

**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. EW0993\_12**

**Senator Cameron provided in writing.**

**Question**

**ABCC - Failure of the Prosecutions**

Senator CAMERON asked in writing

1. As a result of the failure of the prosecutions referred to above, has there been any attempt to scrutinise, internally within the ABCC's legal department, prosecutions of that nature?
2. Is the ABCC principally concerned with securing convictions of any description irrespective of their minor, technical or trivial nature.

**Answer**

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

1. Yes. An internal file review of the *Cozadinos v CFMEU & Bell* proceeding has been undertaken by a senior ABCC officer not connected to the original matter.

The result of this file review is currently being considered.

2. No. All proceedings instituted by the ABCC are determined in accordance with the *ABCC Litigation Policy* contained in *ABCC Guidance Note 1* and the Legal Services Directions.