

**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. EW0989_12

Senator Cameron provided in writing.

Question

ABCC - Incorrect Evidence

What steps have been taken by the ABCC in relation to the admission by a prosecution witness during the Setka/Hudson matter that he had provided incorrect evidence to the court for which he also subsequently apologised to the court ?

Answer

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

On 10 February 2012 ABC Commissioner Johns announced that the Australian Government Solicitor (AGS) will be conducting an inquiry into the facts, matters and circumstances surrounding the evidence of ABC Inspectors at the committal hearing of John Setka and Matt Hudson.

ABC Commissioner Johns has also asked all ABC Inspectors to conduct an assessment of all current files to determine if the practice of obtaining, preparing and retaining evidence differs in any way from the ABCC Operations Manual.

The ABCC Operations Manual was adopted following ABC Commissioner Johns' appointment. Chapter 20 of the Manual specifically deals with evidence.