

# Union blast

## Judge queries CFMEU view

A SUPREME Court judge has questioned how he can just sit back and let the construction union pick and choose whether it will obey court orders.

Justice Anthony Cavanough yesterday asked lawyers for the CFMEU why the union felt it could so easily disobey the court.

Justice Cavanough found in May the union had ignored court orders banning it from blockading the Myer Emporium site on five separate days in August last year.

Responding to calls by construction giant Grocon that the union should be fined up to \$5 million for the contempt charges, union lawyer Peter Morrissey, SC, yesterday told the court the only appropriate fine would be between \$350,000 and \$500,000.

He said a fine in that scale would be double any previous fine imposed on the union for contempt charges.

He said the evidence before the court proved the blockades, that brought Melbourne to a standstill, were just another protest.

"This was preceded be-

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haviour. It was just a protest," he said. "There is an attempt being made to sell this to the court as an outrageous protest. It wasn't."

But Justice Cavanough questioned why, despite previous fines, the CFMEU continued to ignore court orders.

"I have to proceed on the basis that the orders were clear and that the union clearly understood them," he said.

The court heard previous fines had not "had any appreciable impact on the attitude of the CFMEU to comply with court orders".

Justice Cavanough has reserved his decision in relation to the contempt of court penalties.

Both Grocon and the CFMEU will meet in court again today to start a new proceeding in relation to a third round of contempt charges.

Grocon alleges the CFMEU has again shown complete disregard for the authority of the court and its orders, going back to an April blockade.

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