

Wednesday, 24 November 2010

## Ark Tribe's acquittal is further proof the ABCC must be abolished, say unions

Today's acquittal of Adelaide building worker Ark Tribe is proof that the Australian Building and Construction Commission is a farce and should be abolished, say unions.

ACTU President Ged Kearney, who attended the rally in support of Ark Tribe outside the Adelaide Magistrates' Court this morning, said the failure of this high profile prosecution was a major rebuff for the ABCC and the discriminatory laws it oversees.

Mr Tribe was this morning found not guilty by Adelaide Magistrate David Whittle of failing to attend a compulsory interview by the ABCC.

He was the first person to be charged with this offence following his refusal to undergo compulsory questioning about a stopwork meeting he attended in 2008.

Ms Kearney said it was outrageous that an ordinary worker had spent the last two years of his life with the threat of a six month jail term hanging over his head simply because he raised concerns about the safety of a project he was working on.

"Every member of the Australian union movement shares Ark's jubilation and relief at today's verdict," Ms Kearney said.

"This is a great day for workers' rights. Justice has finally been done in Ark's case, but the verdict is further evidence of an incompetent and unnecessary ABCC.

"The ABCC has wasted taxpayers' dollars in pursuing an innocent man and this verdict raises fresh questions about the role and competence of the ABCC. The Magistrate has found that the ABCC acted unlawfully in the way the charge was laid.

"Today's verdict will see Australian unions redouble their efforts to have these unfair and unjust laws abolished. These laws criminalise legitimate industrial activity and deny building workers the right to silence."

Ms Kearney said there were 900,000 Australians employed in the building and construction sector who every day risk their lives on building sites around the nation and play a major role in driving the economy.

"Any government law enforcement agencies should be focused on policing safety and workplace rights, not prosecuting workers for exercising their basic rights," Ms Kearney said.

"Today is Ark's day, but we will continue campaigning to ensure that building and construction workers are treated no differently from the rest of the workforce. The Labor Government must deliver on its promise from the 2007 election to abolish the ABCC and the coercive powers which discriminate against building and construction workers.

"The ABCC was established by the Howard Government and given coercive powers to pursue building workers. Until it is dismantled, a part of WorkChoices will remain alive."

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