitate cooperation when investigations cross the boundaries of two or more organisations.

Members are required to communicate, deconflict, and work together to resolve all matters in the best interests of the community by utilising a range of appropriate mechanisms including criminal investigation, civil investigation, administrative actions, disruption, engagement, and education activities. Consistent with this approach non-policing agencies dealing with their own matters which are also the subject of police investigations will appropriately resolve agreed deconfliction prior to proceeding.

To ensure the appropriate allocation, co-ordination, and investigation of alleged criminal conduct, law enforcement and other agencies have established a governance structure where operational co-ordination at a national level is facilitated by the JAWG chaired by the AFP. Operational co-ordination within Victoria is supported by an Operations Committee, chaired by Victoria Police. Victoria Police have also established Operation Hawk to investigate criminal offending against Victorian legislation.

However, once the decision not to proceed to a prosecution is made in relation to a criminal matter, information held by law enforcement bodies may be able to be used by another regulator for regulatory action.

One key purpose of the Alliance is to ensure that law enforcement bodies inform other agencies if a matter is not going to proceed and share any available information with another agency when possible which may inform other potential regulatory action.

3.3 Complaints referral function

The Workforce Inspectorate Victoria has been tasked by the Victorian Government to operate the complaints referral function, relating to criminal or unlawful conduct on Victorian Government construction sites (Wilson Report recommendation 1). It is anticipated that the Workforce Inspectorate Victoria will report to the Minister for Industrial Relations about trends in these complaints or emerging issues, to provide government with visibility of alleged or proven conduct. The Minister may choose to provide these reports to the Alliance for information and consideration, where appropriate.

3.4 Reporting to the Minister and Chief Commissioner

During the life of the Alliance, but particularly in its first two years of operation, the Alliance will report periodically to the Minister for Industrial Relations and the Chief Commissioner of Police, noting its progress and any barriers to its efficacy, as well as an overview of any systemic issues it has identified.

4. Membership

The Alliance is chaired by Victoria Police. Industrial Relations Victoria, Department of Treasury and Finance is the deputy-chair of the Alliance.

The Alliance is supported by the secretariat in Industrial Relations Victoria, Department of Treasury and Finance. The secretariat will manage all meeting invitations, to be sent to the members of the Alliance listed below only or their proxy. The secretariat will circulate the agenda and any supporting papers, and following meetings, any draft meeting minutes and actions.

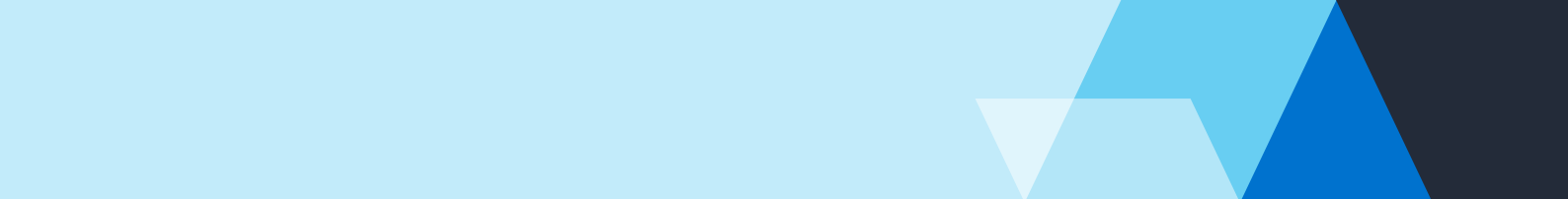
The Alliance membership comprises senior agency representatives with appropriate decision-making powers.

The Alliance may from time to time invite other relevant Victorian and Commonwealth agencies to speak to a specific report or issue, as deemed appropriate and authorised by the Chair. Any permanent change to the membership may only be made with the approval of the Minister for Industrial Relations and the Chief Commissioner of Police.

Role	Agency
Chair	Victoria Police
Deputy-Chair	Industrial Relations Victoria, Department of Treasury and Finance
Secretariat	Industrial Relations Victoria, Department of Treasury and Finance
Member	WorkSafe Victoria
Member	Labour Hire Authority
Member	Victorian Infrastructure Delivery Authority
Member	Suburban Rail Loop Authority
Member	Australian Federal Police
Member	Fair Work Ombudsman
Member	Fair Work Commission

4.1 Responsibilities of Members

Members are to consider all matters brought to the Alliance for consideration. Members are to be frank with their discussions and deliberations, engage collegiately, work collaboratively and where possible reach unanimous agreement.



Members of the Alliance are responsible for adhering to and operating in accordance with their own statutory and legislative obligations (including with respect to confidentiality, privacy and data security obligations). Alliance members are to sign any Deed of Confidentiality, if applicable, that will support the functioning of the Alliance.

If a substantive conflict of interest arises, the relevant member of the Alliance will raise the issue with the Chair prior to the commencement of the meeting, or when the conflict arises (whichever is first) to ensure the conflict is appropriately managed.

4.2 Apologies

Attendance is critical to the success of the Alliance. Consequently, apologies are to be made in unavoidable circumstances. If a member is unable to attend a meeting, the organisation is to provide a suitable representative with the appropriate decision-making delegation. Subject to the approval of the Chair, a proxy may attend on behalf of the relevant agency.

The member should advise the Chair and secretariat prior to the meeting and provide the name of their proxy for the Chair's approval.

5. Frequency of Meetings

Meetings requiring all Alliance members attendance will be held monthly. Depending on the type of matter to be discussed, meetings could occur more or less frequently as considered necessary by the Chair.

The Chair will convene meetings of the Alliance, generally. However, a request to convene the Alliance may be made by any member through the secretariat. The secretariat will liaise with the Chair when convening any meetings.

6. Communique

Any communique relating to the activities of the Alliance may be issued by the Chair and Deputy-Chair of the Alliance by agreement and in consultation with the Minister for Industrial Relations. Any communique will be shared with Alliance members for comment before it is made public.

7. Review

The ToR will be effective from 15 October 2025.

If these ToR require amendment, variation or modification, this will occur only after consultation and agreement by Alliance members, on the recommendation of the Chair and subject to the approval of the Minister for Industrial Relations.

The ongoing operation of the Alliance will be reviewed by the Minister for Industrial Relations after two years.