

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

**QUESTIONS ON NOTICE  
Additional Estimates 2011-2012**

**Agency - Australian Building and Construction Commission**

**DEEWR Question No. EW0985\_12**

**Senator Cameron provided in writing.**

**Question**

**ABCC - Surveillance of Union Officials**

In the recent Setka and Hudson prosecution in the Victorian Magistrate's Court, one of the inspectors confirmed that the ABCC had a practice of engaging in covert surveillance of union officials. For how long has this practice been engaged in? How often has it occurred? Who within the ABCC authorises such a practice and on what basis? Does the surveillance ever involve video and/or audio recording?

**Answer**

*The Office of the Australian Building and Construction Commissioner has provided the following response:*

A review of the transcript in the Hudson / Setka matter reveals that there was confusion about the definition of covert surveillance. No fair analysis would conclude that an admission was made.

In any case, to the extent that covert surveillance is understood to be conducted in a manner that is deliberately secret or concealed, the ABC Commissioner has not authorised this practice.