



12/4202-04

11 July 2012

Ms Julie Dennett  
Committee Secretary  
Senate Standing Committee on  
Legal and Constitutional Affairs  
Parliament House  
CANBERRA ACT 2600

Dear Ms Dennett

### **Clarifications and corrections to Hansard**

I write concerning evidence provided by officers from the Attorney-General's Portfolio to the Senate Standing Committee on Legal and Constitutional Affairs at the Budget Estimates hearing of 23-24 May 2012.

Officers from the Attorney-General's Portfolio who provided evidence to the Committee have identified a number of corrections to Hansard and clarifications to their evidence, as follows.

### **Wednesday 23 May 2011**

#### Evidence of Mr Innes

On page 7 of the transcript, Senator Fifield asked about correspondence between Mr Innes and the previous Secretary of the Department of Parliamentary Services on the issue of Parliament House accessibility. Mr Innes indicated that he could make the dates of the correspondence available to the Committee.

Copies of this correspondence are enclosed at Attachment A.

#### Evidence of Mr Duggan

In an exchange with Senator Smith regarding consultation with the Pastoralists and Graziers Association of Western Australia, on page 70 of the transcript Mr Duggan stated "And, as I said, there was a significant review of the Native Title Respondent Funding Scheme by Mr Neal, and his recommendations were adopted."

The Attorney-General's Department wishes to clarify that Mr Neal's report has informed policy development; however, that policy has not yet been finalised.

#### Evidence of Ms Fryer-Smith

In an exchange with Senator Furner regarding the number of registered Indigenous Land Use Agreements (ILUAs), on page 70 of the transcript Ms Fryer-Smith stated that "628 Indigenous Land Use Agreements, or ILUAs, were registered just last week".

The National Native Title Tribunal would like to clarify that the 628 ILUAs had been registered as of the week ending 18 May 2012; 628 ILUAs were not registered during the course of that week.

#### **Thursday 24 May 2011**

##### Evidence of RADM Johnston.

RADM David Johnston responded to questions from Senator Brandis regarding Border Protection Command (BPC) staffing levels in both the Canberra and Darwin headquarters. In responding to Senator Brandis' questions RADM Johnston stated on page nine of the proof Hansard that "total staff available to me, in my headquarters in Darwin and here in Canberra is 211...the Customs and Border Protection staff with me in Canberra total is 112."

Customs and Border Protection wishes to clarify that:

- the average number of full time employee Defence and Customs and Border Protection staff across the BPC headquarters in Darwin and Canberra in 2011-12 YTD (to March 2012) was 198; and
- the average number of full time employee Defence and Customs and Border Protection staff within BPC in Canberra in 2011-12 YTD was 106.

The above average number of Customs and Border Protection full time employees does not include officers in regional locations including Cairns, Broome and Thursday Island.

Senator Brandis asked additional questions on notice regarding BPC staffing levels. This information is provided in the reply to Question on Notice 27.

In responding to questions from Senator Brandis regarding surface assets available to BPC, RADM Johnston stated on page 10 of the proof Hansard that "...typically I draw from 10 Customs and Border Protection vessels...".

Customs and Border Protection wishes to clarify that the total number of Customs and Border Protection vessels usually available to BPC is 11. This includes eight *Bay Class* vessels, *ACV Triton*, *ACV Ashmore Guardian* and *ACV Ocean Protector*.

RADM Johnston did not include the *ACV Ocean Protector* in his response on 24 May 2012, as at that time *ACV Ocean Protector* had been made available to the Department of Defence for deployment on Humanitarian Assistance and Disaster Relief duty. As such, *ACV Ocean Protector* was not available to Border Protection Command at the time of his response.

On page 13 of the proof Hansard Senator Brandis sought further clarification of the number of surface assets available to BPC. Senator Brandis asked RADM Johnston "...So there are seven naval vessels plus six bay class vessels plus the *ACV Triton* deployed as we speak on maritime patrol surveillance?" to which RADM Johnston replied "... yes".

Customs and Border Protection wishes to clarify that the total number of Customs and Border Protection and Navy patrol vessels available to BPC on 24 May 2012 was in fact 15, not 14 as indicated above. *ACV Ashmore Guardian* was not included in above calculation of total available assets. This was an oversight on the day.

##### Evidence of Mr Carmody

In an exchange with Senator Brandis regarding projected staffing reductions, on page 7 of the transcript, Mr Carmody gave examples of a number of areas where staffing levels are being reviewed.

Customs and Border Protection Service wishes to clarify that it is also reviewing staffing levels at District Offices in the context of the risks being managed at those offices. No District Offices will be closed as a result of this review.

In an exchange with Senator Brandis regarding the number of Customs and Border Protection officers that have been charged in the last six months, on page 24 of the transcript, Mr Carmody stated that on 25 December 2011 there was an officer issued with an arrest warrant related to an incident outside of the workplace.

Customs and Border Protection Service wishes to clarify that in addition to this case a Customs and Border Protection officer was arrested and charged in relation to an alleged theft at the workplace on 16 May 2012.

#### Evidence of Mr Irvine

On page 74 of the transcript Mr Irvine responded to questions from Senator Ludlum on ASIO's budget increase of \$32.389 million for the 2012-13 financial year.

ASIO would like to clarify that the \$32.389 million increase specific to ASIO's budget for 2012-13 is for funding towards rental obligations for ASIO's new central headquarters.

#### Evidence of Mr Smith

In an exchange with Senator Humphries regarding the number of APS Code of Conduct investigations which had been undertaken at CrimTrac since the beginning of last financial year, on page 90 of the transcript Mr Smith stated that five (5) investigations had been, or were currently being conducted.

CrimTrac wishes to clarify that since 1 July 2010 there have been nine (9) investigations conducted into suspected breaches of the APS Code of Conduct, two (2) of which are currently ongoing.

In an exchange with the committee, Senator Humphries stated "I understand that there were also bonuses awarded in the period between 30 June 2010 and 30 June 2011 of \$61,000 to each of two senior executives. I assume that would have to be two of the executives I referred to earlier." Mr Smith stated that "Yes, they are".

CrimTrac wishes to clarify that for that period between 30 June 2010 and 30 June 2011, the three senior executive staff who received bonuses were paid in total \$40,230.00. The payment amounts were \$16,789.00, \$15,759.00 and \$7,682.00.

The action officer for this matter is Anna Gordon

Yours sincerely

Simon Kelly  
Director  
Legislation and Parliamentary Liaison Section

**Disability Discrimination Commissioner  
and Race Discrimination Commissioner**

**Graeme Innes AM**

14 March 2011

Mr Alan Thompson  
Secretary  
Department of Parliamentary Services  
PO Box 6000  
Canberra ACT 2600

Dear Mr Thompson

#### **Access to Parliament House**

I am writing to confirm my telephone conversation with you last week, during which I explained my difficulties in accessing Parliament House following the construction of new security arrangements in the car park. I felt that it was appropriate to call you first, as I was aware that a story regarding the matter was due to appear in the Canberra Times the next day.

As you would be aware from that conversation-

- \* the moving of the taxi rank to the centre of the car park, and away from the lifts;
- \* the placement of a chicane of security barriers between the two, and
- \* the lack of any guidance system between the taxi rank and the lifts caused me, and I am sure would cause many other people with disability, to be unable to independently arrive at Parliament House. In fact, because there was no-one else in the car park at the time, I spent some fifteen to twenty minutes trying to locate the lifts.

I am sure that this action was taken on security advice. However, whilst it is important to minimise the risk of security incidents, it is equally important not to exclude Australians with disability from the seat of our democratic system. These physical barriers certainly send a symbolic message to me, and many other Australians with disability, that we are not welcome in this building.

I am not sure whether you obtained a report from an access consultant as part of your planning, prior to undertaking this construction work. I would be surprised if any access consultant would sign off on this work.

I understand from our conversation that more permanent work in this area will be taking place. I trust that, having raised this matter with you, you will ensure that - as well as making our Parliament more secure - the work will provide appropriate, safe

---

and dignified access for all Australians, not just those without disability. The Commission would be happy to provide you with a list of appropriately recognised access consultants if this would be of assistance.

Yours sincerely

Graeme Innes AM  
**Disability Discrimination Commissioner  
and Race Discrimination Commissioner**

Cc: The Hon Julia Gillard, Prime Minister  
The Hon Tony Abbott, Leader of the Opposition  
Senator Jan McLucas, Parliamentary Secretary for Disabilities and Carers  
Senator Mitch Fifield, Shadow Minister for Disabilities, Carers and the  
Voluntary Sector



Parliament of Australia  
Department of Parliamentary Services

DPS ref:

05/1253/4

5 April 2011

Mr Graeme Innes AM  
Disability Discrimination Commissioner  
Australian Human Rights Commission  
GPO Box 5218  
SYDNEY NSW 2001

Dear Mr Innes

**Access to Parliament House**

Thank you for your letter of 14 March 2011 regarding disability access arrangements in the public car park at Parliament House.

The changes to arrangements in the public car park have been made following a security risk review which was conducted by the Attorney General's Department. These arrangements are an interim solution and were necessary to address immediate concerns regarding the proximity of vehicular traffic to the building.

The longer term solution will see further works in the top section of the car park to improve both security and access arrangements. The Department of Parliamentary Services (DPS) is currently developing the design solution for this work, and has engaged traffic engineering and access consultants to advise on that design. The construction for this work is expected to be largely completed midway through 2012.

In the interim and as a result of advice received from the access consultant, DPS will make a number of further changes to the current arrangements in the coming weeks to provide some immediate improvements in order to assist people with disabilities access the building.

I thank you for your correspondence on this matter and trust that these actions provide you with an assurance that accessibility remains an important consideration of DPS.

Yours sincerely

Alan Thompson  
Secretary