

**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. EW0984_12

Senator Cameron provided in writing.

Question

ABCC - External Prosecution Agencies

1. Who within the ABCC is responsible for dealing with the relevant external prosecution agency, e.g. police or DPP, where a decision is made that an ABCC matter be referred for prosecution?
2. Who within the ABCC was ultimately responsible for the decision to refer the Setka/Hudson matter for prosecution?

Answer

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

1. Depending on the particular circumstances, a decision to refer a matter to an external law enforcement agency (i.e. make a formal complaint) will be made by the victim, supported by and in conjunction with senior management at the ABCC.
2. The affected ABC Inspectors made complaints to Victoria Police in their personal capacity.