

Senate Standing Committee on Education Employment and Workplace Relations

**QUESTIONS ON NOTICE
Additional Estimates 2010-2011**

Agency - Australian Building and Construction Commission

DEEWR Question No.EW0675_11

Senator Siewert provided in writing.

Question

ABBC - PROSECUTIONS AND CONVICTIONS

How many investigations undertaken by the ABCC against unions and employers each year since its inception have resulted in prosecutions and convictions?

Answer

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

	Union / Union Official	Employer	Union / Union Official and Employer	
1 October 2005 – 30 June 2006	7	0	0	
1 July 2006 – 30 June 2007	9	0	1	
1 July 2007 – 30 June 2008	14	2	0	
1 July 2008 – 30 June 2009	19	0	0	
1 July 2009 – 30 June 2010	29	0	1	
1 July 2010 to date	8	3	0	GRAND TOTAL
TOTAL	86	5	2	93

Civil Penalty Obtained	Civil Penalty Not Obtained	Civil Penalty Litigation Discontinued by Consent	Civil Penalty Litigation Before the Courts
55	2	8	28

There are very few provisions within the legislation we administer which carry criminal penalties. There have been no criminal convictions. Generally contraventions are civil not criminal.