

Q No.	AG/ MHAJ	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
1	AG	AHRC	Fifield	Transport accessibility complaints	<p>Senator FIFIELD: Of the complaints that you would receive in a year, what percentage would be in relation to transport accessibility issues? You might have to take that on notice.</p> <p>Mr Innes: I would have to take that on notice and I am not sure whether we can drill down to the extent necessary to give you the answer to that question.</p> <p>Senator FIFIELD: Okay.</p> <p>Mr Innes: I have been advised, Senator, that we should be able to drill down to give you that information but we are not in a position to give it to you now.</p> <p>Senator FIFIELD: Thank you for that.</p>	L&C 9 (23/05/12)
2	AG	AHRC	Fifield	Letter regarding the efficiency dividend	<p>Senator FIFIELD: ... Ms Branson, at the last estimates I asked some questions on behalf of Senator Humphries in relation to the efficiency dividend. I think you indicated that you had written to Minister Wong.</p> <p>Ms Branson: I did and I tabled the letter.</p> <p>Senator FIFIELD: That is right. I do not think at that time you had had a reply? I cannot recall.</p> <p>Ms Branson: No, I had not at that stage received a reply. I did receive one either in late January or early February this year indicating that no move would be made by the department of finance on the issue, drawing my attention to the possibility of interdepartmental reallocation of the dividend. That is where the matter has been left.</p> <p>Senator FIFIELD: Are you able to table a copy of that reply?</p> <p>Ms Branson: I could do so. I do not have it with me, but I could do that.</p> <p>Senator FIFIELD: Thank you for that.</p>	L&C 9 (23/05/12)
3	AG	AHRC	Siewert	Access to hearing services by aboriginal prisoners with hearing impairments	<p>Senator SIEWERT: I think the next question involves both Mr Innes and Mr Gooda. On the issue of hearing impairments for prisoners, I have no doubt you are both aware of the high rate of hearing impairment for Aboriginal prisoners. I understand that there are some issues with this for prisoners, but in particular Aboriginal prisoners, given their high rate of hearing impairment. We know from the Darwin Correctional Centre that 90 per cent have some form of hearing impairment or hearing loss. Have you looked into the ability of prisoners to access hearing services?</p> <p>Mr Innes: I talked to some people about that when I was in Darwin recently and</p>	L&C 13 (23/05/12)

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					<p>it does appear to be a problem. There seems to be a distinction between those who are receiving hearing services when they go into the correction system—from the information I received, those services seem to be able to continue—and those who are not. If they are not receiving those services beforehand and it is determined whilst they are in the correction system that the person does have some level of hearing impairment—and as you say, the rates are incredibly high in the prison system—then the services are not available. There seems to be some problem between the relevant departments to be able to access the services. I think that is a concern, but the greater concern is the point you made in relation to the rate of people with hearing impairment, particularly Aboriginal people in the justice system. One of the conclusions I have been starting to draw is that when a person has a hearing impairment, in many cases unrecognised, it is, I think, potentially disadvantaging them in their progression through the justice system. I think that is a very large problem, as well.</p> <p>Senator SIEWERT: In regard to the effect it is having on them in the justice system and, secondly, the issue about being able to access services, have you raised these issues with Australian Hearing Services?</p> <p>Mr Innes: I have not spoken to Australian Hearing Services since I went to the Northern Territory, but I have had conversations about the issue prior to that time.</p> <p>Senator SIEWERT: Is it your understanding that Australian Hearing Services are considering providing services to prisoners, but particularly Aboriginal prisoners, who I am worried about in this context?</p> <p>Mr Innes: As I said, I have not spoken to them since I have been to Darwin, so I am not sure that I can comment to that level of detail. But it is something I will be taking up.</p> <p>Senator SIEWERT: Could I ask you to take it on notice.</p>	
4	AG	AJD	Brandis	De facto proclamation amendment	<p>Senator BRANDIS: ... Mr Foster, let me start with the mistake made in relation to the proclamation of legislation concerning orders in relation to de facto couples, which had to be urgently corrected by retrospective legislation earlier this year. As I understand it, that oversight was first detected by a judge of your court, wasn't it?</p> <p>Mr Foster: I think that is right, Senator. I do not have the details in front of me,</p>	L&C 37, 40-41 (23/05/12)

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					<p>but that is my memory of it.</p> <p>Senator BRANDIS: Does anyone with you have the details?</p> <p>Mr Foster: I think it was brought to the Chief Justice's attention in December last year.</p> <p>Senator BRANDIS: In December last year. What happened then?</p> <p>Mr Foster: I would have to take that on notice. I do not have a brief on that—unless I can find out in the meantime.</p> <p>Senator BRANDIS: Mr Wilkins, you can come in on this discussion too, if you like. Were steps made to make the government aware of what had been detected by the court?</p> <p>Mr Foster: I am just making some inquiries now, to try and find out for you.</p> <p>Senator BRANDIS: We will wait for you; that is fine.</p> <p>Mr Foster: It is going to require a phone call, Senator.</p> <p>Senator BRANDIS: That is fine. If you would not mind making that phone call, I will persist with the matter.</p> <p>...</p> <p>Senator BRANDIS: ... Do you have those dates, Mr Foster?</p> <p>Mr Foster: Yes, but can I just correct the evidence that I gave you earlier?</p> <p>Senator BRANDIS: Yes, by all means.</p> <p>Mr Foster: I said, 'a judge advises the Chief Justice.' That was not the case. I am now told that the Chief Justice received notification by email from the department on 22 December. She immediately told the judges that the court—</p> <p>Senator BRANDIS: Just pausing there: that is the date, Mr Fredericks, you told me that the AGS advice had been received, was is not—22 December?</p> <p>Mr Fredericks: Correct.</p> <p>Senator BRANDIS: Back to you, Mr Foster.</p> <p>Mr Foster: And the Chief Justice immediately informed the court.</p> <p>Senator BRANDIS: Right.</p> <p>Mr Foster: Then a judge—I am not sure who it was—on or around 7 January had a case before him or her and advised the profession at that time that there was an issue. Then the Chief Justice discussed this matter with the Attorney-General on 9 January.</p> <p>Senator BRANDIS: And it is right to say that was the first occasion—on 9 January—on which it was drawn to the attention of the Attorney-General?</p>	

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					<p>Mr Foster: I am not sure about that, but that was the time the Chief Justice spoke to the Attorney-General.</p> <p>Senator BRANDIS: Senator Ludwig, will you take that on notice?</p> <p>Senator Ludwig: I will take it on notice.</p>	
5	AG	Family Court of Australia	Brandis	De facto proclamation amendment	<p>Senator BRANDIS: ...The failure to proclaim the legislation took place in 2009, so presumably all relevant orders of the court between 2009 and the remedial legislation earlier this year were affected by it. Do you have an estimate as to how many orders were involved?</p> <p>Mr Foster: Sorry, Senator, I do not have that information with me—but obviously many.</p> <p>Senator BRANDIS: It affected all de facto orders, didn't it?</p> <p>Mr Foster: That is right.</p> <p>Senator BRANDIS: All orders in relation to separating de facto couples.</p> <p>Mr Foster: That is right.</p> <p>Senator BRANDIS: Can you tell me, even if only approximately, since the 2009 changes to the law, how many de facto matters the court has dealt with?</p> <p>Mr Foster: I will try and get that information by phone, but otherwise I will need to take it on notice.</p> <p>Senator BRANDIS: Well, can you do that urgently? It would be fair to say, would it not, Mr Foster, that since the change to the law in 2009 the Family Court or the Federal Magistrates Court deal as routinely with de facto separations as matrimonial separations and divorces?</p> <p>Mr Foster: Absolutely.</p> <p>Senator BRANDIS: I understand that, in relation to de facto arrangements, many separations and terminations of relationships happen informally without judicial intervention. That is right, isn't it?</p> <p>Mr Foster: That is right.</p> <p>Senator BRANDIS: However, would it be fair to surmise that, as the court's jurisdiction over de facto couples becomes more routine and familiar to everyday citizens, the proportion of its orders dealing with de facto terminations would reflect the same relativity to matrimonial separations as do de facto relationships to marriages?</p>	L&C 37-38 (23/05/12)

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					<p>Mr Foster: You would think so, but I would not like to speculate. I would rather get the information.</p> <p>Senator BRANDIS: All right. But you do keep statistics on the number of de facto matters?</p> <p>Mr Foster: Yes, we do.</p> <p>Senator BRANDIS: Can you get those statistics for me please?</p> <p>Mr Foster: Yes.</p> <p>...</p> <p>Mr Foster: In relation to the numbers, we will have to do a special computer run to get the numbers, so I have to take it on notice.</p> <p>Senator BRANDIS: We are certainly talking about—</p> <p>Mr Foster: A significant number.</p> <p>Senator BRANDIS: Thousands and thousands of orders. I want every order in relation to a debate facto matter between the commencement of the legislation 2009 and the passage of the remedial legislation at the beginning of 2012.</p> <p>Mr Foster: We can do that, but we need to take it on notice if that is okay.</p> <p>Senator BRANDIS: Yes, it is okay.</p>	
6	AG	AJD	Brandis	De facto proclamation amendment	<p>Senator BRANDIS: Alright. I am surprised the new Attorney General did not contact the opposition [about the de facto proclamation amendment]. Because, although the opposition might, of course, criticise the government for this mistake, the correction of the mistake was never likely to be a party-political issue. When I first read about it in the newspapers I immediately made it clear that the opposition would support urgent retrospective legislation to validate all of these, no doubt many thousands, of orders. Is there a reason why the Attorney General did not seek the immediate cooperation of the opposition?</p> <p>Mr Wilkins: I am not sure that I am in a position to answer that.</p> <p>Senator BRANDIS: Senator Ludwig, you represent the Attorney General here.</p> <p>Senator LUDWIG: Thank you, Senator Brandis, I can check with the Attorney General whether she wants to provide any additional answer to the questions.</p> <p>Senator BRANDIS: Would you take that on notice?</p> <p>Senator LUDWIG: I will, I am also not sure what happened in 2006, so I would not mind refreshing my mind of whether, at that time, the then-Attorney General brought it to the attention of the opposition—</p>	L&C 40 (23/05/12)

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					<p>that oversight—and then the following up.</p> <p>Senator BRANDIS: No, we have heard the 2006 oversight was only identified in 2009—I am sorry, last year—as well.</p> <p>Mr Wilkins: The only thing I was going to say was that there quite was a lot of follow-up legal advice as a result of that initial discussion and uncovering of that matter with the Attorney. I guess on the best way forward, and how this could be dealt with, that might explain why—until there was some clarity around what the way forward might be—it probably would not have been valued sense in talking to yourself until there was a—</p> <p>Senator Ludwig: I will check and see what the timeline was like.</p> <p>Senator BRANDIS: I would appreciate that, Senator Ludwig. I mean, partisan arguments notwithstanding, and the proper criticism of the opposition might choose to make the government ultimately responsible for the oversight, notwithstanding, there was never any remote prospect that the opposition would not afford cooperation in what was the correction of essentially a clerical error—an important clerical error, but essentially a correction of a clerical error which would have needed urgently to be corrected. I am a little surprised that an approach to the opposition was not made immediately and that the problem was identified at least at the political level of the government.</p> <p>Senator Ludwig: No, I take your point.</p>	
7	AG/ MHAJ	CrJD	Hanson- Young	People smuggling	<p>Senator HANSON-YOUNG: ... When was the first time representation from the Indonesian consulate occurred?</p> <p>Mr I Anderson: I would have to take that on notice. We do have regular discussions. There is actually a regular process of engagement between agencies of the Australian government and the Indonesian consulate on a range of issues, and crew have been one of the issues typically on the agenda for some time. It is not necessarily about whether crew are minors or not but generally explaining the processes by which the crew are dealt with in the criminal justice system and then in the corrections system if they are convicted. Like any consulate, they have concerns about how their citizens are dealt with. I would have to take on notice when they first raised concerns about that.</p> <p>Senator HANSON-YOUNG: If you could.</p>	L&C 58 (23/05/12)

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8	AG/ MHAJ	CrJD	Hanson- Young	People smuggling	<p>Senator HANSON-YOUNG: ... What about the numbers of people who are waiting for their actual day in court but have been charged?</p> <p>Mr I Anderson: I believe that there are five people currently before the courts actively claiming to be minors.</p> <p>Senator HANSON-YOUNG: They are not included in your review of 22 though, are they?</p> <p>Mr I Anderson: No, they are not included in the review because they have not been convicted, but if something comes into the hands of the Commonwealth that raises sufficient doubt then the Director of Public Prosecutions, who has that decision, is likely to discontinue their case.</p> <p>Senator HANSON-YOUNG: What type of facilities are those five currently being held in?</p> <p>Mr I Anderson: I would have to take that on notice.</p> <p>Senator HANSON-YOUNG: Could you, please. That would be helpful. Could you also take on notice how long those people have been in some form of detention—that is, when did they arrive in Australia and then, subsequently, when were they charged?</p> <p>Mr I Anderson: Certainly.</p> <p>Senator HANSON-YOUNG: Thank you.</p>	L&C 60 (23/05/12)
9	AG	SID	Smith	Native Title Respondent Funding Scheme	<p>Senator SMITH: It is that consultation point that I am leading to. I am keen to understand: has the Western Australia Pastoralists and Graziers Association been part of that consultation process [for the Native Title Respondent Funding Scheme]?</p> <p>Mr Duggan: That is certainly my understanding. We have certainly consulted with the NFF. My understanding is that we would have consulted with the Western Australian as well. I can confirm for you, by taking on notice, exactly when that would have occurred, but we have basically sent a discussion paper very widely to all stakeholders—and, as you appreciate, that federation is a considerable stakeholder in this field.</p> <p>Senator SMITH: Exactly. I would be interested in understanding what has been the extent of consultation with the Pastoral and Graziers Association, specifically in Western Australia.</p> <p>...</p>	L&C 69-70 (23/05/12)

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					<p>Senator SMITH: Excellent. So, just to summarise then, consultation has been taking place. There is an understanding that the Western Australian Pastoralists and Graziers Association would have been part of that?</p> <p>Mr Duggan: That is right, but I will confirm that for you.</p> <p>Senator SMITH: Thank you.</p>	
10	AG	NNTT	Furner	Decision on QLD Mamu people	<p>Senator FURNER: I understand that a recent decision in Queensland from the Mamu people and Ergon Energy has resulted in some flow-on effects to the local community.</p> <p>Ms Fryer-Smith: Yes, absolutely.</p> <p>Senator FURNER: Can you expand on what those effects and benefits to the community are?</p> <p>Ms Fryer-Smith: Yes. Can I just pass to my colleague Mr Frank Russo?</p> <p>Senator FURNER: Yes, of course.</p> <p>Mr Russo: That particular agreement related to a determination of native title as well. It was aligned to a consent determination. There was also a particular agreement there which related to mining. Many of those agreements include things such as jobs. It may include royalties. I do not have the specifics of that particular agreement, but there are a number of that kind. We could provide further information through a question on notice.</p> <p>Senator FURNER: Okay then.</p>	L&C 70-71 (23/05/12)
11	AG/ MHAJ	Corporate	Humphries	External legal advice expenditure	<p>Senator HUMPHRIES: ... You say that half [of the efficiency dividend savings] can be achieved through operational changes and half through a reduction in the size of the workforce. Of those savings in the way that the department does business, you mentioned legal expenses—does the department obtain legal advice externally?</p> <p>Ms E Kelly: The department obtains a significant amount of external legal advice, primarily from the Australian Government Solicitor but also from the other firm with whom we have arrangements, namely, Blake Dawson, which is now called Ashurst. The total expenditure on legal expenses is over \$10 million and up towards \$11 million. We can get you the exact figure.</p>	L&C 83 (23/05/12)
12	AG/	Corporate	Humphries	Terminating	<p>Ms E Kelly: ... there are also a number of NPPs terminating which are not in the</p>	L&C 84

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	MHAJ			programs	<p>budget paper because they were not a decision in this budget, but we can provide those to you. They are programs that terminate, so the work has come to an end, so there are staff associated with those. They will be managed in the same way as the other reductions.</p> <p>Senator HUMPHRIES: You will give me a list of those, will you?</p> <p>Ms E Kelly: Yes.</p> <p>Senator HUMPHRIES: Thank you.</p>	(23/05/12)
13	AG	ILHRD	Wright	Consolidation of anti-discrimination consultation	<p>Senator WRIGHT: I am going to start by asking questions about the consolidation of anti-discrimination laws proposal. During additional estimates, in February this year, I asked a number of questions relating to the advancement of the consolidation of federal anti-discrimination laws. I would like to revisit those questions to gauge the progress of this important law reform process. Can you outline all consultation processes that have been undertaken to date with respect to developing an exposure draft of the new consolidated anti-discrimination legislation?</p> <p>...</p> <p>Mr Manning: We have had one-on-one meetings with a range of business organisations, religious bodies, human rights advocates, academics, legal practitioners and education bodies, as well as the Human Rights Commission, about the issues raised in the consultation paper. I do not have a list of all of those bodies here, but we could provide them.</p> <p>Senator WRIGHT: I would appreciate that.</p> <p>Mr Manning: We also ran a number of forums in Sydney, Canberra and, I think, in Melbourne, for which there was an open invitation for interested bodies to attend. From memory, 30 or so organisations were represented at the Canberra and Sydney ones. The organisations were from across the spectrum I mentioned in the earlier part of my answer: business groups through to human rights bodies, education groups and religious bodies. They were very useful in terms of having a dialog between the different views of those organisations.</p> <p>...</p> <p>Mr Hall: ... I would also point out that the discussion paper released in September last year closed for submissions on 1 February. The department received something in the order of around 270 submissions, many of which were</p>	L&C 85-86 (23/05/12)

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					<p>very substantive ones and many being from a number of organisations contributing to the one submission. So that was a significant body of input. That has fed significantly into the consultation process. So, having considered all of those submissions, we are in the phase at the moment of developing detailed proposals for an exposure draft for the bill for the consolidated law.</p> <p>Senator WRIGHT: Mr Manning, you mentioned that you had a number of forums, in Sydney, Canberra and, you thought, in Melbourne. Could you clarify that on notice.</p> <p>Mr Manning: Definitely in Melbourne. Mr Hall hosted that one.</p> <p>Mr Hall: That is right. The Canberra forum was held on 10 November 2011, the Sydney forum was held on 18 November 2011 and the Melbourne forum was held on 24 November 2011.</p> <p>Senator WRIGHT: Is it possible to know who attended those forums?</p> <p>Mr Hall: We can provide a list of the attendees.</p> <p>Senator WRIGHT: That would be good. You pre-empted my question on how many submissions were received to the discussion paper by saying that it was in the order of 270. Could you clarify the number.</p> <p>Mr Hall: I will.</p>	
14	AG/ MHAJ	CrJD	Brandis	Schapelle Corby clemency petition	<p>Senator BRANDIS: Let me put the question as narrowly as I can. Has any officer of the department been in discussions with any official of the Indonesian government in relation to the [Schapelle Corby] clemency petition?</p> <p>Mr Wilkins: I do not believe so.</p> <p>Senator BRANDIS: But you said you will check that for me?</p> <p>Mr Wilkins: I will double-check, but I am almost 100 per cent sure.</p>	L&C 90 (23/05/12)
15	AG/ MHAJ	CrJD	Brandis	Release of people smuggling crew	<p>Senator BRANDIS: You seem to be familiar with this, Mr Anderson, which is a good start. Can you tell us what you know about those discussions. When was the most recent, for example?</p> <p>Mr I Anderson: The most recent discussion of which I am aware is that a charge d'affaires at the Australian Embassy in Jakarta formally advised a senior official from the Ministry of Law and Human Rights in Jakarta—on Thursday evening, I believe, but I am not sure if that is Australian time or Indonesian time—that three of their nationals would be released the following day from prison in Australia.</p>	L&C 96-97 (23/02/12)

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					<p>Senator BRANDIS: Well, you do know about this, even though you yourself are not one of the participants. How do you know? Is it because you have been advised by the Department of Foreign Affairs and Trade?</p> <p>Mr I Anderson: My staff, at my direction, advised the Department of Foreign Affairs and Trade that those crew were being released the following day. We asked them to convey that information to the Indonesian government.</p> <p>Senator BRANDIS: Describe to me how this works. The conversation with the Indonesian authorities is a conversation that occurs between a DFAT officer and his Indonesian opposite number. But you are made aware of that conversation and the conversation concerns matters within the jurisdiction of the Attorney-General's Department. Is that how it works?</p> <p>Mr I Anderson: We asked DFAT to have that discussion to formally advise the Indonesian government simply of the release of three of their nationals, because they have the appropriate person in Jakarta to advise the appropriate counterpart.</p> <p>Senator BRANDIS: What were your instructions to the charge d'affaires?</p> <p>Mr I Anderson: I do not have that detail, but it was to the effect of—</p> <p>Senator BRANDIS: Did you give the instructions?</p> <p>Mr I Anderson: I gave the instruction to my staff to convey to foreign affairs.</p> <p>Senator BRANDIS: What was the instruction?</p> <p>Mr I Anderson: The instruction was to advise them of the release of three specified Indonesian nationals. I think there were also the details for their return to Indonesia, in terms of the date and time at which they would be returned to Indonesia. It was a very short communication.</p> <p>Senator BRANDIS: And you received a report from the charge d'affaires about that conversation?</p> <p>Mr I Anderson: We received advice from DFAT that the conversation had happened.</p> <p>Senator BRANDIS: Was that documentary advice or a telephone call, or both?</p> <p>Mr I Anderson: I believe we received an email confirming that.</p> <p>Senator BRANDIS: Can you produce that for us.</p> <p>Mr I Anderson: I will take that on notice. I do not have it here.</p> <p>...</p> <p>Senator BRANDIS: I should have asked you, Mr Anderson—and you may need to take this on notice—the name of the Indonesian official with whom the charge</p>	

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					<p>d'affaires had the communication. Mr I Anderson: I will take that on notice.</p>	
16	AG/ MHAJ	CrJD	Brandis	Review of people smuggling prosecutions	<p>Senator BRANDIS: Once again, that makes perfect sense to me. Mr Wilkins, can you help us here? What was the date of the Attorney-General's decision to have this review [of three people smuggling crew prosecutions]? Mr Wilkins: I am not sure. Senator BRANDIS: Surely that could be identified in a reasonably swift way? Mr Wilkins: Yes, I think so. We will have to take it on notice. We know the date it was announced, but the date on which it was decided— Senator BRANDIS: The date on which it was announced will do me for the present purpose. What is the date it was announced? Mr Wilkins: It was announced on 2 May, apparently. Senator BRANDIS: On 2 May this year? Mr Wilkins: Yes. Senator BRANDIS: That will do me for the moment. I am going to surmise that the decision was made shortly before 2 May, though I will not confine you to a date. If you could ascertain the date for me overnight that would be useful. Mr Wilkins: Sure. Senator BRANDIS: Of the communications from the Indonesian authorities here in Canberra to which you have referred, how many have been since 2 May? Mr I Anderson: I will have to take that on notice.</p>	L&C 98 (23/05/12)
17	AG	AJD	Humphries	Ethiopia Intercountry adoption program	<p>Senator HUMPHRIES: ... Why did the department not advise prospective adoptive parents, many of whom have been waiting for between five and seven years, that the program was going to be put on hold? Why did the department advise states and territories to lie to prospective adoptive parents about why files were no longer being sent to Ethiopia? Given officers from the Attorney-General's Department have now completed another mission to Ethiopia, can the department provide an update at this time, or is it continuing to mislead prospective adoptive parents about the true state of the intercountry adoption program? Mr Arnaldo: I am happy to take the substance of those questions on notice, but I can categorically state that there has not been any misleading. We have in fact</p>	L&C 103, 105 (23/05/12)

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					<p>put an update on the website in relation to the most recent visit to Ethiopia that says it is still the most complex and challenging program that we have in our intercountry adoption programs. So we are working very hard with the Ethiopian authorities to try and work through those challenges and also with the orphanages on the ground. But, as I said before, it is our most challenging program. We do try and keep families updated through our website but also in the talking points and messages for the central authorities in the states and territories to deal with the families day to day basis. I am fairly confident that to the extent we can we have tried to provide up-to-date information that is accurate and that reflects the position of the program as it develops. It is always a changing program and it is difficult to manage at times because it is one of those most challenging programs. I will take the other questions you have had on notice and if there is any further information I can provide I will definitely do that.</p> <p>...</p> <p>Senator HUMPHRIES: The problem is that according to these documents— Mr Wilkins: These documents are? Senator HUMPHRIES: Documents FOIed provided by your department to an applicant based in the ACT which seems to disclose, based on the facts in the emails part of which I have read to the committee, that an arrangement with an orphanage in Ethiopia was not being renewed, was not being renegotiated. Presumably that was an option that it was decided not to pursue. People were continuing to deal with this orphanage in the expectation it would have the status of an orphanage with which the Australian government had formed a contract. Mr Wilkins: This person has entered into an arrangement with the orphanage or something? Senator HUMPHRIES: I do not know. Mr Wilkins: So they are dealing— Senator HUMPHRIES: I gather from the question that there are a number of families in Australia, some of whom have been waiting for between five and seven years to adopt children, who were not told that this orphanage was no longer going to be an orphanage with which Australia was contracting. Mr Wilkins: I am not quite sure what the actual complaint is. Senator HUMPHRIES: The complaint is that people were not told that they should not deal with this orphanage.</p>	

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					<p>Mr Wilkins: And they have dealt with the orphanage, is that right?</p> <p>Senator HUMPHRIES: To be frank, I do not know.</p> <p>Mr Wilkins: Can we take this on notice and have a look at it?</p> <p>Mr Arnaudo: I am happy to take that on notice, and look at the dates as well if that would assist the committee in its consideration of these things.</p> <p>Senator HUMPHRIES: Okay, perhaps you could take it on notice.</p>	
18	AG	CLD	Humphries	Contract law reform	<p>Senator HUMPHRIES: ...I will now turn to a question about Australian contract law reform. I understand that the government has foreshadowed a review of Australia's system of contract law, which aims to be wide-ranging, to 'make it simpler, cutting red tape and encouraging trade'.</p> <p>...</p> <p>I will ask you to take on notice these questions. How much does the government intend to allocate to undertake the review? Is it entirely within the Attorney-General's Department, or are there other agencies or departments also participating in the review? When will the review take place? And who will be included in the review? That is four questions.</p> <p>Mr Wilkins: I will take those on notice and give you a response. We could sort of do it now, but I think it would be better to give you a considered response on those things. And some of those questions are not entirely settled.</p>	L&C 105 (23/05/12)
19	AG	CLD	Humphries	Legal services expenditure	<p>Senator HUMPHRIES: I will now turn to Commonwealth legal services spending. ... What sum did each portfolio department and agency spend on legal services for this financial year to date? You can only take that question, presumably, for your department...</p> <p>Mr Minogue: ... In terms of legal services expenditure within this portfolio and this agency, that is something we report on like any other agency under the legal services directions, but I do not have with me figures for this financial year to date. We can take that on notice, but there are reporting dates under the legal services directions by which agencies are required to submit their legal services expenditure—both the internal spend and external spend.</p>	L&C 106 (23/05/12)
20	AG	CLD	Humphries	Commonwealth legal services	<p>Senator HUMPHRIES: When was this agreement reached that there would be a common adherence to the MUL [Multi Use List]? You said that there was an</p>	L&C 106 (23/05/12)

Q No.	AG/ MHAJ	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
				expenditure – Multi Use List (MUL)	<p>expectation that people would start to wind back other arrangements to finish in approximately June of this year.</p> <p>Mr Wilkins: It was a decision of government.</p> <p>Senator HUMPHRIES: When was that?</p> <p>Mr Wilkins: I cannot remember, but it was about 12 months ago or so. We can take on notice precisely when it was.</p> <p>Senator HUMPHRIES: All right.</p>	
21	AG	CLD	Humphries	Commonwealth legal services expenditure – Multi Use List (MUL)	<p>Senator HUMPHRIES: On present projections, when is the last government department going to be able to come in under the MUL arrangements? We assume it is no earlier than February 2015. Are there any that are running beyond 2015?</p> <p>Mr Minogue: I am not sure that there are. We can take that on notice.</p>	L&C 107 (23/05/12)
22	AG/ MHAJ	Corporate	Humphries	Departmental fraud and credit card abuse	<p>Senator HUMPHRIES: ... Departmental fraud and credit card abuse: how many instances of fraud and misuse of credit cards and/or purchasing facilities have there been in this department or this portfolio in the last 12 months?</p> <p>Mr Wilkins: That is group 1, actually. We can take that on notice.</p> <p>Senator HUMPHRIES: In that case, I will put that on notice. Can I also ask you to take on notice what the particulars of each fraud or misuse have been; what disciplinary action has been taken in respect of each instance; and what compensation has been paid by officials who have been in breach of their obligations to act honestly in using credit card and purchasing facilities, please.</p> <p>Mr Wilkins: Yes.</p>	L&C 108 (23/05/12)
23	AG	ILHRD	Humphries	Human Rights Education Grants	<p>Senator HUMPHRIES: It is about education grants. I have a list of previous grants and the Human Rights Framework—Education Grants applicant program guidelines: 'The education grants provide small grants to a wide range of community organisations'—as I am sure you are aware—'Grants are available for a range of subjects', 'projects should promote a practical understanding of the human rights responsibilities of individuals as members of a tolerant, inclusive society and promote community awareness, understanding and engagement with the rights and freedoms under the UN human rights treaties, to which Australia is a party.' Can you tell me what the cost of this initiative is, please.</p>	L&C 108-109 (23/05/12)

Q No.	AG/ MHAJ	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
					<p>...</p> <p>Perhaps you could give me, by each financial year in which it has operated, the total cost of the initiative. Break it up into the cost of running the grants program and the total value of the grants that have been made, please. You can take it on notice if you cannot give it to me now.</p> <p>Mr Hall: I will certainly give you the information I have here. There have been two grants rounds so far under the program—a 2010-11 round and a 2011-12 round. A total to date of \$957,309 has been awarded to fund the 30 projects. We can provide you with the details of those projects fairly easily, if that would assist. In terms of the breakdown of financial year by financial year, I might take that on notice.</p>	
24	MHAJ	Customs	Brandis	Internal staff movements	<p>Senator BRANDIS: All right. In the last six months, which staff have been moved from one area of the agency to another? You might want to take that on notice.</p> <p>Mr Carmody: I think I will have to take that on notice. There have been many moves.</p> <p>Senator BRANDIS: Yes, that is fine. I would like details of staff movements within the agency, please, over the last six months.</p> <p>Mr Carmody: To the extent that we can provide those we will.</p>	L&C 8 (24/05/12)
25	MHAJ	Customs	Brandis	Staff reductions	<p>Senator BRANDIS: Have any Customs offices had staff cutbacks in the last 12 months, and if so which are they?</p> <p>Mr Carmody: I would have to take that on notice, because you have seen in the figures that we have had reductions of staffing over this year. I will take that on notice as to which offices they impacted.</p>	L&C 8 (24/05/12)
26	MHAJ	Customs	Brandis	Border Protection Command budget	<p>Senator BRANDIS: ... In view of that obvious and very sharp increase in the number of illegal boat arrivals, can you tell us what movements there have been in the budget for Border Protection Command over the last three years? You can do it by reference to your annual report or any other convenient table.</p> <p>Mr Carmody: Firstly, I have a slightly different figure for the year 2012, but not greatly.</p> <p>Senator BRANDIS: In fairness to you, you had better give us that figure.</p>	L&C 9 (24/05/12)

Q No.	AG/ MHAJ	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
					<p>Mr Carmody: We have had this discussion before. The figures that I have are for PIIs not including crew. It was 42 and 3,261.</p> <p>Senator BRANDIS: Perhaps the difference of about 80-odd is the crew.</p> <p>Mr Carmody: There is 95 crew that I need to add to that. So we are in the same territory. I am not sure whether I have the split with border protection immediately available.</p> <p>CHAIR: Your annual report?</p> <p>Mr Carmody: I am not sure that it goes down to the level of Border Protection Command. My sense is that we have been—</p> <p>Senator BRANDIS: Rather than have you speculate, what I will ask you to do is to arrange for those figure to be brought to you in the next hour or so, so that, by the time you finish your evidence, we can have those figures.</p> <p>Mr Carmody: We will see if we can do that.</p>	
27	MHAJ	Customs	Brandis	Border Protection Command staff	<p>Senator BRANDIS: How are the 211 [Border Protection Command staff] broken up between Darwin and Canberra?</p> <p>Rear Adm. Johnston: I have got them broken up by Customs and then ADF staff. The Customs and Border Protection staff with me in Canberra total 112, and there are 12 ADF, so that is 124, and in the Darwin headquarters it is predominantly military, so 72 ADF and three Customs and Border Protection—so another 75.</p> <p>Senator BRANDIS: So there are only three Customs and Border Protection staff in Darwin at the moment?</p> <p>Rear Adm. Johnston: In my headquarters; of course there are others within the broader Customs and Border Protection Service.</p> <p>Senator BRANDIS: You are the frontline, aren't you—Border Protection Command?</p> <p>Rear Adm. Johnston: For on-water issues, yes.</p> <p>Senator BRANDIS: Give me the equivalent figures, please, for each of the last three years.</p> <p>Rear Adm. Johnston: I only have the current year figures—I do not have them for the previous three years. I would need to take that on notice.</p> <p>Senator BRANDIS: Can they be fetched?</p> <p>Mr Carmody: We will do the best we can to get those figures.</p>	L&C 9-10 (24/05/12)

Q No.	AG/ MHAJ	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
					<p>Senator BRANDIS: I want the equivalent figures for Border Protection Command—the breakup between Darwin and Canberra and the aggregate of the two for 2010, 2009 and 2008. We will come back to you, Admiral—I cannot imagine those figures would be too difficult to locate and communicate to the hearing. Over the last three years has the number of Border Protection Command personnel increased or decreased?</p> <p>Rear Adm. Johnston: To my knowledge it has not moved significantly in any sense. I do not have the data available to me.</p> <p>Senator BRANDIS: But you will get it?</p> <p>Rear Adm. Johnston: Yes.</p>	
28	MHAJ	Customs	Brandis	Customs vessels deployed on patrol	<p>Rear Adm. Johnston: The assets available to me at the moment include seven Armidale class working under my force assignment and I have up to eight Customs vessels. There are six at sea at the moment.</p> <p>Senator BRANDIS: There are seven Armidale class naval vessels and six Customs vessels, so there are 13 at the moment on patrol?</p> <p>Rear Adm. Johnston: Yes. I was referring with the Customs vessels to the Bay class patrol vessels. I also have the ACV Triton, which is a further Customs class vessel.</p> <p>Senator BRANDIS: Is that currently on patrol as well?</p> <p>Rear Adm. Johnston: Yes.</p> <p>Senator BRANDIS: Is that in addition to the six Bay class?</p> <p>Rear Adm. Johnston: Yes.</p> <p>Senator BRANDIS: So there are seven naval vessels plus six Bay class vessels plus the ACV Triton deployed as we speak on maritime surveillance?</p> <p>Rear Adm. Johnston: Yes.</p> <p>Senator BRANDIS: So there are 14? You will need to take this on notice, I suspect, but I would like to track the fluctuations in that number over time. Would you tell us for each of the months—I think months would be a convenient time—over the last three years how many vessels have been on patrol, both naval assets available to you and Customs vessels.</p> <p>Rear Adm. Johnston: Just so that I am clear, can I confirm: would an average number be sufficient? It changes some time by day, as vessels—</p> <p>Senator BRANDIS: I can imagine. That is why I have not asked you to do it on</p>	L&C 12-13 (24/05/12)

Q No.	AG/ MHAJ	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
					a daily basis, because I do not want ask you to do a ridiculously burdensome exercise, but I think a monthly average for each month over the last three years would be sufficient for my purposes.	
29	MHAJ	Customs	Brandis	Border Protection Command patrol vessels – fuel consumption	<p>Senator BRANDIS: What is the cost of fuel for Border Protection Command's patrol vessels in each of 2011-12 and 2012-13?</p> <p>Mr Carmody: I do not know whether we have the cost of fuel. We have someone beavering away to look for it.</p> <p>Senator BRANDIS: It just seems to me that the amount of money you spend on fuel, discounted by movements in the price, would be a very clear indicator of the amount of movement in the level of activity. Can you get those figures for me, please.</p> <p>Mr Carmody: We will attempt to get them as soon as we can and, if we cannot, we will provide them on notice.</p> <p>...</p> <p>Senator BRANDIS: You said you have daily figures, going back how far?</p> <p>Mr N Perry: This is just based on our daily usage costs.</p> <p>Senator BRANDIS: Are those volumetric as well as cost figures?</p> <p>Mr N Perry: It is in litres per day—that is how we have calculated it—and we work on what the broad fuel cost rate is for diesel fuel.</p> <p>Senator BRANDIS: You have got a document in front of you that tells us how many litres per day have been used by the Border Protection Command fleet?</p> <p>Mr N Perry: No, I do not; I have what we consume on a daily basis.</p> <p>Senator BRANDIS: Sorry, I meant consumed by the Border Protection Command fleet.</p> <p>Mr N Perry: That document is in-confidence because it has a lot of operational data in it.</p> <p>Senator BRANDIS: Can you please extract from that document merely the litres per day figure and provide that to me?</p> <p>...</p> <p>Mr Carmody: We will attempt to get them extracted and provide them on notice.</p> <p>Senator BRANDIS: So could you extract from that table—leaving out operational matters detail, obviously—the daily fuel cost. How far does that go</p>	L&C 14-16 (24/05/12)

Q No.	AG/ MHAJ	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
					<p>back, please? Mr N Perry: We will have to go back to historical records to extract the type of data that you are asking for. So I would prefer— Senator BRANDIS: Why don't we go back to 1 July 2008? Mr Carmody: We will take that on notice and get it to you. Senator BRANDIS: Thank you.</p> <p>...</p> <p>Senator BRANDIS: What is the fuel budget for 2012-13? Mr Carmody: I think we will have to take that on notice.</p>	
30	MHAJ	Customs	Brandis	Passenger facilitation budget	<p>Senator BRANDIS: All right. As is pointed out on page 112 of the PBS, passenger facilitation also deals with 'pre-arrival and pre-departure risk assessment based on advance passenger data, information and intelligence to identify potential persons of interest'. It also regulates 'secondary interventions on arrival and pre-departure for the assessment of persons of interest', including questioning, baggage examination and searches, and 'related follow-on activities', including referral to agencies such as the AFP, and 'the collection of border-related revenue' as well. So, apart from the routine uninterrupted arrival of a passenger, at the sharp end of your border protection work at airports and ports there are also these activities where there is a person of interest identified and an intervention is required. Has the reduction of nearly \$45 million over two years of the passenger facilitation budget impinged on those activities? Mr Buckpitt: The vast proportion of the reductions have been at the primary line. I would need to take on notice what proportion, if any, of it falls on secondary examinations. But it has not been our intention to impact the secondary examination or the risk-assessment work that you have referred to. Mr Carmody: We will confirm this, but in both the specific initiatives that led to the reduction in staffing—that is, the reduction a year or so ago that acknowledged a reduction in facilitation rates of 95 to 92 and this latest reduction, which involves the use of SmartGate. Those specific reductions did not apply to what we call the 'back of the hall' activities. Senator BRANDIS: Does that mean that there has been no reduction in 'back of the hall activities'? Mr Carmody: For those initiatives, no.</p>	L&C 17 (24/05/12)

Q No.	AG/ MHAJ	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
					<p>Senator BRANDIS: What about overall?</p> <p>Mr Carmody: We just need to check the exact figures, but what I can say is that, in relation to the specific reduction initiatives, they were excluded.</p>	
31	MHAJ	Customs	Brandis	Airport processing times	<p>Senator BRANDIS: Which airports have the longest processing time for incoming passengers?</p> <p>Mr Buckpitt: It varies, but as a general remark I would say Perth and Melbourne.</p> <p>Senator BRANDIS: What are the average clearance times there, please?</p> <p>Mr Buckpitt: I would need a moment or two to obtain that figure for you.</p> <p>Mr Carmody: The difficulty with that is that it does vary significantly according to if there is compaction of flights and so on.</p>	L&C 18 (24/05/12)
32	MHAJ	Customs	Brandis	Cargo screening staff levels	<p>Senator BRANDIS: Have there been cuts to cargo screening staff in each of those years, from 2008-09 to the current year? How many staff have been cut from the cargo screening staff and at which locality have those cuts been made at?</p> <p>Mr Carmody: I do not know whether we have those precise figures, but basically we have had the staff needed allocated to that task. We have had the staff needed to meet the volumes that we set as the appropriate risk base intervention. I guess we would have to take that on notice.</p>	L&C 23 (24/05/12)
33	MHAJ	Customs	Brandis	Customs integrity breaches	<p>Senator BRANDIS: Have any Customs officers been found to be involved in criminal or corrupt activity or any other activity that would be considered as breaching the integrity of Customs over the past 12 months?</p> <p>Mr Carmody: In the last six months, which would go back to December 2011, no-one has been convicted.</p> <p>Senator BRANDIS: How many have been charged?</p> <p>Mr Carmody: In that period?</p> <p>Senator BRANDIS: Yes.</p> <p>Mr Carmody: On 25 December there was an officer issued with an arrest warrant for an incident outside of the workplace.</p> <p>Senator BRANDIS: Can you provide the equivalent figure for 2007-08?</p> <p>Mr Carmody: I do not have 2007-08.</p>	L&C 24 (24/05/12)

Q No.	AG/ MHAJ	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
					Senator BRANDIS: Take it on notice, thanks.	
34	MHAJ	Customs	Brandis	Customs integrity breaches	<p>Senator BRANDIS: ... Have any cases [of alleged integrity breaches] been referred to the Australian Commission for Law Enforcement Integrity?</p> <p>Mr Carmody: Yes.</p> <p>Senator BRANDIS: How many?</p> <p>Mr Carmody: When we came under the jurisdiction of ACLEI, we had—and this is noted in the Hamburger review—a number of investigations underway. All these figures are allegations, and whether they prove true or not there were certainly investigations, and some serious investigations, underway. I think there were about 10 that we referred at the time that we had been working on.</p> <p>Senator BRANDIS: Sorry, at the time meaning when?</p> <p>Mr Carmody: When we came under ACLEI—that was 1 January 2011. I think in total—</p> <p>Senator BRANDIS: For 10 people when you came within ACLEI's purview. And have there been any referred since?</p> <p>Mr Carmody: Yes, I am just trying to find the figure for you. There have been in total 48 allegations referred to ACLEI—and I stress that these are allegations.</p> <p>Senator BRANDIS: When you say allegations, does that mean allegations against 48 individuals?</p> <p>Mr Carmody: I think that some of them are not named. So, putting that aside, 48 allegations of some form of behaviour.</p> <p>Senator BRANDIS: All I am getting at is are we talking about 48 different people or are some individuals the subject of multiple allegations?</p> <p>Mr Carmody: I will just check. There could be some, but I do not have the detail of that.</p> <p>Senator BRANDIS: You might take that on notice.</p> <p>Mr Carmody: Yes.</p>	L&C 24 (24/05/12)
35	MHAJ	Customs	Hanson- Young	People smuggling	<p>Senator HANSON-YOUNG: Most of my questions, I think, will be for the AFP in relation to this, but I wanted to know what type of interaction Customs have with any extraditions to Australia from Indonesia that we may have in terms of people smuggling.</p> <p>Mr Carmody: I am not aware of any in particular.</p>	L&C 30-31 (24/05/12)

Q No.	AG/ MHAJ	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
					<p>Senator HANSON-YOUNG: You are not involved in any discussions in relation to them?</p> <p>Mr Carmody: Not as far as I am aware, no.</p> <p>Senator HANSON-YOUNG: Okay. You have not been asked to collect information for any cases being put for extradition?</p> <p>Mr Carmody: No, not as far as I am aware. If we are, we will let you know, but we do not believe we are involved at all.</p> <p>Senator HANSON-YOUNG: Okay. Thank you. If you could just take that on notice and clarify that.</p> <p>Mr Carmody: Certainly.</p>	
36	MHAJ	Customs	Hanson-Young	Campaigns targeting potential irregular immigrants	<p>Senator HANSON-YOUNG: Okay. Let's be clear: that campaign was in relation to asylum seekers. Is that the campaign that cost \$810,000?</p> <p>Mr Pezzullo: Yes, in the context of that financial year that that question on notice response covers.</p> <p>Senator HANSON-YOUNG: So that was in relation to messaging to discourage people from taking boats to Australia as asylum seekers.</p> <p>Mr Pezzullo: If you are drawing attention to the next paragraph, which refers to the expenditure of \$810,000, I will need to check the background details because I note that the next sentence then refers to the IOM campaign, which I am happy to come to and which is focused on the more direct point of your question. IOM, which is the internationally renowned International Organisation for Migration, assists us by the delivery through its community liaison officers—people who actually travel to coastal communities and villages in particular—messages like: 'Don't fall for this trick. When you get solicited to crew one of these vessels and are given a promise of a quick return, this is what will happen to you.' That program in Indonesia is delivered with the concurrence of the Indonesian government through the IOM. I will need to check how much of that \$810,000 is targeted at the so-called CLO—community liaison officer—activity and how much of it, if any, is connected to the other matter which I described: the social media campaign targeting potential irregular immigrants.</p> <p>Senator HANSON-YOUNG: Let me clarify. The \$810,000 is the combination cost of those two separately targeted campaigns?</p> <p>Mr Pezzullo: I think the answer is yes, but I will have to check.</p>	L&C 31-32 (24/05/12)

Q No.	AG/ MHAJ	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
					Senator HANSON-YOUNG: Could you please.	
37	MHAJ	Customs	Hanson-Young	Campaigns targeting potential boat crew	<p>Senator HANSON-YOUNG: What I want to know is: how much was spent on the boat crew campaigns, including getting out to those villages, and how much is going to be spent in the next budget? You have talked about the contract with the IOM. Do we get a schedule of what villages they visit and who these liaison officers are? Is it just for one person? Is there a team? Do we know what they do? Do we get a schedule of their work?</p> <p>Mr Pezzullo: I will take the detail on notice. I do know through our staff in Jakarta there are extensive discussions. Indeed, just earlier this week I met the regional director, who happens to be in Australia. I do not know if the discussions go down to which village on which day, but certainly I know that they report to us in outcome terms what they have done.</p> <p>Senator HANSON-YOUNG: I would like you to take on notice tabling to this committee an outline of the movements of the liaison officer or officers, which villages they have visited and how it has gone over the last two years since we have been engaged with them.</p> <p>Mr Pezzullo: I am happy to take that on notice. I should warn you that there are quite a number of CLOs, as they are called, involved. I am sure you are not seeking that I table to the Senate committee a day diary for each officer.</p> <p>Senator HANSON-YOUNG: No, I just want to know where they have been.</p> <p>Mr Pezzullo: We will do a reasonable aggregation that I think will answer your question.</p>	L&C 34 (24/05/12)
38	MHAJ	Customs	Hanson-Young	People smuggling crew	<p>Senator HANSON-YOUNG: Which islands are most of these crew being recruited from at the moment?</p> <p>Mr Pezzullo: At the province level, and that is the best detail I have: northern Sumatra, west Java and East Nusa Tenggara.</p> <p>Senator HANSON-YOUNG: You don't have the detail?</p> <p>Mr Pezzullo: I suspect someone would have that detail but I do not have it before me.</p> <p>Senator HANSON-YOUNG: Could you take that on notice?</p> <p>Mr Pezzullo: Yes.</p> <p>Senator HANSON-YOUNG: Has there been a move away from boat crew</p>	L&C 34 (24/05/12)

Q No.	AG/ MHAJ	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
					<p>being recruited from Roti to a more remote island? Do you have a sense of that? Mr Pezzullo: I would have to take that on notice. To the extent we can put that on the public record by way of a response to this committee we will endeavour to do so. We will need to consult with a number of colleagues.</p>	
39	MHAJ	Customs	Pratt	Operations XYLEAN and SCARE	<p>Senator PRATT: Operation XYLEAN, which was in March 2010, concerned the existence of imported asbestos gaskets. I know there was a significant campaign to address that issue. I would like a report back on how confident we are that these items are no longer coming in. Mr Carmody: I am sorry, that is not one that we prepared for, but I am happy to provide an answer on notice if that is okay. Senator PRATT: Okay but I might ask my complete question— Mr Carmody: So that we can give you a complete answer. Senator PRATT: I note that there were about 1,300 items of contaminated equipment—gaskets for industrial machinery primarily for use in the natural resources sector. I have heard from workers at the time when such items were detected of their concerns at being exposed to asbestos. It was good to see that campaign happen in response to that. I would like to know what the current detection procedures look like and whether such items are still coming in at that high rate, or whether industry has significantly got the message that these items are no longer welcome. Mr Carmody: I will give you the answer on notice. It has been pointed out to me that we have a wonderful case study. The last paragraph, I am sure, does not answer your question but does say that indications are that there has been a substantial reduction. Senator PRATT: I am actually more interested in the substantive numbers attached to that. Mr Carmody: We will get you a more definitive answer. Senator PRATT: My other question is a similar question in relation to Operation SCARE, although you might well be in the same situation in relation to that. The operation was run with the Therapeutic Goods Administration. Is there evidence that the reductions which occur from a campaign like that are sustained? Or are such items beginning to creep back in? In contrast to asbestos, where you would hope that outcome is permanent and stable once the message</p>	L&C 35 (24/05/12)

Q No.	AG/ MHAJ	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
					<p>gets through to industry, it strikes me that products like these are very diverse—they come from all sorts of different sources. So I am interested in the sustainability of Customs outcomes on an issue like that.</p> <p>Mr Carmody: I will take that on notice.</p>	
40	MHAJ	AFP	Rhiannon	NOSIC breaches	<p>Senator RHIANNON: Have any breaches been established by the AFP in relation to NOSIC's practices including any security obligations?</p> <p>Mr Negus: Not that I am aware of, but, again, as the deputy commissioner said, this goes back to 2003. Certainly through my period of being commissioner there is the fact that we have gone to some lengths to put together a question on notice response for you and to answer these questions here in the committee. Nothing has been raised with either the deputy commissioner or myself along those lines and I am sure it would have been given the lengths that we have gone to to provide the material.</p> <p>Senator RHIANNON: Considering, as you said, it goes back to 2003, could you take it on notice to check if there have been any breaches including of security obligations, please?</p> <p>Mr Negus: Certainly.</p>	L&C 38 (24/05/12)
41	MHAJ	AFP	Rhiannon	NOSIC sources	<p>Senator RHIANNON: Thank you. Could you provide a list of sources that NOSIC has used to date? I did just want to make reference to some of the comments that were made when we were last together when you did suggest that it could extend to community noticeboards. So, for example, does that include noticeboards physically located at universities, libraries, community centres? So you may want to take that on notice but I was interested in a list of sources that NOSIC has used to date.</p> <p>Mr Drennan: We certainly could, but again we would stipulate it is open-source information. It is information which is available to the public in general. It is more about being able to search that and bring it together in a consolidated manner. So whether it is extended to noticeboards or the internet or the newspaper there is nothing which is untoward or secretive in the manner or in the sources from which this information is obtained and provided.</p> <p>Senator RHIANNON: Thanks, and that is why I would like to ask it on notice as you have identified that it is both in a consolidated form and publicly available</p>	L&C 38 (24/05/12)

Q No.	AG/ MHAJ	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
					as far as we know. So could you take that on notice, please? Mr Drennan: Certainly.	
42	MHAJ	AFP	Rhiannon	AFP complaints	<p>Senator RHIANNON: Just so we are clear, could you take on notice to provide details of the period of time over which those 40 complaints came in and the breakdown of internal complaints, complaints made by Australian members of the public and complaints made by Solomon Island nationals.</p> <p>Mr Wood: Senator, with respect, if I may rephrase that: rather than trying to reconstruct the <i>Sydney Morning Herald</i> figures, could we provide figures, say, for the last three years of the total number of complaints in the Solomon Islands—using our data and breaking them up into the source of the complaint?</p> <p>Senator RHIANNON: Thank you. So we have something to compare it with, if you take it over the three years, could you tell us the total number of AFP personnel in the Solomon Islands; also the number of AFP personnel overseas in general and the number of complaints in general, so we can make a comparison?</p> <p>Mr Wood: Yes.</p> <p>Senator RHIANNON: Thank you.</p>	L&C 40 (24/05/12)
43	MHAJ	AFP	Rhiannon	Overseas advisers	<p>Senator RHIANNON: In January this year the former Minister for Foreign Affairs, Mr Rudd, released a new report, the Australian Public Service adviser review, titled <i>Review of terms and conditions for Australian government officials deployed as advisers under the Australian aid program</i>. It looked at the entitlements of aid-funded overseas positions, but I notice that it did not cover the AFP serving overseas. Can you provide the terms and conditions for your overseas advisers in the same way that AusAID and other government departments have now done?</p> <p>Mr Negus: We could certainly table—</p> <p>Senator RHIANNON: Take that on notice?</p> <p>Mr Negus: We have a determination which outlines the terms and conditions of our staff. When you talk about 'advisers', these are AFP federal agents. The term 'advisers' is used when they are in other countries, but they are sworn police officers in the main. They are covered under an industrial determination, which we could certainly provide on notice.</p> <p>Senator RHIANNON: Thank you.</p>	L&C 42 (24/05/12)

Q No.	AG/ MHAJ	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
44	MHAJ	AFP	Humphries	Budget	<p>Mr Wood: No. You have alluded yourself to the postponement by a further 12 months of the additional 500 sworn police officers. Also, there are changes for all agencies in the departmental capital budget. All agencies took a percentage reduction in the forward looking departmental capital budget as part of the MYEFO changes.</p> <p>We also had some changes in our revenue expectations. There are some shifts in the pricing arrangements with ACT policing—upwards, I might mention—and some changes in our administrative expenditure. In other words, where we are running programs on behalf of the government—not AFP money but administered money—in areas like the Pacific, some of those moneys were realigned into the years where we actually want to spend the money now that we have done some further planning.</p> <p>There are some programs that were extended. We have mentioned Afghanistan earlier on in this hearing. On the spend side, extending for a further two years, 28 members in Afghanistan was part of the decisions and an extension of the Pacific Police Development Program. But, in terms of the \$67 million reduction, I have mentioned the measures. It is two times: the MYEFO decisions that were announced by the government last November, December—from memory it was about 30 November—then the new items that are in the PBS itself, as tabled a couple of weeks ago.</p> <p>Senator HUMPHRIES: Can you provide us with a table which adds up those figures to the 67, please?</p> <p>Mr Wood: Yes.</p>	L&C 48-49 (24/05/12)
45	MHAJ	AFP	Humphries	Cocos Island incident	<p>Senator HUMPHRIES: ... Can I ask about the incident on 15 May where, according to the Minister for Home Affairs, a boat carrying 63 people on board was intercepted a nautical mile from Cocos Island, not by Border Protection Command but by the AFP, which would be a fairly unusual situation for a nautical interception, as I understand it.</p> <p>Mr Negus: We do the community policing on Cocos Island and there is an officer stationed there and there has been for many, many years. Part of that responsibility would be to provide whatever nautical assistance they can in certain circumstances.</p>	L&C 51-52 (24/05/12)

Q No.	AG/ MHAJ	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
					<p>Senator HUMPHRIES: Indeed, but it would be unusual for boats to be intercepted by the AFP.</p> <p>Mr Negus: I think it is not the first time, but I think there has probably only been another one that I am aware of.</p> <p>Senator HUMPHRIES: Can you give me a description of what happened on that day and how the AFP came to be involved in this rather than Border Protection Command.</p> <p>Mr Negus: I might get Deputy Commissioner Colvin, who has got responsibility in that area, to answer. He is shaking his head. I am afraid we do not have a great deal of detail other than that the member became aware of the incident, contacted the Border Protection Command and then provided whatever assistance they could and then it was handed over to them to fulfil their normal role in that regard.</p> <p>Senator HUMPHRIES: But it is not their normal role to be intercepting asylum seeker boats.</p> <p>Mr Negus: No—Border Protection Command's normal role in using their facilities and their assets to properly deal with the issue.</p> <p>Senator HUMPHRIES: What can you tell me about it? Is there any information—how many police were involved or what they were in?</p> <p>Mr Negus: I know the person that is allocated there does have a RIB, which is a rigid-hull inflatable vessel, and that is what was used to facilitate that. Obviously, they are trained in the use of that in their normal, day-to-day community-policing environment. Again, it is a small community there, but they fulfil many different roles, as a single police officer would in such a remote location. He was able to provide assistance and—</p> <p>Senator HUMPHRIES: 'He' being one person?</p> <p>Mr Negus: One person.</p> <p>Mr Colvin: Senator, we have four people as part of our community-policing presence on Cocos Island. How many were involved on this particular occasion we are not sure; we can find that out. As the Commissioner said, we have a RIB and, as we understand it, they just went out and assisted this vessel into shore. Then, we waited for Customs and Border Protection Command to take over.</p> <p>Senator HUMPHRIES: I am looking forward to getting the details of this, but having one officer sent to intercept a boat of 63 people—given what has</p>	

Q No.	AG/ MHAJ	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
					<p>happened in our only quite recent past with respect to some of those arrivals—sounds to me, without even knowing any of the facts, like an occupational health and safety issue.</p> <p>Mr Colvin: We will get some details. My sense, though, is the way we are using the word 'intercept' is probably misleading. I imagine that this vessel came close to shore and we just assisted the vessel to make its way to the wharf, and it has been managed from that point forward.</p> <p>CHAIR: I just want to intervene here. I am assuming the vessel probably arrived on the outside of the atoll, probably on the ocean side of Home Island. If it is the same as what happened 12 months ago, the Australian Federal Police needed to ferret people off this boat and onto the RIB and bring them into the atoll to get them onto shore. The boats cannot actually get into the coral atoll because it is only a metre deep.</p> <p>Mr Colvin: We will check.</p> <p>CHAIR: It is complicated because of the geographical, physical, makeup of the Cocos Keeling Islands, you see.</p> <p>Mr Negus: We are just are getting some more details coming through. If you like, we can certainly come back to that. But, again, the officers—I am not sure how many there were—are trained to make those sorts of judgements in remote locations. They do not put themselves in any undue harm, but they also have a responsibility to assist where they can and we trust them to make those operational judgements on the day. Again, we will get some details and perhaps, if we could, come back to it.</p> <p>Senator HUMPHRIES: That is good.</p>	
46	MHAJ	AFP	Birmingham	Australia Network leaks investigation	<p>Senator BIRMINGHAM: ... Commissioner, following up on our last meeting in February, at that stage you indicated that in the previous week, the first week of February, the AFP had written to the Secretary of the Department of the Prime Minister and Cabinet with some interim findings regarding the investigation into the alleged leaks of the Australia Network tender. Have you received a response from the Department of the Prime Minister and Cabinet?</p> <p>Mr Colvin: I will respond to that. We did receive a response to our follow-up inquiries with the Department of the Prime Minister and Cabinet, yes.</p> <p>Senator BIRMINGHAM: Thank you. What was the nature of that response and</p>	L&C 54-55 (24/05/12)

Q No.	AG/ MHAJ	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
					<p>where has the matter proceeded to since then?</p> <p>Mr Colvin: I believe that Prime Minister and Cabinet were able to provide us the information we were looking for. It was subsequent information to help with the investigation. Fortunately, that investigation was finalised on 2 April. I can tell the committee that the investigation did not identify the person or persons responsible for disclosing the material.</p> <p>Senator BIRMINGHAM: Did you provide further information or briefings to Prime Minister and Cabinet prior to or subsequent to 2 April?</p> <p>Mr Colvin: I would have to take that on notice. There would have been ongoing discussions and correspondence between us and Prime Minister and Cabinet. They were the complainants.</p> <p>Mr Negus: We certainly would have advised them of the outcome of the investigation—that the persons responsible were unable to be identified.</p> <p>Mr Colvin: We wrote back to Prime Minister and Cabinet as the complainant and formally advised them of the outcome of the investigation as well.</p> <p>...</p> <p>Senator BIRMINGHAM: Was the AFP provided with a copy of the Auditor-General's report before it was released?</p> <p>Mr Colvin: I would have to take that on notice and check if we received it before it was released. We were certainly talking to the Auditor-General's office, but our processes were quite separate.</p> <p>...</p> <p>Senator BIRMINGHAM: Did your letter to the Prime Minister's department of the first week of February indicate that it was unlikely you would be able to identify a person or persons responsible or the cause of the leaks?</p> <p>Mr Colvin: I will take on notice the exact content of the letter because there may be some aspects of it that we would not want to put on the public record. What I can say is that from my memory the letter was effectively to the point that we were looking for some further material as our investigation was running its course, and there were not too many lines of inquiry left for us to look at.</p>	
47	MHAJ	AFP	Ludlam	Warren Tamplin	<p>Senator LUDLAM: ... There was reporting that on 1 March a former AFP officer, Mr Warren Tamplin, was charged with illegally accessing that database base. What has the AFP done since then to address the deficiencies in security</p>	L&C 60, 63 (24/05/12)

Q No.	AG/ MHAJ	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
					<p>that this case revealed, given that there are tens of thousands of records of ordinary people on this database?</p> <p>Mr Wood: Senator, I can respond to that. ... In terms of our response, both in terms of reinforcing existing requirements as well as introducing new requirements, there are about a dozen points here that I am happy to go through that are specifically as a result of the Tamplin matter.</p> <p>Senator LUDLAM: We are short of time. Are you able to table that piece of paper or a version that you would be happy to table?</p> <p>Mr Wood: I can do that.</p> <p>...</p> <p>Senator LUDLAM: ... How many of those dot points are new and how many of them were already extant as far as your existing security policy is concerned?</p> <p>...</p> <p>Mr Wood: I will take it on notice, giving a clear indication of which ones we already in place but we just confirmed in place and confirmed they were working, and those that were actually new.</p> <p>Senator LUDLAM: Thanks very much.</p>	
48	MHAJ	AFP	Hanson-Young	Investigation period of alleged people smugglers	<p>Senator HANSON-YOUNG... Could you tell me what the AFP's current goal is for the duration that alleged people smugglers and boat crew can be held without charge?</p> <p>Mr Colvin: Our benchmark at the moment is 90 days. That is what we aim for from the point of interception and being identified as a crew member to when we commence a prosecution. That is the investigation period for us.</p> <p>Senator HANSON-YOUNG: Would you be able to tell me what the current average duration of pre-charge detention is?</p> <p>Mr Colvin: I am not sure I can give you the current average. I do not have the average, suffice to say it is over 100 days, only just over 100 days. But the average has come down quite substantially over the last couple of years.</p> <p>Senator HANSON-YOUNG: Would you be able to give me a break down of what the shortest time and the longest time has been since December 2011?</p> <p>Mr Negus: I can tell you that the longest time as of 9 May, which is when we have the records up to, for an alleged Indonesian crew member is 137 days.</p> <p>Senator HANSON-YOUNG: Do you have the shortest, by any chance?</p>	L&C 61 (24/05/12)

Q No.	AG/ MHAJ	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
					<p>Mr Negus: No, but we could provide that.</p> <p>Mr Colvin: I would say the shortest would have been her crew from SIEV 221, the vessel that crashed off the rocks at Christmas Island.</p>	
49	MHAJ	AFP	Brandis	Closure of Robina office	<p>Senator BRANDIS: When were the Queensland police first notified of the intention to close [the AFP's Robina office]?</p> <p>Mr Colvin: I would have to take that on notice.</p>	L&C 64 (24/05/12)
50	AG	ASIO	Hanson-Young	Adverse security assessments	<p>Senator HANSON-YOUNG: I want to go to the issue of adverse security assessments of asylum seekers and refugees. I just want to see firstly whether you keep figures on the numbers of people you have given adverse assessments to who are currently applying for permanent protection visas, and if so could I have those numbers?</p> <p>Mr Irvine: I have to make sure that I am answering your question exactly. We have given 59 adverse assessments amongst the IMA cohort. In fact, that was at 30th of last month. There may be a couple more.</p> <p>Senator HANSON-YOUNG: Okay, so that would have been 30th April.</p> <p>Mr Irvine: Yes.</p> <p>Senator HANSON-YOUNG: And out of those 59, do you have the ages of those people?</p> <p>Mr Irvine: We would have the ages of those people, but I can assure you that out of those 59 there may be some debate over one or two. I would have to get the actual ages for you.</p> <p>...</p> <p>Senator HANSON-YOUNG: If you could take that on notice, that would be handy.</p> <p>Mr Irvine: That is, adverse assessees?</p> <p>Senator HANSON-YOUNG: Yes.</p>	L&C 67 (24/05/12)
51	AG	ASIO	Hanson-Young	Adverse security assessments	<p>Senator HANSON-YOUNG: Is there a formula, though? It sounds as though it is more flexible than I would have imagined, frankly.</p> <p>Mr Irvine: I would need to check exactly how and in what form DIAC is provided with the information about the adverse assessment. We are talking about that 59 here. I will need to take that on notice because I am not 100 per</p>	L&C 68 (24/05/12)

Q No.	AG/ MHAJ	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
					<p>cent clear exactly how they are informed.</p> <p>Senator HANSON-YOUNG: But in your department obviously you would see the total log of claims or statement of reasons?</p> <p>Mr Irvine: I see a complete statement of reasons.</p> <p>Senator HANSON-YOUNG: You see a complete statement of reasons but you are not sure at this moment, and you will take it on notice...</p>	
52	AG	ASIO	Hanson-Young	Adverse security assessments	<p>Senator HANSON-YOUNG: Does ASIO brief the minister on these assessments?</p> <p>Mr Irvine: Which minister?</p> <p>Senator HANSON-YOUNG: The Minister for Immigration and Citizenship.</p> <p>Mr Irvine: To my recollection, we have not personally briefed the minister. It is entirely up to the Secretary of DIAC and DIAC themselves what they provide to their minister. I believe the minister has seen some but I do not know if he has seen them all.</p> <p>Senator HANSON-YOUNG: From ASIO's perspective, ASIO has not directly briefed the immigration minister on any of these 59 cases?</p> <p>Mr Irvine: Not on 59 individual cases, no.</p> <p>Senator HANSON-YOUNG: That is not part of the standard practice, then?</p> <p>Mr Irvine: No.</p> <p>Senator HANSON-YOUNG: Do you know if your department has briefed the minister on any of those 59 cases?</p> <p>Mr Irvine: I would need to check that but I suspect not.</p>	L&C 68-69 (24/05/12)
53	AG	ASIO	Hanson-Young	Security assessment reviews	<p>Senator HANSON-YOUNG: So you have not had any referrals or requests from the immigration minister to review any [security] assessments?</p> <p>Mr Irvine: Of an IMA?</p> <p>Senator HANSON-YOUNG: Yes.</p> <p>Mr Irvine: Not that I can recall, but I would need to check. I am almost certain that we have not.</p> <p>Senator HANSON-YOUNG: I would really appreciate it if you could be very clear about that.</p> <p>Mr Irvine: Yes.</p>	L&C 69 (24/05/12)

Q No.	AG/ MHAJ	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
54	AG	ASIO	Hanson-Young	Security assessment reviews	<p>Senator HANSON-YOUNG: Are you able to tell me: when was the last time ASIO reviewed an adverse assessment?</p> <p>Mr Irvine: Off the top of my head, no—with the exception of when, very recently, we changed a few words in an assessment.</p> <p>Senator HANSON-YOUNG: Is that for everybody or just for IMAs?</p> <p>Mr Irvine: I am talking about IMAs. I would really need to check—but there are very few, frankly, adverse assessments outside at the moment of the IMA cohort.</p>	L&C 70 (24/05/12)
55	AG	AGS	Abetz	Advice provided to Fair Work Australia	<p>Senator ABETZ: Without going into the advice, has the Australian Government Solicitor provided advice to Fair Work Australia in relation to what matters might be able to be proceeded against on a civil basis in relation to the report into the HSU national office? You will recall that the AGS has provided advice to Fair Work Australia on both the HSU No. 1 branch investigation and into the HSU national office. I am asking about the second report, the national office report.</p> <p>Mr Govey: The only information I have relates to the work that we are doing arising out of the national office investigation, where proceedings have been filed. We are acting for them. I do not have any information beyond that.</p> <p>Senator ABETZ: You have been appointed in relation to that. Was any further advice, after 22 March, sought in relation to cooperation with police?</p> <p>Mr Govey: I would need to take that on notice.</p> <p>Senator ABETZ: Would you also take on notice: when you gave advice—I accept that I am not allowed to know what advice you proffered—was advice sought from you by Fair Work Australia in relation to the assertions by Ms O'Neill, the general manager of Fair Work Australia, that she would not release the report into the HSU national office until such time as she had determined whether or what action should be taken as a result of the report, because it might prejudice the outcome... Were you asked to give any advice in relation to that?</p> <p>Mr Govey: I will need to take that on notice.</p>	L&C 78-79 (24/05/12)
56	AG	AGS	Brandis	Mr James Ashby's proceedings against the	<p>Senator BRANDIS: I would like to ask questions about Mr James Ashby's proceedings against the Commonwealth of Australia and the Speaker of the House of Representatives in relation to workplace sexual harassment. Mr Slipper is not being represented by the Australian Government Solicitor, is he?</p>	L&C 79-80 (24/05/12)

Q No.	AG/ MHAJ	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date <i>or</i> Written Question
				Commonwealth of Australia and the Speaker of the House of Representatives in relation to workplace sexual harassment	<p>Mr Govey: No, that is right.</p> <p>Senator BRANDIS: But the Commonwealth of Australia is?</p> <p>Mr Govey: That is correct.</p> <p>...</p> <p>Senator BRANDIS: I was a little surprised to read, when the matter came on for directions in the Federal Court last Friday week, that the Commonwealth was being represented by Mr Julian Burnside QC. Who made the decision to retain Mr Burnside?</p> <p>Mr Govey: I do not know the specific answer to that... Whether the specific recommendation for Mr Burnside to be appointed was made by AGS or not, I am not sure.</p> <p>Senator BRANDIS: Can you find out for me. I would like to know who made the decision to brief Mr Burnside.</p> <p>Mr Govey: I will take that on notice.</p> <p>...</p> <p>Senator BRANDIS: You will no doubt have to take this on notice as well: I would like to know what Mr Burnside's fees are.</p> <p>Mr Govey: I am happy to take it on notice, but I think it would be useful to note at this point that my understanding is that it is not the normal practice to disclose the fees paid for Commonwealth counsel, and that is a practice which extends back over successive governments.</p> <p>Senator BRANDIS: Well, that is certainly not right, because I remember when I used to act for the Commonwealth. It was a commonplace thing that annually the amount of money paid to counsel acting on behalf of the Commonwealth was published, and sometimes republished in the newspaper.</p> <p>Mr Govey: I think you will find that related to the total amount rather than the daily rate, and if you were asking for the total amount then, obviously, that will be something that we will not know for some time to come.</p> <p>Senator BRANDIS: If the Commonwealth can publish the total amount of taxpayers' monies paid by way of counsel's fees to a particular barrister, it can certainly inform the Senate of the amount paid in a particular case to a particular barrister. I am asking you—you will take it on notice, no doubt—to reveal that to the committee. I want to know what Mr Burnside's fee on brief is, I want to know what his daily refresher fee is, I want to know his hourly rate for preparation and</p>	

Q No.	AG/ MHAJ	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
					<p>other work incidental to the case and how much Mr Burnside has charged the Commonwealth thus far.</p> <p>Mr Govey: I will, as I have said, need to take that on notice, but I note that it is regarded as exceptional to disclose some of that information.</p>	
57	AG	ITSA	Williams	Complaint by Mr Mircevski	<p>Senator WILLIAMS: I refer to a letter dated 12 August 2009 signed by you, Ms Ingram. It is a response to complaints Mr Mircevski made to the Attorney-General on 17 and 8 July 2009. You refer to a letter dated 19 June 2009 which indicated the conduct of the trustee was not considered inappropriate. What investigations of Mr Pattison led your Bankruptcy Regulation Branch to that conclusion? ... Take me through in brief what you do to investigate such complaints, including what examination is done of the trustee's books?</p> <p>Ms Ingram: Generally we review the trustee's books every year to 18 months. We review each trustee's operations. If you are referring to what do we do when we receive a request to review a matter, we would go to the trustee and ask him to respond to the allegations, and we would test them. I cannot respond in relation to this particular matter—I do not have the details before me.</p> <p>Senator WILLIAMS: Would you take it on notice.</p> <p>Ms Ingram: Yes.</p> <p>...</p> <p>Senator WILLIAMS: How many other complaints were received about Paul Pattison before Mr Mircevski sought to have him removed?</p> <p>Ms Ingram: I do not have those details. We will take it on notice.</p> <p>Senator WILLIAMS: Why did ITSA oppose a subpoena seeking ITSA's records to support Pattison's removal by the Federal Court?</p> <p>Ms Ingram: I would have to take that on notice.</p> <p>...</p> <p>Senator WILLIAMS: This was a barrister representing Mr Mircevski. I will repeat the question. Why did ITSA threaten or actually seek personal costs orders against volunteer members of the Bar Duty Barristers Scheme—a volunteer scheme where barristers actually donate their time to help the vulnerable? Why did you seek costs?</p> <p>Ms Ingram: I will have to take on notice the matter in relation to costs.</p> <p>...</p>	L&C 87-88 (24/05/12)

Q No.	AG/ MHAJ	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
					<p>Senator WILLIAMS: Are you actually in control of that property in the Kinglake area that was once Mr Mircevski's? Is that now in ITSA's control?</p> <p>Ms Ingram: I would have to take that on notice.</p>	
58	AG	ITSA	Williams	Mr George Lousick	<p>Senator WILLIAMS: You are presently handling a matter in relation to a Mr George Lousick, who traded I believe as G & K Aluminium and as Clarence Valley Aluminium and Steel on the North Coast of New South Wales. Mr Lousick is no longer trading and, I believe, left a trail of creditors in his wake. You were seeking to have Mr Lousick sign documents to enable further examination of his affairs. Do you know if he has signed those documents?</p> <p>Ms Ingram: I would have to take that on notice.</p>	L&C 89 (24/05/12)
59	MHAJ	CrimTrac	Humphries	Complaint investigations and costs	<p>Senator HUMPHRIES: What has been the total cost in the period since the beginning of the last financial year of complaint processing, including legal costs for CrimTrac?</p> <p>Mr Smith: I would not have a total figure available to me at the moment.</p> <p>Senator HUMPHRIES: Can you take it on notice?</p> <p>Mr Smith: Yes, I can.</p> <p>Senator HUMPHRIES: Thank you very much. I also ask you to take on notice how long each investigation has gone on for, whether the complaints that generated those investigations—and I am referring here to, for example, the APS Code of Conduct complaints and the other ones of which I have spoken—were formal or informal and what their current status is. How many Comcare claims have been made since the beginning of the last financial year?</p> <p>Mr Smith: A total number?</p> <p>Senator HUMPHRIES: A total number.</p> <p>Mr Smith: I would have to take that on notice and it may be divided into a range of different types of complaints because, obviously, things have different causal factors.</p> <p>Senator HUMPHRIES: Indeed, I am sure they do. Would any of them have been for stress?</p> <p>Mr Smith: Yes.</p> <p>Senator HUMPHRIES: Are we looking at one or two, or 20?</p> <p>Mr Smith: No, we are talking in very low single digits. But I will take that on</p>	L&C 92 (24/05/12)

Q No.	AG/ MHAJ	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
					<p>notice.</p> <p>Senator HUMPHRIES: Similarly, if I could have the status of those claims. I am not asking for the results of any individual's claim.</p>	
60	AG	CDPP	Brandis	Transcripts of interview with Craig Thompson	<p>Senator BRANDIS: ... You said there were interviews with witnesses among the materials supplied to you. We know from the report itself that the main person concerned was Mr Thomson. Mr Thomson has said on the public record that he was interviewed by Fair Work Australia once. Therefore, all I want you to do is to confirm that the transcripts included a transcript of an interview with Mr Thomson.</p> <p>Mr Craigie: The reason we are both being rather diffident about this is that we have now passed this matter on to two police forces. I have no idea what the outcome, if any, will be of their investigations. I have no idea, for instance, whether, in the event that either of those police forces came to a particular conclusion, it would in fact be referred to my office. My diffidence actually attaches to the sorts of considerations I had during the fortnight or so before we sent those matters off to the police. It is for the same sorts of reasons, having regard to the fact that Fair Work Australia had compulsory powers, that these were, in some instances where statements were taken, coercive. I would certainly be diffident about answering that question without at least paying the now investigating bodies the courtesy of consulting them as to their views on the release of that information. So I prefer not to be in the position of flatly refusing to answer the question. If I was able to and I thought it prudent, I would do so. But, as I sit here now, I do not think it would be prudent to answer the question.</p> <p>Senator BRANDIS: All right. So, for the reasons you have just given, you are not prepared to answer my question. You are not disputing it, but you are not prepared to answer it.</p> <p>Mr Craigie: Given the caveat that I just attached to my response, I am quite prepared to take your question on notice and I will take such steps as will inform me better as to whether it is in fact prudent, sensible and proper to answer the question.</p>	L&C 95-96 (24/05/12)
61	AG/ MHAJ	General	Brandis	Meetings in Indonesia	<p>Senator BRANDIS: Was the matter of Schapelle Corby ever raised by you?</p> <p>Mr Wilkins: No.</p> <p>Senator BRANDIS: So, whenever it was raised, it was raised on the Indonesian</p>	L&C 101-102 (24/05/12)

Q No.	AG/ MHAJ	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
					<p>side?</p> <p>Mr Wilkins: Indeed.</p> <p>Senator BRANDIS: Can you give me even a rough estimate—you said these meetings were in Indonesia so you would know when you were in Indonesia.</p> <p>Mr Wilkins: I could go back and discover exactly—</p> <p>Senator BRANDIS: Could you check, by reference to your diary, please, Mr Wilkins?</p> <p>Mr Wilkins: I could give you a rough idea; yes, I could do that.</p> <p>Senator BRANDIS: Well, if you checked your diary you could give me a specific idea.</p> <p>Mr Wilkins: I could tell you when I was in Indonesia; I could not tell you which day of the days I was in Indonesia I discussed these matters, necessarily.</p> <p>Senator BRANDIS: No, that is fine. If we could track it down—</p> <p>Mr Wilkins: I may be able to do that, depending on whether I can recall whether it was a particular meeting, but I will need to take that on notice.</p> <p>Senator BRANDIS: All right.</p>	
62	AG/ MHAJ	CrJD	Brandis	Correspondence from Mr Brimble	<p>Senator BRANDIS: I understand that. I do not have any difficulty in accepting that other ministers or departments would have been involved in the development of a response but I am very surprised, first of all, that Mr Brimble was not afforded the courtesy of an acknowledgement by the Attorney-General and, secondly, that whatever response developed within the bowels of the government has taken so long. Which ministers or departments do you get to hear from?</p> <p>Mr Wilkins: I am not entirely sure actually.</p> <p>Senator BRANDIS: Can you find out please? You might take that on notice.</p> <p>Mr Wilkins: I might take that on notice.</p> <p>Senator BRANDIS: I can see you are a little taken by surprise by this. I would like to know which ministers—and I know there was a cabinet reshuffle in December and maybe that has prolonged things—have been engaged in the process which is described in the letter from Alex Anderson of 9 December 2011. I would like to know whether the new Attorney-General, Ms Roxon, has addressed her mind to the matter. We know that Mr McClelland did because we are told that in the letter of 9 December. I would like to know which ministers or departments the Attorney-General's Department, as the lead agency, is still</p>	L&C 104-105 (24/05/12)

Q No.	AG/ MHAJ	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
					<p>waiting to hear from. I would like an indication or an estimate from you as to how much longer we can expect it to be for the Australian government to develop its response to the New South Wales coroner's recommendation?</p> <p>Mr Wilkins: Let me take that on notice because I cannot answer that now.</p>	
63	AG/ MHAJ	CrJD	Wright	Confiscated assets account	<p>Senator WRIGHT: Would you please provide details of how much money annually has been allocated from the confiscated assets account to fund community programs over the past three years.</p> <p>Mr I Anderson: Since November 2007, \$32 million has gone to community programs.</p> <p>Senator WRIGHT: Since 2007 until the current time?</p> <p>Mr I Anderson: Yes, that is to the current time.</p> <p>Senator WRIGHT: To today or this month? It is not a very specific time frame.</p> <p>Mr I Anderson: That was from November 2007 until 11 May.</p> <p>Senator WRIGHT: Thank you very much. That is an interesting time frame to choose. Why is it from November 2007?</p> <p>Mr I Anderson: That is simply the figure that I have with me—</p> <p>Senator WRIGHT: I will ask you to take on notice, then, the last three financial years.</p> <p>Mr I Anderson: Certainly.</p> <p>Senator WRIGHT: Thank you.</p> <p>...</p> <p>Senator WRIGHT: Have the Australian Federal Police also received funding under the confiscated assets account at any time?</p> <p>Mr I Anderson: A number of government agencies have received funding from the confiscated assets account. Funding can be made available for law enforcement purposes.</p> <p>Senator WRIGHT: But no government agencies—is that what you said?</p> <p>Mr I Anderson: No, I said quite a lot of government agencies have received funds.</p> <p>Senator WRIGHT: Sorry, I did not hear you. Which law enforcement programs have been funded?</p> <p>Mr I Anderson: It is a number. It would probably be easier if I took it on notice.</p> <p>Senator WRIGHT: Thank you for that.</p>	L&C 107-108 (24/05/12)

Q No.	AG/ MHAJ	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
64	AG	NSLPD	Wright	Declassification of documents	<p>Senator WRIGHT: ... I have a final group of questions in relation to the declassification of documents relating to East Timor. ... Associate Professor Clinton Fernandes requested the declassification of cables written by Australian diplomats in Indonesia for the period from 1974 onwards. DFAT requested the Attorney-General, Ms Roxon, to block the release, which was done. Under the Archives Act, government documents including diplomatic cables are available to be declassified after 30 years when someone such as a researcher or a journalist asks for copies, but of course a department can claim an exemption on grounds that the material might threaten security, defence or international relations, and it appears that that is what has occurred. So my first question is: what percentage of declassified documents requested under the Archives Act would be made available in the normal course of events?</p> <p>Mr Wilkins: I do not think we know the answer to that. I think that is something you would have to ask the Archives, quite frankly.</p> <p>Senator WRIGHT: Then I ask: would you say that the issue of a certificate by the Attorney-General, such as in the circumstances that I have outlined, is unusual?</p> <p>Mr Wilkins: It does not happen that often; it is true.</p> <p>Senator WRIGHT: When you say 'it does not happen that often', can you indicate what you mean by that?</p> <p>Mr Wilkins: I am advised that it would have been a couple of years, at least, since another certificate had been issued.</p> <p>Senator WRIGHT: Perhaps I can ask you to take on notice a question so that I get some sense of the scale and how unprecedented or precedented this decision was. Perhaps you could indicate how many times this has occurred over the last 20 years, please.</p> <p>Mr Wilkins: We can take that on notice, but you will appreciate that it is not so much how often it happens. It could happen two or three times in the next month. It depends on what documents we are talking about.</p> <p>Senator WRIGHT: Yes, I understand that, but I would still like to get some sense of relativity there.</p> <p>Mr Wilkins: Sure. We could give you that.</p> <p>Senator WRIGHT: Thank you for that. Is it common for applicants to mount a</p>	L&C 109-111 (24/05/12)

Q No.	AG/ MHAJ	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
					<p>legal challenge to a decision to deny declassification after the statutory period has expired under the Archives Act?</p> <p>Mr Wilkins: I think we will have to take that on notice too. I do not know how common it is.</p> <p>Senator WRIGHT: Again, when I say 'common', I suppose I would find it useful to give you a time frame, because 'common' is probably in the eye of the beholder—perhaps, again, how many times that may have happened over the last 20 years. Has any applicant successfully litigated to overturn a decision not to declassify?</p> <p>Mr Wilkins: We had better take that on notice too.</p> <p>Senator WRIGHT: Thank you.</p> <p>Mr Wilkins: I do not know off the top of my head.</p> <p>Senator WRIGHT: I ask again: is it common—and I might need to frame that in terms of a time perspective—for the Department of Foreign Affairs and Trade to apply for these certificates?</p> <p>...</p> <p>Mr Wilkins: We will take that on notice too.</p> <p>Senator WRIGHT: Can you give me a sense of how many times it may have happened in the last year? Would you be aware of that?</p> <p>Mr Wilkins: In the last year?</p> <p>Senator WRIGHT: Yes.</p> <p>Mr McDonald: There have been a couple of certificates in relation to this particular case, but, in relation to other cases, I do not think we have had another one in the last year.</p> <p>Senator WRIGHT: Perhaps I will give that 20-year time frame again for that, thank you. When you say 'in relation to this particular case', you are talking about the request by Associate Professor Fernandes in relation to the diplomatic cables?</p> <p>Mr McDonald: Yes.</p> <p>Senator WRIGHT: Thank you. Can you tell me also how many times DFAT has applied for certificates and been denied them by the Attorney-General? Are you aware of any times that that has occurred?</p> <p>Mr McDonald: I am not aware of an occasion when that has occurred, but we will take that on notice.</p> <p>Senator WRIGHT: And if you could also—this might duplicate the previous</p>	

Q No.	AG/ MHAJ	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
					<p>question I asked, but if not—tell me how many times have they applied and been successful, again over that 20-year period. I would also like to know how many times the Attorney-General has intervened in this way overall, specifically in relation to Indonesia.</p> <p>Mr Wilkins: Sorry, what do you mean by 'intervene overall'?</p> <p>Senator WRIGHT: Has signed a certificate suppressing the release of documents that have been requested.</p> <p>Mr Wilkins: You have asked that already.</p> <p>Senator WRIGHT: I think I have asked that already! Yes. I would like to have an identification then as to how many times in the overall total that you have given me relate specifically to Indonesia.</p> <p>Mr Wilkins: So, how many of these relate to Indonesia?</p> <p>Senator WRIGHT: Yes, thank you. Then a subcategory of that is Indonesia's dealings in East Timor. The other aspect of that question on the overall number is a breakdown by country and region of the decisions to suppress the release of documents.</p> <p>Mr Wilkins: What do you mean by 'region' for this purpose?</p> <p>Senator WRIGHT: Perhaps 'state' might be the easiest way to identify what 'region' would mean there.</p> <p>Mr Wilkins: All right.</p> <p>Senator WRIGHT: Does the Minister for Foreign Affairs have the power to intervene directly to declassify or release documents in this way?</p> <p>Mr McDonald: This power is with the Attorney, not the Minister for Foreign Affairs.</p> <p>Senator WRIGHT: Are you aware of any other power that the Minister for Foreign Affairs would have to intervene in a process where consideration is being given to declassify documents under the Archives Act?</p> <p>Mr McDonald: I will have to take that on notice. I am not aware of any power to.</p> <p>Senator WRIGHT: By that I mean a formal legal power as opposed, obviously, to making a representation to a colleague, or something like that.</p> <p>Mr Wilkins: We are not aware of anything but you will have to ask the Department of Foreign Affairs.</p> <p>Senator WRIGHT: If I get an opportunity to. If you could possibly take that on</p>	

Q No.	AG/ MHAJ	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
					notice I would appreciate that as well.	
65	AG	EMA	Humphries	Crisis Coordination Centre	<p>Senator HUMPHRIES: ... The Crisis Coordination Centre opened in October, with a total establishment cost of \$22.6 million and ongoing yearly costs, excluding staffing costs, of \$648,000. This is physically located within an existing government building—a building that the government owns or the government leases?</p> <p>Mr Finn: It is the AFP building.</p> <p>Mr Darby: I am not too sure of the status. I believe the AFP building is a leased building and we lease the premises from the AFP.</p> <p>Senator HUMPHRIES: What is the \$648,000? Is that the extra cost of leasing the space the CCC is in?</p> <p>Mr Darby: It is a range of things. My colleague will correct me if I am wrong. It is principally the leasing of that space, and then there are licence costs for information systems that we manage there and support costs for the information technology systems. We also pay a proportion to the AFP for security for the building.</p> <p>Senator HUMPHRIES: Can we have a breakdown of those costs taken on notice?</p> <p>Mr Darby: Yes.</p>	L&C 119 (24/05/12)
66	AG	EMA	Humphries	AGDRP fraud	<p>Senator HUMPHRIES: We were told earlier in answer to a question elsewhere that there have been 1,400 investigations into possible fraud relating to Australian government disaster relief payments, but there has only been one investigation by the Australian Federal Police into a claim of fraudulent obtaining of money under that program. This crosses over several agencies but perhaps you could take on notice to try to explain why it would be that there would be 1,400 complaints and only AFP investigation.</p> <p>Mr Darby: Yes, we will take it on notice, Senator, and I presume it relates to last season. The advice we have, and we will get you some figures, was that there was actually a very, very small percentage of fraudulent claims that came through. The Department of Human Services manages that program on the ground on our behalf through an MOU and we can seek that information from them.</p>	L&C 120 (24/05/12)

Q No.	AG/ MHAJ	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
67	MHAJ	CrJD	Madigan	Balibo coronial inquest and investigation	<p>On 16th June 2008 the Assistant Secretary of the Criminal Law Branch of the Attorney-General's Department, Karl Alderson sent a letter to the Senate Standing Committee on Legal and Constitutional Affairs correcting the answer he gave on 27th May 2008. In this letter he stated:</p> <p><i>“Twice in my answers I referred to the department having ensured that all relevant documents and information (i.e. from the coronial inquest) were ‘in the hands’ of the Australian Federal Police (27 May 2008: L&C transcript p58 lines 2 and 19). In fact what the Department did, in a process that was complete in January 2008, was to provide the Australian Federal Police with relevant documents in the Department’s possession (essentially, those sent by the Deputy Coroner) and ensure that the Australian Federal Police knew where and how other relevant material from the coronial inquest could be assessed.”</i></p> <p>Questions:</p> <ol style="list-style-type: none"> 1. Did the Department provide the Australian Federal Police (AFP) with all the relevant documents in its possession? 2. Did the Department supply the AFP with a complete list of all documentation related to this investigation it continued to hold after the handover in January 2008? 3. Has the Department received any further requests for information relating to this investigation from the AFP since January 2008? 4. Has the Department withheld any documents related to this investigation that have been requested by the AFP? 5. Does the Department receive regular updates on the progress of the investigation from the AFP? 6. If so, what was the status of the investigation according to the most recent update? 	Written
68	MHAJ	CrJD	Madigan	Balibo coronial inquest and	On 27 May 2008, the Assistant Secretary of the Criminal Law Branch of the Attorney-General's department, Karl Alderson, confirmed to the Senate Standing	Written

Q No.	AG/ MHAJ	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
				investigation	<p>Committee on Legal and Constitutional Affairs that the Attorney-General's Department had formally referred war crimes investigations to the Australian Federal Police. This referral occurred in the third week of January 2008.</p> <ol style="list-style-type: none"> 1. What is the status of the AFP investigation? i.e. Is the investigation ongoing, referred to the DPP, etc...? 2. Have the AFP interviewed anyone in Indonesia? 3. Have the AFP interviewed anyone in East Timor? 4. Have the AFP interviewed anyone in Australia? 5. How much money has been spent on the investigation by the AFP so far? 6. Four years after a formal referral, what are the reasons for the delays? 	
69	MHAJ	CrJD	Rhiannon	BSafe program	<p>Regarding the Bsafe Program funded under the National Community Crime Prevention Program and administered by the Attorney-General's Department:</p> <ol style="list-style-type: none"> 1. Do you accept that the 3 year pilot Bsafe program that was funded by a grant was a highly successful program that directly reduced the risk of DV for victims in that regional community? 2. By not funding the continuation of the Bsafe program aren't you failing on the key objective of the national plan? 3. Is it not the job of government to be responsive enough to continue such an effective program? 4. Why does not Bsafe qualify as a strategic program under the 2010-2012: National Plan to Reduce Violence against Women and their children (COAG)? 5. Is it being considered for the second action plan (2013-2016)? 6. Is Bsafe being considered at any stage as part of the "Time for Action: The National Council's Plan for Australia to Reduce Violence against Women and their Children, 2009-2021" as a national DV initiative? 7. Did you make any assessment of the benefits of the Bsafe project in economic terms, for example a 2009 KPMG study estimates 750, 000 Australian women will experience and report violence in 2021-22, costing the Australian economy an estimated \$15.6 billion? 8. When my office contacts the Attorney General's in Feb 2012 (via Jason Clare's office) we were told you would look into it. What if anything has 	Written

Q No.	AG/ MHAJ	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
					<p>been done to evaluate further funding to the pilot Bsafe program or expand it to other regional areas?</p> <p>9. Will you do a review of what costs were avoided via the \$125, 000 per year funding of the Bsafe pilot, in terms of the predicted costs of domestic violence in that region?</p> <p>10. Once Bsafe demonstrated success, why was it not taken up by AGs?</p> <p>11. Did you work with other jurisdictions at a state level to see if Bsafe could be jointly funded by federal and state government?</p> <p>12. Considering Bsafe is not receiving ongoing funding, what other programs have taken priority to address the domestic violence risk in regional areas?</p> <p>13. Have you looked into the savings for women who were able to stay in their homes as a result of the Bsafe program?</p> <p>14. What assessment have you done of the program?</p>	
70	AG	ITSA	Williams	George Lousick	<p>George Lousick became bankrupt in April, 2010, with debts of around \$1 million. ITSA has said previously the operating arrangements of Clarence Valley Aluminium and Steel Specialists were of interest to the Trustee, particularly Mr. Lousick's management of deposits. He is required to account for \$134,500 in total transactions.</p> <ol style="list-style-type: none"> 1. Has ITSA been able to obtain the financial records of G & K Aluminium and the financial records of the bankrupt's business from Indigenous Business Australia? 2. Has ITSA been able to interview Mr. Lousick as suggested in your report of June, 2011. 3. If ITSA has been able to obtain the records, can you indicate what the examination of those records has revealed? 4. Can you determine if the bankrupt had been trading insolvent at any time, including when he was operating Jopalo Boats, and particularly when he was under the supervision, guidance and financial support of Indigenous Business Australia? 5. If a bankrupt refuses to sign and return the written authority as directed, what penalty can be imposed? 	Written
71	MHAJ	AFP	Cash	SIEV incident	I refer to further documents released under FOI to journalist Natalie O'Brien of	Written

Q No.	AG/ MHAJ	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
				3 October 2009	<p>the Sun-Herald, regarding a boat in distress between Indonesia and Australia on October 3rd 2009 and I ask:</p> <ol style="list-style-type: none"> 1. Why did the AFP take nearly four hours to give Customs permission to release the coordinates of the boat to Australian Maritime Search and Rescue? 2. What is the AFP policy and procedure when receiving information about a SIEV in distress, (both inside and outside the Australian Search and Rescue region)? 3. How have these policies and procedures changed since the SIEV X incident? 4. Please provide copies of the policies and procedures before the SIEV X incident, and any revisions following the SIEV X incident right up until the current version of the policy and procedure that is in use today, including the dates of each revision. 5. What was the policy and procedure that was in place for receiving information about a SIEV in distress, at the time the boat went missing on October 3, 2009? 6. Was this procedure followed in respect of the information provided regarding the boat that went missing on October 3, 2009? 7. FOI of correspondence between Customs and the AFP regarding Ms O'Brien's FOI request shows AFP asking for all references to its agency to be removed - why has the AFP tried to hide its involvement in this incident? 8. Which agency was first notified that the boat was no longer in distress? 9. FOI documents show that information was given from The Australian Embassy in Jakarta to Australian Maritime Search and Rescue - effectively calling off the search for the boat. Why did the Australian Embassy consider this information to be credible, given that the boat and its passengers had since disappeared? 10. Given the timeline of events released by Customs under FOI showing that the people smuggler Hussein believed to have organised the boat was arrested three weeks after the boat disappeared, did the AFP ask the Indonesians to question him about the disappearance of the boat? If not, 	

Q No.	AG/ MHAJ	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
					<p>why not? If so, when and where did the questioning take place and what did it reveal?</p> <p>11. Were there any attempts by the AFP to charge him over the boat or to extradite him to Australia?</p>	
72	AG	ILHRD	Brandis	Forced sterilisation of people with an intellectual disability	<p>Last year, Women With Disabilities Australia sent a formal communication dated June 22, 2011 to four of the United Nations Special Rapporteurs regarding the non-therapeutic, forced sterilisation of girls and women with disabilities in Australia. All complaints are documented in a report which goes to the United Nations Human Rights Council. The Special Rapporteurs also write to the country where the complaint originated from and they wrote to the Australian Government on July 18 2011.</p> <p>The Australian Government on 12 August and again on 30 September said it would respond after consideration of the complaints. It is now approximately 10 months since the Australian Government received correspondence on the forced sterilisation of girls. Would the department please look into why there has been such a lengthy delay in responding to the Special Rapporteurs' letter?</p>	Written
73	AG	ASIO	Brandis	ASIO headquarters	<ol style="list-style-type: none"> 1. What is the progress of the construction of the new ASIO central headquarters in Canberra? 2. Is construction expected to be completed on-time and on-budget? 3. According to Program 1.1 expenses of the A-G PBS, where ASIO's expenses are set to increase over the estimates due to additional rent commitments relating to ASIO's new central headquarters. The funding has grown to cover a portion of increased rent, with the remainder to be absorbed by ASIO. <ol style="list-style-type: none"> a. Can you confirm whether there is currently a rental dispute between ASIO and the Department of Finance regarding these additional rent commitments? b. Has ASIO been asked to make an additional funding commitment because of a blow-out to building costs and timing? c. Is it correct that ASIO would rather remain in its current location? d. Do you expect this disagreement to impact on the ability of ASIO officers to move into the new central headquarters? 4. Can you confirm that ASIO is seeking approval to store more than half a million litres of fuel at its new central headquarters? 	Written

Q No.	AG/ MHAJ	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
					<ul style="list-style-type: none"> a. What is the reason behind this? b. What impact will this have on local residents? c. Has ASIO conducted consultation? 	
74	AG	ASIO	Brandis	Staffing	<p>Referring to Outcome 1, Table 2.1 in ASIO of the Attorney-General Portfolio Budget Statement (PBS), in particular, the average staffing level for 2011-12 and 2012-13, which remains at 1760:</p> <ul style="list-style-type: none"> 1) Was there projected growth in the organisation before the Government imposed a spending cut on the agency? 2) Given in the 2010-11 PBS, the average staffing level was expected to grow from 1711 to 1800, why has growth been revised down to 1760 in the 2012-13 PBS? 3) What impact have these cuts had on the organisation's ability to conduct its activities? 	Written
75	MHAJ	CrJD	Brandis	Proceeds of Crime Act 2002 - Confiscated Assets Account	<p>Referring to the Attorney-General's Portfolio grants from 23 January 2012 to 30 April 2012:</p> <p>For those payments made under the program title 'Proceeds of Crimes Act 2002' what effect will the Confiscated Assets Account deferral of expenditure, that was announced in the 2012-13, have on making these payments?</p>	Written
76	MHAJ	ACLEI	Brandis	Customs investigations	<p>Is the Australian Commission for Law Enforcement Integrity currently investigating any matters in respect of the Australian Customs and Border Protection Service; if so, what is the nature of the investigations, and when did they commence?</p>	Written
77	MHAJ	Customs	Brandis	Inspection of vessels entering Australia	<ul style="list-style-type: none"> 1) Have there been any changes, any decreases or increases of vessel inspections for those vessels entering Australia? 2) For every cruise ship terminal around the country, is there Customs and immigration processing? 3) Can you confirm on the 24th February why approximately 600 passengers onboard the Aurora cruise ship were unable to depart the boat once it has docked at the Yorkey's Knob port in Cairns, resulting in all previously booked day trips being cancelled? 	Written

Q No.	AG/ MHAJ	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
					<p>4) How many Customs and Immigration officers are stationed at Yorkey's Port in Cairns and are they stationed there at all times?</p> <p>5) How many cruise ships have been refused disembarkation due to a lack of Customs/ Immigration officers at Australian ports in the last 5 years?</p>	
78	MHAJ	Customs	Brandis	Staffing	<p>What number of staff were employed by the Australian Customs and Border Protection Service under Outcome 1, programs 1.1, 1.2, 1.3, 1.4, and 1.5 during:</p> <p>(a) 2006-07 (b) 2007-08 (c) 2008-09 (d) 2009-10 (e) 2010-11, and (f) 2011-12?</p>	Written
79	MHAJ	Customs	Brandis	Staffing	<p>For (a) 2006-07, (b) 2007-08, (c) 2008-09, (d) 2009-10, (e) 2010-11, and (f) 2011-12, and over the forward estimates:</p> <p>What number of staff were engaged, and what sum of funding was allocated to (i) risk assessment, (ii) operational activity responding to threats and suspected breaches at the national border, (iii) investigation and prosecution related to breaches of the border, (iv) intelligence and targeting activities for the identification of people and goods of interest, and (v) evaluation and deployment of detection technologies, under Outcome 1, Program 1.3 of the Australian Customs and Border Protection Service?</p>	Written
80	MHAJ	AFP	Brandis	Airport security	<p>1) How many AFP are stationed at each airport?</p> <p>2) How many of them are sworn officer as required by the change over to the All-In model?</p> <p>3) What is the cost of the officers and any costs association with their work?</p> <p>4) Referring to the decision to partially recover the costs of aviation security services that are provided by the AFP at Australia's international airports, which will generate \$118.1 million in revenue over four years. (2012-13 Budget Paper No2, p10)</p>	Written

Q No.	AG/ MHAJ	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
					5) What consultation was conducted between the Australian Federal Police and the federal government and the operators of Australian airports where AFP staff are stationed in relation to the budgeted increase in AFP costs levied to airport operators 6) What is the process by which the Australian Federal Police determine current and future AFP staffing levels at Australian airports? 7) What level of consultation is conducted between the Australian Federal Police and the operators of Australian airports with regard to current and future AFP staffing levels? 8) How many FTE staffing positions will be reduced at Australian airports due to the efficiency dividend during FY2012-13?	
81	MHAJ	AFP	Brandis	International deployment	In this Budget \$8.6 million has been cut from the International Deployment Group (IDG): 1) Can you confirm from which deployments the funds are being cut? 2) Will it affect AFP deployed to Afghanistan? 3) How many staff are currently in the IDG? Has this changed over the past 12 months? 4) Can you provide a breakdown of how many AFP are in each country? 5) Can you confirm the number of AFP officers currently stationed on Christmas Island and Cocos Keeling Island? 6) Is that number constant or does it fluctuate depending on circumstance? If it fluctuates can you provide the number of AFP officers that were stationed on both islands for each month of this year?	Written
82	AG	CDPP	Hanson-Young	Ali Jasmin	a) Is the CDPP aware of whether DIAC conducted an age assessment on Ali Jasmin prior to him being referred to the AFP for investigation and prosecution? b) At what point was the CDPP aware of the DIAC age assessment which concluded that Ali Jasmin was 13 or 14 years old at the time he was detained?	Written
83	AG	CDPP	Hanson-	Review of	a) What is the criteria that CDPP provided to the AGs department for the	

Q No.	AG/ MHAJ	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
			Young	potential minors in adult prisons	<p>review into the 28 potential minors who are in adult prisons?</p> <p>b) Can you please table it?</p> <p>c) What case features led to the matters being put forward for review by AGs?</p>	
84	AG	CDPP	Hanson- Young	Potential minors in adult prisons	<p>I note that I wrote to Robert McClelland on 15 June 2011 and I also wrote to Paul Lucas about young people in adult prisons: Ako Lani, Ose Lani, John Ndollu.</p> <p>a) How long were those three boys kept in adult facilities?</p> <p>b) How long were they kept in immigration detention before charges were withdrawn against them?</p> <p>c) Where are those boys now?</p> <p>Please provide a breakdown in each case.</p>	Written
85	AG	CDPP	Hanson- Young	Rate of acquittals of boat crew trials	What is the current rate of acquittals of boat crew trials?	Written
86	AG	CDPP	Hanson- Young	Age determination	<p>a) How many age determination hearings are still before the court?</p> <p>b) Since March 2012, how often has Dr Vincent Low being called to give expert evidence in age determination?</p> <p>c) How many times have wrist xrays been used in age determination since March 2012?</p> <p>d) How many current briefs of evidence in boat crew matters include wrist or dental xrays?</p>	Written
87	AG	CDPP	Hanson- Young	People smuggling	<p>Regardless of whether this crosses over with state jurisdiction, could the CDPP please obtain from their state counterparts, the following information? If not, who can provide this information? I asked DIAC this on notice and they could not provide an answer.</p> <p>For the last financial year and projected for the next financial year:</p> <p>1. Breakdown of costs, state by state, for this financial year and next financial year, for conducting people smuggling trials?</p>	Written

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					<p>2. Breakdown of costs, state by state, of boat crew serving sentence (corrections costs)</p> <p>3. Breakdown of costs of both prosecution and defence in boat crew matters</p>	
88	MHAJ	AFP	Humphries	Fraud referral - Disaster Recovery Payments	<p>In response to question on notice 32 from the February 2012 Senate Additional Estimates, the Australian Federal Police indicated that only 1 referral of alleged fraud against the Australian Government Disaster Recovery Payments (AGDRP) was referred from the Department of Human Services since January 2011.</p> <p>a) What is the current status of this referral? Has the issues been resolved? If so, what were the outcomes?</p> <p>b) Have there been any further referrals of fraud against the AGDRP?</p> <p>c) Is Centrelink the only agency tasked with investigations surrounding AGDRP fraud?</p>	Written
89	MHAJ	AFP	Humphries	Centrelink taskforce into fraudulent disaster claims	<p>It was reported in January 2011, in both <i>The Australian</i> and the <i>Courier Mail</i>, that approximately 1400 investigations into fraudulent disaster assistance claims were being investigated by Centrelink's taskforce.</p> <p>a) What role did the Australian Federal Police play in these investigations?</p> <p>b) Was the one allegation of fraud as mentioned in question on notice 32 from February 2012 Senate Additional Estimates?</p> <p>c) Is the Australian Federal Police aware of the outcomes of the 1400 investigations?</p> <p>d) What representations have been made by Centrelink to the Australian Federal Police surrounding the 1400 investigations?</p>	Written
90	MHAJ	AFP	Humphries	Identity Security Strike Teams	<p>a) Will the deferral of the 500 sworn officers until 2015-16 affect the operational capacity of the Australian Federal Police's Identity Security Strike Teams (ISST)?</p> <p>b) Question on notice 32 from February 2012 Senate Additional Estimates provides that the ISST's are staffed by multiple agencies. What other agencies are contributing staff to these teams?</p> <p>c) How many staff are provided from these agencies?</p>	Written
91	MHAJ	AFP	Humphries	Carbon tax fraud	<p>Question on notice 31 from the February 2012 Senate Additional Estimates indicates that there was no meeting between the lower levels of the Australian Federal Police in October 2011 in relation to investigations surrounding carbon</p>	Written

Q No.	AG/ MHAJ	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
					<p>tax fraud. It was relayed by Mr Colvin that the lower levels of the Australian Federal Police were to meet in October 2011 to discuss what processes, rules and terms of reference the working group would adhere to.</p> <p>a) Why was this meeting never held?</p> <p>b) Was the meeting on 14 December 2011 a replacement meeting for the October meeting? If so, what were the reasons for the delay?</p>	
92	MHAJ	AFP	Humphries	Investigation into use of RAAF 737	<p>In follow-up from questions asked in the February 2012 Senate Additional Estimates, Hansard transcript page 118, it was mentioned by Mr Negus that the Australian Federal Police's professional standards area was investigating the Prime Minister's bodyguard who utilised the Boeing 737 flown by the RAAF for personal business use.</p> <p>a) Is this investigation still ongoing?</p> <p>b) If so, please provide an update of where the investigation currently stands.</p> <p>c) If the investigation has been exhausted, what were the outcomes and findings?</p> <p>d) Were any further individuals involved, or did any further individuals know of the bodyguards efforts?</p> <p>e) Was the transportation and conduct by this individual a security breach?</p> <p>f) What methods have been adopted to ensure there is no repeats, or similar situations?</p>	Written
93	MHAJ	AFP	Humphries	Efficiency Dividend	<p>Please outline what specific guidance Minister Clare, the Attorney-General and Minister Wong have provided to the Australian Federal Police in regards to meeting the increased efficiency dividend, other than the general government recommendations?</p>	Written
94	MHAJ	AFP	Humphries	Community Placement Network	<p>a) What is the Australian Federal Police's involvement in relation to the Community Placement Network program announced by the government in May 2012?</p> <p>b) As the Community Placement Network website outlines that the program is a form of community detention, will the Australian Federal Police respond to situations which may arise?</p> <p>c) Has the Department of Immigration and Citizenship made representations to the Australian Federal Police regarding this program? If so, please provide detail.</p> <p>d) Has the Australian Federal Police conducted a risk assessment of this</p>	Written

Q No.	AG/ MHAJ	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
					<p>program, or provided information to DIAC and/or the government on possible risks associated with it?</p> <p>e) How many criminal record checks have the Australian Federal Police undertaken in regards to the Community Placement Network? How many of these checks have been adverse?</p> <p>f) Of these record checks, how many had been found adverse once the placement of the asylum seeker had been made?</p> <p>g) Is the Australian Federal Police offering any training to the host families regarding this program? Has training been provided to DIAC?</p> <p>h) Are the Australian Federal Police aware of the locations and whereabouts of asylum seekers on this program?</p>	
95	MHAJ	AFP	Humphries	AFP budget reduction	<p>a) The Budget papers indicate that \$133 million has been cut from the AFP's overall budget. (2012-13 AGs PBS p147) Please provide a breakdown from where exactly these cuts are coming from?</p> <p>b) Will this Budget cut affect AFP operations? If so, where?</p>	Written
96	MHAJ	AFP	Humphries	Cocos Keeling Island boat arrival of 15 May 2012	<p>a) Referring to the boat arrival of 15 May 2012, which was reported by the Minister for Home Affairs on the 16 May – this boat was carrying 63 people on board and was intercepted by the AFP half a nautical mile out from Cocos Keeling Island. (Refer to Minister for Home Affairs Media release 16.5.12) Are the AFP officers trained to intercept unlawful maritime arrivals?</p> <p>b) If yes, what kind of training do they receive?</p> <p>c) If no, what advice was sought on the day and from which agency?</p> <p>d) Did the AFP officers involved use proper health, safety and security protocols and did they check the maritime arrivals to see if any of them had identity documents or passports?</p> <p>e) What type of vessel did the AFP use?</p> <p>f) Given the vessel used, do you believe the officers on the Cocos Island had significant maritime capabilities to safely perform the interception on behalf of the Border Protection Command?</p>	Written

Q No.	AG/ MHAJ	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
					<p>g) Was a risk assessment completed by the AFP officers before they intercepted the vessel?</p> <p>h) What is this vessel ordinarily used for?</p> <p>i) How many passengers is the vessel designed to safely hold?</p> <p>j) What happened to the unauthorised vessel after it had been intercepted? Has it been destroyed and by who?</p> <p>k) Did the AFP officers who intercepted the boat have the passenger arrival cards that are usually given out by Customs officers upon boarding an unauthorised boat? Were they given to the passengers?</p> <p>l) Did the AFP officers have appropriate protective gear and weapons with them at the time of the interception? Is it the same gear a Border Protection Command officer would use?</p> <p>m) How many AFP officers do you have stationed on Cocos Island? Is this a permanent placement?</p> <p>n) Do any Border Protection Agencies hold a presence on Cocos Island?</p> <p>o) How did the AFP officers know the vessel was in the area and at what point were they first notified of the vessels presence in the area?</p> <p>p) At what point did the officers notify Border Protection Command / DIAC about the illegal vessel interception?</p> <p>q) What instructions did the AFP officers receive from DIAC about how to process/house the asylum seekers?</p> <p>r) Did the AFP officers undertake any type of health checks or screening process on the asylum seekers?</p> <p>s) How long did it take for a charter to arrive at Cocos Island to transfer the asylum seekers back to Christmas Island?</p> <p>t) So until the charter arrived where did the officers house the asylum seekers and did they enlist any help from local police or residents to transport the asylum seekers?</p>	
97	MHAJ	AFP	Humphries	Confiscated	a) The \$58.3 million expenditure from the Confiscated Assets Account is to	Written

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				Assets Account	<p>be redirected in the 2012-13 financial year. What type of items are usually seized and placed into the Confiscated Assets Account?</p> <p>b) What has this expenditure been deferred to?</p> <p>c) In previous years what has the funding from this account been spent on?</p> <p>d) Has alternative funding been provided to these community crime prevention programs?</p> <p>e) Could this funding not be better spent on fighting crime in the local community given the escalating gun violence in recent times?</p>	
98	MHAJ	AFP	Humphries	Mr Ian Rintoul	<p>a) (<i>Referring to article: Asylum seekers cling to sinking boat in rough seas off Indonesia, the Australian, 13.4.12 by Ben Packham</i>) How many times has Ian Rintoul, members of the Refugee Action Coalition or the Australian United Hazara Association, contacted the Australian Federal Police providing intelligence on suspected illegal boat arrivals or people smuggling operations?</p> <p>b) Since August 2008 has the AFP or DIAC investigated Mr Rintoul for possible links to people smugglers or asylum seekers in Indonesia prior to their arrival in Australia on illegal boats?</p> <p>c) Has the AFP investigated whether Mr Rintoul might be involved in encouraging or aiding and abetting asylum seekers to make dangerous boat journeys?</p> <p>d) Has the AFP investigated how Mr Rintoul's telephone number has apparently been given to those on board people smuggling boats?</p> <p>e) Is the AFP aware whether or not Mr Rintoul is in contact with asylum seekers on illegal boats before they board boats and while on board boats either before interception by Australian authorities or afterwards?</p> <p>f) Has the AFP investigated the possibility that Mr Rintoul receives payment from people smugglers and or asylum seekers for his assistance</p>	Written

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					with asylum seekers arriving by illegal boat from Indonesia?	
99	MHAJ	AFP	Humphries	AFP Budget – International Deployment Group	<ul style="list-style-type: none"> a) In the 2012-13 Budget \$8.6 million has been cut from the International Deployment Group (IDG). b) From which deployments are the funds are being cut? c) Will it affect AFP deployed to Afghanistan? d) How many staff are currently in the IDG? Has this changed over the past 12 months? e) Provide a breakdown of how many AFP are in each country? f) Can you confirm the number of AFP officers currently stationed on Christmas Island and Cocos Keeling Island? g) Does this number fluctuate depending on circumstance? If it fluctuates can you provide the number of AFP officers that were stationed on both islands for each month of this year? 	Written
100	MHAJ	AFP	McKenzie	Cybercrime	<ul style="list-style-type: none"> a) How do you define cyber crime? b) What is the agency’s budget for tackling cyber crime? How is this broken down? c) How many staff does the agency devote to tackling cyber crime? How is this broken down? Where are these staff physically located? What are they working on? d) What performance indicators have been set around cyber crime? e) What work is being undertaken in relation to cyber crime and liaising with the community? 	Written
101	MHAJ	CrimTrac	Humphries	National Firearms Identification Database	<ul style="list-style-type: none"> a) What communications has the Agency had with, or has the Agency made to the Minister for Home Affairs, Jason Clare, regarding the National Firearms Identification Database? b) Please provide an update on where the program currently sits? c) Is CrimTrac currently working on, or considering a national approach to Firearms Management? Was this project not originally meant to provide a mechanism for supporting national firearms management? 	Written

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102	MHAJ	CrimTrac	Humphries	Child Exploitation Tracking System	<ul style="list-style-type: none"> a) Please provide an update on the current progress of the Child Exploitation Tracking System which was due for completion in December 2011. b) Why has the implementation of this system taken this long? c) What reasons can the Agency provide to explain why the System was not implemented in December 2011 as suggested by the 09-10 Annual Report? d) Is the Agency aware of any states or territories looking at developing their own software and implementing such? e) Would the Agency agree that if the states and territories are implementing their own systems as a consequence of CrimTrac's delay, there could be issues surrounding communication between jurisdictions, the possibility of 'doubling up' on systems and information, and the possible waste of state and territory resources? Explain? f) Is there a possibility that as a consequence of the project's delay child exploitation material may have been exchanged during this period? If so, is there a possibility that due to the lack of the System due for implementation in December 2011 children may have been exploited during this time? Please provide details. 	Written
103	MHAJ	CrimTrac	Humphries	Internal and external complaints	<ul style="list-style-type: none"> a) How does the Agency handle internal and external complaints? b) Has the current CEO, Mr Doug Smith, received any informal or formal complaints against him personally? If so, how many? c) What are the current statuses of these complaints? d) What measures are in place to limit bullying or harassment within the Agency? e) What is the total cost since 2011 for complaint processing etc? (Include legal costs) f) Please detail the lengths of time for each formal and informal investigation? g) How many Comcare claims have been made since 2011 to current date? What are the current statuses of these claims? 	Written

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104	MHAJ	Customs	Humphries	Staff reductions	<p>a) On page 110 of the AGs PBS 2012-12, the figures show that 190 staff will be cut from Customs. In 2011-12 the staff number was 5,225 and in 2012-12 it has been cut to 5,035 – a difference of 190 staff. From which areas have staff been cut? Can you provide a breakdown?</p> <p>b) Have any staff been moved from one area to another? Provide information over the past 6 months of staff movements?</p> <p>c) Have any Customs offices closed over the past 12 months or had any staff cutbacks or variations? If so what are they?</p> <p>d) Is Customs looking to close any offices or reduce staff numbers in the future? If so which offices?</p>	Written
105	MHAJ	Customs		Border Protection Command - Staffing	<p>a) Given the increasing rate of unauthorised boat arrivals, has Customs increased staffing numbers for Border Protection Command?</p> <p>b) Can you outline how many vessels are used by Customs Border Protection Command and whether any of them have been out of action for maintenance or for other reasons over the past 6 months?</p> <p>c) The Budget indicated that \$7.2 million would be cut from civil maritime surveillance and response. (2012-13 AGs PBS pg 123)</p> <p>d) Where exactly are these cuts coming from? Will it affect Customs' ability to detect illegal maritime arrivals?</p> <p>e) How many patrol days are currently allocated to BPC?</p> <p>f) What is the total cost to run the patrol vessels in the last financial year?</p> <p>g) Given the increase in IMAs, will patrol days need to be increased over the next financial year and by how much?</p> <p>h) How many hours are allocated to aerial surveillance?</p> <p>i) How many aircrafts are used for aerial surveillance and what is the total cost of aerial surveillance over the past financial year?</p> <p>j) How has this figure compared to previous years?</p> <p>k) Will there be a need to increase aerial surveillance in the next financial year?</p>	Written
106	MHAJ	Customs	Humphries	Border Protection Command –	<p>a) What is Customs and Border Protection's fuel budget for Border Protection Command's patrol vessels in 11/12 and 12/13?</p>	Written

Q No.	AG/ MHAJ	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
				operation of vessels	<p>b) Was Customs' fuel budget for Border Protection Command's patrol vessels in 11/12 exhausted at any point this financial year? If so when?</p> <p>c) Did Customs meet with the Minister for Home Affairs in November, December last year or January expressing concerns over the fuel budget or that funds allocated for fuel were depleted?</p> <p>d) If not, were any such concerns ever communicated to the Minister in any other way by anyone in Customs?</p> <p>e) What was the response from the Minister?</p> <p>f) Is it true that Customs was informed by the Minister to use existing funds within the Customs budget to cover the shortfall in the fuel budget for Border Protection command's patrol vessels? If so, where were those funds diverted from?</p> <p>g) What is the fuel budget for 12/13? Are you confident that despite the huge increase in boat arrivals since the government announced its community release policy for boat arrivals that this budget will not be exceeded? What contingency plans are in place if it is?</p> <p>h) What has been the fuel budget for BPC's patrol vessels for every financial year from 2007/08?</p>	
107	MHAJ	Customs	Humphries	Passenger Movement Charge	<p>a) The Budget papers have indicated that the Passenger Movement Charge (PMC) will rise from \$47 this financial year to \$55 in 2012/13. (2012-13 Budget Paper No 2, pg11). What is the rationale behind this additional charge and where will the additional revenue go?</p> <p>b) Have there been any assessments on whether this increase will undermine the competitiveness of Australia's tourism sector at a time when the</p>	Written

Q No.	AG/ MHAJ	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
					<p>industry is vulnerable to current unstable global economic conditions?</p> <p>c) What consultation has Customs had with the tourism industry and airports regarding the PMC increase? Was the Government involved in these consultations?</p>	
108	MHAJ	Customs	Humphries	Duty free tobacco	<p>a) Referring to the proposed ban of duty free tobacco, when will this proposed ban come into place?</p> <p>b) Does this give sufficient time for Customs, the airports and retailers to reconstruct their outlets and is there enough time for all three to implement these changes by the proposed date?</p> <p>c) How will Customs police the new duty free ban with fewer officers?</p> <p>d) Is it the belief of Customs that it will also serve to encourage travellers to attempt to smuggle extra cartons of cigarettes into Australia or increase illegal tobacco smuggling through our ports and airports?</p> <p>e) Has there been any research or assessment as to what this ban will mean for passenger flows after international flights?</p> <p>f) What kind of consultation did Customs have with the Government, the airports and retailers prior to the announcement of the duty free ban?</p> <p>g) Given the cuts to passenger processing (\$34 million last year and \$10.4 million this year), and staff cuts to passenger processing, does Customs have a plan for dealing with a bigger workload?</p> <p>h) Has Customs projected the cost of increased enforcement and communication with passengers associated with the proposed reduction in tobacco related allowance effective from September 1 2012?</p> <p>i) Have any additional funds been allocated to address the projected increased cost of enforcement and communication with passengers associated with the proposed reduction in tobacco related allowance effective from September 1 2012?</p> <p>j) Does Customs have an operation plan for dealing with the duty free ban?</p> <p>k) Will passengers be required to take their excess tobacco through and pay duty on it?</p> <p>l) Will passengers have the option to surrender it?</p> <p>m) Will this process be conducted within the current Customs infrastructure</p>	Written

Q No.	AG/ MHAJ	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
					<p>at each terminal or will they require separate areas within the terminal to perform this process?</p> <p>n) Is it the responsibility of Customs to collect, pulp, redesign and reprint 2-3 million passenger cards? If so, how long will this take and how much will it cost?</p> <p>o) Will Customs implement an education program, or an awareness campaign? If yes how much will this cost and how long will it run for?</p> <p>p) Does Customs hold concerns that that the ban to duty free tobacco will impact on queuing times at the primary line?</p> <p>q) Do you believe the deadline is enough time to put the appropriate infrastructure in place to manage the extended queues?</p>	
109	MHAJ	Customs	Humphries	Inspection of sea, air and postal consignments	<p>a) Can you provide data for the past 12 months of how many sea, air and postal consignments have been inspected and examined? And can you provide data of how many consignments or parcels have come into the country for the same period?</p> <p>b) Has there been any staff cuts to cargo screening staff over the past 3 years? If so, how many and from which facilities?</p> <p>c) Has there been any variation to work hours at any of the facilities?</p> <p>d) Has there been an increase or decrease in illegal tobacco smuggling over the past six months?</p> <p>e) How many Customs officers have been found to be involved with criminal activity, corrupt activity or any other activity that would be considered breaching the integrity of Customs over the past 12 months? Please provide figures since the financial year of 07/08?</p> <p>f) How many cases have been referred to ACLEI?</p>	Written
110	MHAJ	Customs	Humphries	Importation of firearms	<p>a) On March 14th 2012 a report by the NSW Police on the investigation into weapon smuggling, undertaken by a criminal syndicate through the Sylvania Waters Post Office highlighted that 220 Glock pistols had been illegally imported into our country via airmail. Can you confirm at exactly what point the agency was informed off the Sylvania Waters case by the NSW Police?</p> <p>b) What was Customs involvement in the Sylvania Waters Post Office incident?</p>	Written

Q No.	AG/ MHAJ	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
					<ul style="list-style-type: none"> c) How were weapon components able to be imported into Australia and evade the detection of Customs staff and why do you believe this was able to occur? d) What are the systems, resources and practices used within the agency to detect and prevent this from occurring and why did they not work sufficiently in the Sylvania Waters case? e) Do you have an implemented risk management strategy to assist in the detection of the importation of weapons and why has this failed on this occasion? f) How effective is this system and have you identified any weaknesses that need to be addressed? g) Has the reduction in air cargo screening resulted in more illegal contraband being smuggled undetected through Customs? h) Given the significant breach of our borders will Customs be conducting an internal investigation into how this happened and also into the allegations of corruption within the agency? i) If so, what were the findings of that investigation? j) Are the levels of corruption of great concern to the agency? How much funding/resources is allocated to deal with issues/allegations of corruption? k) Given the seriousness of the allegations of corruption what steps has the agency taken to prevent future corruption within the agency? 	
111	MHAJ	Customs	Humphries	Vessel inspections	<ul style="list-style-type: none"> a) Have there been any changes, decreases or increases, in vessel inspections for those vessels entering Australia? b) Are there Customs and immigration processing at all cruise ship terminals in Australia? c) Can you confirm on the 24th February why approximately 600 passengers onboard the Aurora cruise ship were unable to depart the boat once it has docked at the Yorkey's Knob port in Cairns, resulting in all previously booked day trips being cancelled? d) How many Customs and Immigration officers are stationed at Yorkey's Port in Cairns and are they stationed there at all times? e) If there are no officers stationed at Yorkey's Port in Cairns, why? Is this due to funding and personnel cuts to Customs? 	Written

Q No.	AG/ MHAJ	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
					f) How many cruise ships have been refused disembarkation due to a lack of Customs/ Immigration officers at Australian ports in the last 5 years?	
112	MHAJ	Customs	Humphries	Illegal foreign fishing program	a) In the 2012-13 Budget \$6 million was cut from the illegal foreign fishing program, can you explain the rationale behind these cuts and where the cuts will be going? b) Has there been an increase or decrease in illegal foreign fishermen in Australian waters? c) Have resources been diverted from illegal foreign fishing to intercepting unauthorised maritime arrivals?	Written
113	MHAJ	Customs	Xenophon	Flight crew	<p>A previous QoN (No 41) from Estimates on 14 Feb 2012 asked “Is there a legal and or policy distinction between an international flight sector and a domestic flight sector? Are they mutually exclusive?” The answer in part said: “Where a flight is engaged in an international journey, all sectors of that flight including the domestic sectors are considered to be part of the international flight.” When asked in Estimates on 24 May 12: “How do Customs distinguish between international and domestic flights?”, the response was:</p> <p style="text-align: center;"><i>Mr Buckpitt: The key determinant for Customs is whether or not the aircraft is departing or arriving at an international airport.</i></p> <p>When one considers that Jetstar flights JQ61, 73 and 81 leave the domestic terminals at Melbourne, Sydney and Brisbane respectively to transit Darwin for various South-East Asian destinations, both responses appear to have some inconsistencies.</p> a) Under what circumstances can an aircraft be released from an International flight to conduct a domestic flight? b) Under what (unexceptional) circumstances can an aircraft in Australia intentionally depart from an International terminal for a domestic destination? c) Under what circumstances can an aircraft depart from a domestic airport to arrive at an international terminal prior to leaving Australia? d) What is the legislative basis that prevents a partially Customs-cleared aircraft from departing a ‘first point of entry’ with the intention of landing at a domestic rather than an International airport?	Written

Q No.	AG/ MHAJ	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
					<p>e) Can ACBPS confirm that that all Australian holders of AOCs that permit scheduled international operations have adequate safeguards in place to prevent an uncleared or partially-cleared aircraft from operating to other than an international airport?</p> <p>f) How does ACBPS monitor compliance with the entry requirements?</p>	
114	MHAJ	Australian Crime Commissi on	Humphries	National Intelligence Assessment of illegal firearms	<p>a) The Minister for Home Affairs, Jason Clare, recently announced that the ACC would be heading up the National Intelligence Assessment of the illegal firearms market in Australia. How much will this cost?</p> <p>b) Where is the funding and resources for this inquiry coming from?</p> <p>c) How many staff have been allocated to the National Intelligence Assessment?</p> <p>d) How long will the inquiry take?</p> <p>e) What other agencies are involved in the inquiry?</p> <p>f) Are those agencies contributing staff or funding to the inquiry?</p> <p>g) Does the ACC believe that the 2009-10 funding cuts to Customs cargo screening have had an effect on the amount of illegal weapons and drugs smuggled through our borders?</p> <p>h) Do you believe an adequate amount of cargo is being inspected and/or examined?</p> <p>i) Are you aware of any cases of corruption amongst Customs officers or links to organised criminal syndicates?</p> <p>j) Has this increased in recent years?</p> <p>k) If so, what do you think is the driving factor for this surge in corrupt activity?</p>	Written
115	MHAJ	Australian Crime Commissi on	Humphries	Illicit drug data	<p>a) According to the 2010-11 Illicit drug data report, cocaine and heroin detections at the border have decreased, while at the same time the weight of seizures has increased – is this an indication that drug smugglers are becoming bolder with their shipments?</p> <p>b) Are organised criminal syndicates behind the majority of illicit drug shipments being smuggled through our borders?</p> <p>c) What does the ACC believe is the main driving factor behind the surge of violence and drug use on our streets?</p>	Written

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116	AG	AJD	Xenophon	Public Interest Certificates	<p>a) How many public interest certificates has the Attorney-General issued under the under section 36 of the Administrative Appeals Act?</p> <p>b) How many certificates has the Attorney-General been asked to sign since 2007?cummunity</p> <p>c) How many requests to sign certificates has the Attorney-General refused? Can the Department provide details of these?</p>	Written
117	AG	ILHRD	Boyce	The imprisonment of people with a cognitive impairment deemed unfit to plead	<p>Given that Custodial Supervision Orders were introduced to protect the rights of people with a mental or intellectual disability presenting in the criminal justice system, have they in fact worked to protect those rights especially if you consider the situation in the Northern Territory and Queensland?</p> <p>In a recent episode of Background Briefing on the ABC there was mention of a case of an young indigenous individual with an alcohol dependency and some cognitive impairment who was charged with assault – according to his lawyer he would have more than likely received a custodial sentence if found guilty of 4 months but because of his disability it was decided he was unfit to plead and he was then placed in gaol, in maximum security for an indefinite period- he’s been there now for five years – would you like to comment and to your knowledge how common is this situation?</p> <p>Is it true that some individuals have been dealt with in this matter simply because they were deaf?</p> <p>Is this a widespread problem in all states?</p> <p>How does this situation square with our commitments under international human rights agreements we have signed?</p> <p>In that this situation has a disproportionate impact on our indigenous citizens is this situation truly closing the gap?</p> <p>Has this situation been exacerbated in the Northern territory by the application of</p>	Written

Q No.	AG/ MHAJ	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
					<p>the Intervention?</p> <p>The defence is often put that there is simply nowhere else to send these people so is this a failing of the criminal justice system or the resourcing of disability services in this country?</p>	
118	AG	SID	Scullion	Doing Time - Time for Doing report	<p>The House of Representatives Standing Committee on Aboriginal and Torres Strait Islander Affairs last year identified the over representation of indigenous juveniles and young adults in the criminal justice system as a national crisis.</p> <p>Broadly, what progress has the Government made in implementing the recommendations made in their report, Doing Time, Time for Doing?</p>	Written
119	AG	SID	Scullion	Doing Time - Time for Doing report	<p>Inability to meet certain bail criteria was evidenced in Doing Time, Time for Doing as greatly contributing to the high rates of indigenous youth incarceration and persons on remand, even cycling individuals back into the prison system.</p> <p>A common reason for refusal of bail being lack of a functional family network or suitable return accommodation, leaving incarceration without charge as the only option.</p> <p>How are these disadvantages for Indigenous youth being addressed?</p>	Written
120	AG	SID	Scullion	Doing Time - Time for Doing report	<p>The House of Representatives Standing Committee on Aboriginal and Torres Strait Islander Affairs heard evidence in compiling Doing Time, Time for Doing that some states had created supervised bail programs to divert individuals from incarceration whilst waiting trial.</p> <p>a) Which states are said programs being trialled in? b) Is there any available data determining the success or otherwise of these programs in reducing Indigenous incarceration?</p>	Written
121	AG	SID	Scullion	Doing Time - Time for Doing report	<p>In its deliberations the Committee noted a number of organisations throughout Australia aimed at assisting Indigenous youth with post bail accommodation and support. Central After Hours Assessment and Bail Placement Service (CAHABPS) in Victoria, Youth Bail Accommodation Support Service in</p>	Written

Q No.	AG/ MHAJ	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
					<p>Queensland, Intensive Bail Support Program in New South Wales, Bail Options Project in Tasmania and the Youth Bail Service in Western Australia.</p> <p>a) To what extent are these programs funded by the Federal Government? b) Is there any similarly based organisations operating in the Northern Territory?</p>	
122	AG	SID	Scullion	Doing Time - Time for Doing report	<p>Committee recommendation 27 states that the Attorney-General “take to the Standing Committee of Attorneys-General the proposal to increase funding for appropriate accommodation options for youth who are granted bail, in order to prevent the unnecessary detention of Indigenous youth”.</p> <p>Has this recommendation been actioned?</p>	Written
123	AG	SID	Scullion	Doing Time - Time for Doing report	Can you provide data on the real value Federal Government expenditure annually on Aboriginal and Torres Strait Islander Legal Services since 2006-2007.	Written
124	AG	SID	Scullion	Doing Time - Time for Doing report	<p>Are you familiar with the concept of justice reinvestment? Has justice reinvestment, supported in principal by the House of Representatives Standing Committee on Aboriginal and Torres Strait Islander Affairs, been considered at a national level as part of a wider strategy to help reduce indigenous incarceration, or at the very least been considered for trial and investigation?</p>	Written
125	AG	SID	Scullion	Doing Time - Time for Doing report	The Federal Government plans to spend well over \$8 billion over the next 10 years addressing Indigenous health, education, employment disadvantage in Closing the Gap and Stronger Futures, justice outcomes have been largely omitted from these initiatives. What long term commitments is the Government making to address Indigenous disadvantage in justice? what financial amount is being committed to delivering better outcomes?	Written
126	AG	EMA	Humphries	Crisis Coordination Centre	<p>a) In regard to the Crisis Coordination Centre’s incident notifications and incident briefs, to who are these documents provided? b) Are these briefs made publicly available? c) Are the briefs provided to state and territory emergency services, including the SES and other groups? d) Since her recent appointment as Minister for Emergency Management,</p>	Written

Q No.	AG/ MHAJ	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
					has Nicola Roxon visited the Crisis Coordination Centre? If so, please list dates.	
127	AG	NSRPD	Humphries	Location Based Number Store	<p>a) In regard to the Location Based Number Store used by both Emergency Alert and StateAlert. Since its establishment, is the Department aware of any other systems that can provide similar capabilities to that of the LBNS?</p> <p>b) If so, will the Department consider this/these systems in November 2013 at the expiry of the current LBNS contract?</p> <p>c) As the LBNS contract cost is approximately \$6.9m, are the alternative systems more cost effective? Do they provide the same capabilities?</p>	Written
128	AG	NSCDD	McKenzie	Emergency management training	<p>At last Estimates, I asked a QON in relation to emergency management training:</p> <p>a) Given the natural disasters experienced by areas of regional Victoria in recent years, are there any plans to expand access to courses for regional Victorian local governments?</p> <p>b) This question wasn't answered by the department. Can you please advise if there is any change planned in the number of and access to courses on offer through the Australian Emergency Management Institute?</p>	Written
129	AG	SDD	Humphries	Privacy reform	<p>a) In relation to the inquiry into privacy and the need for a statutory tort, why was its administration transferred from the Department of Prime Minister and Cabinet to the AG's Department?</p> <p>b) How many staff are allocated to this task?</p> <p>c) What is the total cost to budget both in the current year and year 2012-13?</p> <p>d) Is it correct to say that the overwhelming number of submissions oppose the need for such a statutory tort?</p> <p>e) When will the report be published?</p> <p>f) When does the Government plan to introduce legislation to implement the provisions of this report?</p>	Written

Q No.	AG/ MHAJ	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
130	AG	CLD	Humphries	Legal Services Directions	<ul style="list-style-type: none"> a) Referring to answers to question on notice 1439 provided by the Attorney General on 9 Feb 2012. What was the state of the Directions in 2008 and what elements were identified as being in need of reform, and what consultations with the legal and business community were conducted and with what results? b) What is the annual budget allocation for the Office of Legal Services Coordination, and approximately what percentage of this allocation is attributable to the administration of the Model Litigant Rules? c) How many officers in the OLSC conduct media and court monitoring in relation to the MLRs? d) How many officers in OLSC have carriage of policy matters in relation to the MLRs? e) How many officers in OLSC are responsible for maintaining and updating compliance records for the MLRs? f) What other functions are encompassed in OLSC in relation to the MLRs – please list and describe each function? g) During the past four years has the department expended any consultancy moneys in relation to the operation of the Legal Services Directions, if so at what cost and with which consultancy provider? 	Written
131	AG	All	Humphries	Staffing	<ul style="list-style-type: none"> a) How many ongoing staff recruited this financial year to date? What classification are these staff? b) How many non-ongoing positions exist or have been created this financial year to date? What classification are these staff? c) This financial year to date, how many employees have been employed on contract and what is the average length of their employment period? 	Written
132	AG	All	Humphries	Staffing	<ul style="list-style-type: none"> a) Provide details of what staffing changes have occurred in each department/agency from the 2012-13 Budget. b) Provide a list of additional and/or redundant positions, the classification 	Written

Q No.	AG/ MHAJ	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
					and the program those positions are part of or have been taken from.	
133	AG	All	Humphries	Staffing	Please list the SES positions have you in your department/agency in the years this financial year to date. Identify the different levels and how many are permanent positions.	Written
134	AG	All	Humphries	Staffing	<p>a) Will there be any training after the 2012 Calendar year for 2012 Graduates? If yes, please details including costs and what the training is.</p> <p>b) What was the cost for recruiting 2012 Graduates? Please itemise and detail costs.</p>	Written
135	AG	All	Humphries	Education expenses	<p>What are the department/agency's guidelines on study? Please provide details.</p> <p>For this financial year to date, detail all education expenses (i.e. in house courses and tertiary studies) for each portfolio department and agency. Include what type of course, the total cost, cost per participant, the employment classification of each participant, how many participants and the amount of study leave granted to each participant (provide a breakdown for each employment classification). Also include the reason for the study and how it is beneficial for the department/agency.</p>	Written
136	AG	All	Humphries	Executive Coaching and Leadership Training	<p>In relation to executive coaching and/or other leadership training services purchased by each department/agency, please provide the following information for this financial year to date:</p> <p>a) Total spending on these services</p> <p>b) The number of employees offered these services and their employment classification</p> <p>c) The number of employees who have utilised these services, their</p>	Written

Q No.	AG/ MHAJ	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
					<p>employment classification and how much study leave each employee was granted (provide a breakdown for each employment classification)</p> <p>d) The names of all service providers engaged</p> <p>For each service purchased form a provider listed under (d), please provide:</p> <p>e) The name and nature of the service purchased f) Whether the service is one-on-one or group based g) The number of employees who received the service and their employment classification h) The total number of hours involved for all employees (provide a breakdown for each employment classification) i) The total amount spent on the service j) A description of the fees charged (i.e. per hour, complete package)</p> <p>Where a service was provided at any location other than the department or agency's own premises, please provide:</p> <p>k) The location used l) The number of employees who took part on each occasion (provide a breakdown for each employment classification) m) The total number of hours involved for all employees who took part (provide a breakdown for each employment classification) n) Any costs the department or agency's incurred to use the location</p>	
137	AG	All	Humphries	Paid Parental Leave	<p>Please list how many staff in each portfolio department and agency are eligible to receive payments under the Government's Paid Parental Leave scheme?</p> <p>For this financial year to date list which department/agency is providing its employees with payments under the Government's Paid Parental Leave scheme? Please list how many staff and their classification are in receipt of these payments.</p>	Written

Q No.	AG/ MHAJ	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
138	AG	All	Humphries	Government Advertising	<p>a) What was the total cost of all advertising for the financial year to date?</p> <p>b) Is the advertising campaign or non-campaign advertising? Provide details of each advertising, including the program the advertising was for, the total spend and the business that provided the advertising services.</p> <p>c) Has the Department of Finance and Deregulation provided any advice about the advertising? Provide details of each advertising item.</p> <p>d) Has the Peer Review Group (PRG) and/or Independent Communications Committee (ICC) provided any advice about the advertising? Provide details of each advertising item.</p> <p>e) Did the Advertising comply with the Guidelines on Information and Advertising Campaigns by Australian Government Departments and Agencies? Provide the details for each advertising item.</p> <p>f) Provide details for any other communications program, including details of the program, the total spend and the business that provided the communication services.</p> <p>g) What advertising – Campaign and Non-Campaign – and other communications programs is the Department/Agency undertaking, or are planning to undertake?</p>	Written
139	AG	All	Humphries	Media Monitoring	<p>What was the total cost of media monitoring services, including press clippings, electronic media transcripts etcetera, provided to the Minister's office for this financial year to date?</p> <p>a) Which agency or agencies provided these services?</p> <p>b) What is the estimated budget to provide these same services for the year</p>	Written

Q No.	AG/ MHAJ	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
					<p>2011-12?</p> <p>c) What has been spent providing these services this financial year to date? What was the total cost of media monitoring services, including press clippings, electronic media transcripts etcetera, provided to the department/agency for this financial year to date?</p> <p>d) Which agency or agencies provided these services?</p> <p>e) What is the estimated budget to provide these same services for the year 2011-12?</p> <p>f) What has been spent providing these services this financial year to date?</p>	
140	AG	All	Humphries	Media Subscriptions	<p>Has there been any change to your pay TV subscription since the 2011-12 Additional Estimates (February 2012)?</p> <p>a) If yes, please provide the reason why, the cost and what channels. b) What is the cost for this financial year to date?</p> <p>Has there been any change to your newspaper subscriptions since the 2011-12 Additional Estimates (February 2012)?</p> <p>c) If yes, please provide the reason why, the cost and what newspapers. d) What is the cost for this financial year to date?</p> <p>Has there been any change to your magazine subscriptions since the 2011-12 Additional Estimates (February 2012)?</p> <p>e) If yes, please provide the reason why, the cost and what magazines. f) What is the cost for this financial year to date?</p>	Written
141	AG	All	Humphries	Social Media	<p>Has there been any changes to department and agency social media or protocols about staff access and usage of Youtube; online social media, such as Facebook, MySpace and Twitter; and access to online discussions forums and blogs since</p>	Written

Q No.	AG/ MHAJ	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
					publication of the Australian Public Service Commission's <i>Circular 2012/1: Revisions to the Commission's guidance on making public comment and participating online?</i> If yes, please explain and provide copies of any advice that has been issue. If no, please explain why not.	
142	AG	All	Humphries	Media Training	<p>In relation to media training services purchased by each department/agency, please provide the following information for this financial year to date:</p> <ul style="list-style-type: none"> a) Total spending on these services b) The number of employees offered these services and their employment classification c) The number of employees who have utilised these services, their employment classification and how much study leave each employee was granted (provide a breakdown for each employment classification) d) The names of all service providers engaged <p>For each service purchased form a provider listed under (d), please provide:</p> <ul style="list-style-type: none"> e) The name and nature of the service purchased f) Whether the service is one-on-one or group based g) The number of employees who received the service and their employment classification (provide a breakdown for each employment classification) h) The total number of hours involved for all employees (provide a breakdown for each employment classification) i) The total amount spent on the service j) A description of the fees charged (i.e. per hour, complete package) <p>Where a service was provided at any location other than the department or</p>	Written

Q No.	AG/ MHAJ	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
					<p>agency's own premises, please provide:</p> <ul style="list-style-type: none"> k) The location used l) The number of employees who took part on each occasion m) The total number of hours involved for all employees who took part (provide a breakdown for each employment classification) n) Any costs the department or agency's incurred to use the location 	
143	AG	All	Humphries	Printing of Documents	Does the department/agency print any hard copies of reports/statements/papers they produce? If yes, please list how many copies, where they are delivered and the cost.	Written
144	AG	All	Humphries	Stationery requirements	<ul style="list-style-type: none"> a) How much was spent by each department and agency on the government (Ministers/Parliamentary Secretaries) stationery requirements in your portfolio (i.e. paper, envelopes, with compliments slips) this financial year to date? b) What is the department/agency's stationery costs for the financial year to date? c) What was the department/agency's stationery costs for 2009-10 and 2010-11? 	Written
145	AG	All	Humphries	Freedom of Information	<ul style="list-style-type: none"> a) Has the Department/agency received any updated advice on how to respond to FOI requests? b) What is the total cost to the department to process FOI requests for this financial year to date? c) How many FOI requests has the Department received for this financial year to date? 	Written

Q No.	AG/ MHAJ	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
					<p>d) How many requests have been denied and how many have been granted?</p> <p>e) Has the department failed to meet the processing times outlined in the FOI Act for any requests? If so, how many and why?</p> <p>f) Do any of these requests remain outstanding? If so, how many and why?</p> <p>g) How many conclusive certificates have been issued in relation to FOI requests for this financial year to date?</p>	
146	AG	All	Humphries	Board Appointments	<p>a) List all of the boards within this portfolio, including: board title, terms of appointment, tenure of appointment and members.</p> <p>b) What is the gender ratio on each board and across the portfolio?</p> <p>c) Please detail any board appointments for this financial year to date.</p>	Written
147	AG	All	Humphries	Community Cabinet Meetings	<p>a) What was the cost of Ministers travel and expenses for the Community Cabinet meetings held this financial year to date?</p> <p>b) How many Community Cabinet meetings has the Minister attended? List date and location.</p> <p>c) How many Ministerial Staff travelled with the Minister for the Community Cabinet meetings for this financial year to date? What was the total cost of this travel? Which Community Cabinet meetings did the Ministerial Staff attend? List date and location.</p> <p>d) How many Departmental Officers travelled with the Minister for the Community Cabinet meetings for this financial year to date? What was the total cost of this travel? List travel type, accommodate and any other expenses. Which Community Cabinet meetings did the Departmental Officers attend? List date and location.</p>	Written

Q No.	AG/ MHAJ	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
					e) What was the total cost to the Department and the Ministers office for the Community Cabinet meetings for this financial year to date?	
148	AG	All	Humphries	Reviews	<p>For this financial year to date:</p> <ul style="list-style-type: none"> a) How many Reviews are being undertaken? b) What reviews have concluded, and for those that are still ongoing, when will those reviews be concluded c) Which of these reviews has been provided to Government? d) When will the Government be responding to the respective reviews that have been completed? e) What is the estimated cost of each of these Reviews? f) What reviews are planned? g) When will each of these reviews be concluded? 	Written
149	AG	All	Humphries	Commissioned Reports	<p>How many Reports have been commissioned by the Government in your portfolio this financial year to date? Please provide details of each report including date commissioned, date report handed to Government, date of public release, Terms of Reference and Committee members.</p> <ul style="list-style-type: none"> a) How much did each report cost/or is estimated to cost? How many departmental staff were involved in each report and at what level? b) What is the current status of each report? When is the Government intending to respond to these reports? 	Written
150	AG	All	Humphries	Information for the Australian Greens and Independents	<p>Does the department/agency provide any information and/or undertake any requests for the Australian Greens? If yes, please provide the following information:</p> <ul style="list-style-type: none"> a) How is such work and/or information requests commissioned? b) What work/information requests have been undertaken? Provide details and a copy of each work produced. 	Written

Q No.	AG/ MHAJ	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
					<p>c) Has any such work and/or information requests been unable to proceed? If yes, provide details including what the work and/or information requests were and why it could not be undertaken.</p> <p>d) How long is spent undertaking work and/or information requests for the Australian Greens? How many staff are involved and how many hours? Provide a breakdown for each employment classification.</p> <p>Does the department/agency provide any information and/or undertake any requests for the Independents? If yes, please provide the following information:</p> <p>e) How is such work and/or information requests commissioned?</p> <p>f) What work/information requests have been undertaken? Provide details, including who the work/information was for and a copy of each work produced.</p> <p>g) Has any such work and/or information requests been unable to proceed? If yes, provide details including what the work and/or information requests were, who they were from, who they were for and why it could not be undertaken.</p> <p>h) How long is spent undertaken work and/or information requests for the Independents? How many staff are involved and how many hours? Provide a breakdown for each employment classification.</p>	
151	AG	All	Humphries	Training for Portfolio Minister and Parliamentary Secretaries	<p>a) For this financial year to date, how much has been spent on training for Ministers and Parliamentary Secretaries in your portfolio? Itemise each training, cost and for which Minister and/or Parliamentary Secretary the training was for.</p> <p>b) For this financial year to date, how much has been spent on training for staff of Ministers and Parliamentary Secretaries in your portfolio? Itemise each training, cost and for which Minister and/or Parliamentary Secretary the training was for.</p> <p>c) For this financial year to date, how much has been spent on training for</p>	Written

Q No.	AG/ MHAJ	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
					designed to better suit the needs of Ministers and Parliamentary Secretaries in your portfolio? Itemise each training, cost and for which Minister and/or Parliamentary Secretary the training was for, and how many employees attended and their classification.	
152	AG	All	Humphries	Provision of Equipment	<ol style="list-style-type: none"> 1. For departments/agencies that provide mobile phones to Ministers and/or Parliamentary Secretaries and/or their offices, what type of mobile phone is provided and the costs. 2. For departments/agencies that provide electronic equipment to Ministers and/or Parliamentary Secretaries and/or their offices, what are the ongoing costs for this financial year to date? What were the running costs for 2009-10 and 2010-11? 3. Is electronic equipment (such as ipad, laptop, wireless card, vasco token, blackberry, mobile phone (list type if relevant), thumb drive (not an inclusive list)) provided to department/agency staff? If yes provide details of what is provided, the purchase cost, the ongoing cost and a breakdown of what staff and staff classification receives it. 4. Please update if there have been any changes since Additional Estimates 2011-12 (February 2012): <ol style="list-style-type: none"> a) Does the department/agency provide their Ministers and/or Parliamentary Secretaries and/or their offices with any electronic equipment? If yes, provide details of what is provided, the cost and to who it is provided. 	Written
153	AG	All	Humphries	Legal costs	<ol style="list-style-type: none"> a) What sum did each portfolio department and agency spend on legal services for this financial year to date within the department/agency? Please provide a list of each service and costs. b) What sum did each portfolio department and agency spend on legal services this financial year to date from the Australian Government 	Written

Q No.	AG/ MHAJ	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
					<p>Solicitor? Please provide a list of each service and costs.</p> <p>c) What sum did each portfolio department and agency spend on legal services this financial year to date from private firms? Please provide a list of each service and costs.</p> <p>d) What sum did each portfolio department and agency spend on legal services this financial year to date from other sources? Please provide a list of each service and costs.</p>	
154	AG	All	Humphries	Consultancies	<p>a) How many consultancies have been undertaken this financial year to date? Identify the name of the consultant, the subject matter of the consultancy, the duration and cost of the arrangement, and the method of procurement (ie. open tender, direct source, etc). Also include total value for all consultancies.</p> <p>b) How many consultancies are planned for this calendar year?</p> <p>c) Have these been published in your Annual Procurement Plan (APP) on the AusTender website and if not why not?</p> <p>d) In each case please identify the subject matter, duration, cost and method of procurement as above, and the name of the consultant if known.</p>	Written
155	AG	All	Humphries	Hospitality and Entertainment	<p>a) What is the Department/Agency's hospitality spend for this financial year to date? Detail date, location, purpose and cost of all events.</p> <p>b) For each Minister and Parliamentary Secretary office, please detail total hospitality spend for this financial year to date. Detail date, location, purpose and cost of each event.</p> <p>c) What is the Department/Agency's entertainment spend for this financial year to date? Detail date, location, purpose and cost of all events.</p>	Written

Q No.	AG/ MHAJ	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
					<ul style="list-style-type: none"> d) For each Minister and Parliamentary Secretary office, please detail total entertainment spend for this financial year to date. Detail date, location, purpose and cost of each event. e) What hospitality spend is the Department/Agency's planning on spending? Detail date, location, purpose and cost of all events. f) For each Minister and Parliamentary Secretary office, what hospitality spend is currently being planned for? Detail date, location, purpose and cost of each event. g) What entertainment spend is the Department/Agency's planning on spending? Detail date, location, purpose and cost of all events. h) For each Minister and Parliamentary Secretary office, what entertainment spend is currently being planned for? Detail date, location, purpose and cost of each event. i) Is the Department/Agency planning on reducing any of its spending on these items? If so, how will reductions be achieved? 	
156	AG	All	Humphries	Contractors	<p>For this financial year to date:</p> <ul style="list-style-type: none"> a) Has the department/agency ever employed Hawker Britton in any capacity or is it considering employing Hawker Britton? If yes, provide details (including the work undertaken and the cost). b) Has the department/agency ever employed Shannon's Way in any capacity or is it considering employing Shannon's Way? If yes, provide details (including the work undertaken and the cost). c) Has the department/agency ever employed John Utting & UMR Research Group in any capacity or is it considering employing John Utting & UMR Research Group? If yes, provide details (including the work undertaken and the cost). d) Has the department/agency ever employed McCann-Erickson in any capacity or is it considering employing McCann-Erickson? If yes, provide details (including the work undertaken and the cost). 	Written

Q No.	AG/ MHAJ	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
					<ul style="list-style-type: none"> e) Has the department/agency ever employed Cutting Edge in any capacity or is it considering employing Cutting Edge? If yes, provide details (including the work undertaken and the cost). f) Has the department/agency ever employed Ikon Communications in any capacity or is it considering employing Ikon Communications? If yes, provide details (including the work undertaken and the cost). g) Has the department/agency ever employed CMAX Communications in any capacity or is it considering employing CMAX Communications? If yes, provide details (including the work undertaken and the cost). h) Has the department/agency ever employed Boston Consulting Group in any capacity or is it considering employing Boston Consulting Group? If yes, provide details (including the work undertaken and the cost). i) Has the department/agency ever employed McKinsey & Company in any capacity or is it considering employing McKinsey & Company? If yes, provide details. j) What contractors have been employed by the department/agency? If yes, provide details (including the work undertaken and the cost). 	
157	AG	All	Humphries	Discretionary Grants	<ul style="list-style-type: none"> a) Could the Department provide a list of all discretionary grants, including ad hoc and one-off grants for this financial year to date? Please provide details of the recipients, the intended use of the grants and what locations have benefited from the grants. b) Has the Department complied with interim requirements relating to the publication of discretionary grants? 	Written
158	AG	All	Humphries	Government Payments of Accounts	<p>For this financial year to date, has the department/agency paid its accounts to contractors/consultants etc in accordance with Government policy in terms of time for payment (i.e.within 30 days)?</p> <ul style="list-style-type: none"> a) If not, why not? Provide details, including what has been the timeframe for payment of accounts? Please provide a breakdown, average statistics etc as appropriate to give insight into how this issue is being approached) 	Written

Q No.	AG/ MHAJ	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
					<p>b) For accounts not paid within 30 days, is interest being paid on overdue amounts and if so how much has been paid by the portfolio/department agency for the current financial year and the previous financial year?</p> <p>c) Where interest is being paid, what rate of interest is being paid and how is this rate determined?</p>	
159	AG	All	Humphries	Travel Costs	<p>a) For the financial year to date, please detail all travel for Departmental officers that accompanied the Minister and/or Parliamentary Secretary on their travel. Please include a total cost plus a breakdown that include airfares (and type of airfare), accommodation, meals and other travel expenses (such as incidentals).</p> <p>b) For the financial year to date, please detail all travel for Departmental officers. Please include a total cost plus a breakdown that include airfares (and type of airfare), accommodation, meals and other travel expenses (such as incidentals).</p> <p>c) Are the Government's Lowest Practical Fare travel policy for Domestic Air Travel (Finance Circular No. 2009/10) and Best Fare of the Day for International Air Travel (Finance Circular No. 2009/11) guidelines being followed? How is this monitored? If the guidelines are not being followed, please explain why.</p> <p>d) Are lounge memberships provided to any employees? If yes, what lounge memberships, to how many employees and their classification, the reason for the provision of lounge membership and the total costs of the lounge memberships.</p> <p>e) When SES employees travel, do any support or administrative staff (such as an Executive Assistant) travel with them? If yes, provide details of why such a staff member is needed and the costs of the support staff</p>	Written

Q No.	AG/ MHAJ	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
					travel.	
160	AG	All	Humphries	Corporate Cars	<p>Please update if there have been any changes since Additional Estimates 2011-12 (February 2012):</p> <ul style="list-style-type: none"> a) How cars are owned by each department and agency in your portfolio? b) Where is the car/s located? c) What is the car/s used for? d) What is the cost of each car for this financial year to date? e) How far did each car travel this financial year to date? 	Written
161	AG	All	Humphries	Taxi Costs	<ul style="list-style-type: none"> a) How much did each department/agency spend on taxis this financial year to date? Provide a breakdown of each business group in each department/agency. b) What are the reasons for taxi costs? 	Written
162	AG	All	Humphries	Credit Cards	<p>Provide a breakdown for each employment classification that has a corporate credit card.</p> <p>Please update if there have been any changes since Additional Estimates 2011-12 (February 2012):</p> <ul style="list-style-type: none"> a) What action is taken if the corporate credit card is misused? b) How is corporate credit card use monitored? c) What happens if misuse of a corporate credit card is discovered? d) Have any instances of corporate credit card misuse have been discovered? List staff classification and what the misuse was, and the action taken. e) What action is taken to prevent corporate credit card misuse? 	Written
163	AG	All	Humphries	Electricity Purchasing	<ul style="list-style-type: none"> a) Provide an update of the department/agency electricity purchasing agreement. Provide details of when this was entered into and the length of the agreement. 	Written

Q No.	AG/ MHAJ	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
					<p>b) What were the department/agency electricity costs for 2009-10 and 2010-11?</p> <p>c) What are the department/agency electricity costs for this financial year to date?</p>	
164	AG	All	Humphries	Shredders	<p>Has the department/agencies purchased any shredders in the last 12 months? If yes, provide details of:</p> <p>a) how many shredders were purchased,</p> <p>b) the cost of each shredder,</p> <p>c) why each new shredder was needed and</p> <p>d) the purpose for which the shredder is to be used.</p>	Written
165	AG	SID	Siewert	Early Intervention Program	<ol style="list-style-type: none"> 1. What evaluation (if any) has the AGD or any other Commonwealth Department undertaken of the value and impact of programs funded through the Early Intervention Program ('EIP') on the prevention of and response to family violence and sexual assault in Indigenous communities? 2. What evaluation (if any) did the AGD or any other Commonwealth Department undertake of the impact of the defunding of EIP on Aboriginal and Torres Strait Islander victim survivors of family violence and sexual assault? 3. If there have been no evaluations, on what rational basis has this funding decision been made? If evaluations have been completed, will the Department make these publicly available? 4. Where evaluations have been carried out, is the Department able to provide details of the involvement of the funded agencies in the evaluation process? 	Written
166	AG	SID	Siewert	Aboriginal Hearing Loss	<p>What actions has AGD undertaken identify hearing loss and impairment of Aboriginal and Torres Strait Islanders who come into contact with the Justice system since the recommendations of Senate Committee Affairs committee tabled it's report into hearing health, Hear Us?</p>	Written
167	AG	ILHRD	Boyce	Forced sterilisation of	<p>Last year, Women With Disabilities Australia sent a formal communication dated June 22, 2011 to four of the United Nations Special Rapporteurs regarding the</p>	Written

Q No.	AG/ MHAJ	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
				people with an intellectual disability	<p>non-therapeutic, forced sterilisation of girls and women with disabilities in Australia.</p> <p>All complaints are documented in a report which goes to the United Nations Human Rights Council. The Special Rapporteurs also write to the country where the complaint originated from and they wrote to the Australian Government on July 18 2011.</p> <p>The Australian Government on 12 August and again on 30 September said it would respond after consideration of the complaints.</p> <ol style="list-style-type: none"> 1. It is now approximately 10 months since the Australian Government received correspondence on the forced sterilisation of girls. Would the department please look into why there has been such a lengthy delay in responding to the Special Rapporteurs' letter? 2. When can Women With Disabilities Australia expect to receive a reply? 	
168	AG	ILHRD	Boyce	Incarceration of indigenous people with a disability	<ol style="list-style-type: none"> 1. Given Ms Katherine Fitch's previous statement that a person accused of a federal offence found unfit to be tried or not guilty due to mental illness, can be detained in a jail or psychiatric unit/ institution at the direction of the court for a period that does not exceed the maximum period of imprisonment that could have been imposed if the person had been convicted of the offence charged; can Ms Fitch explain how states and territories are able to detain people for periods far greater than if they are charged with the offence. 2. Given Ms Katherine Fitch's previous response to a question that it is not possible for a person charged with a federal offence to be held past the conclusion of a supervision order; can you please explain on what basis is it possible for the states and territories to detain a person past the conclusion of a supervision order if the Commonwealth believes it is not possible? 3. Given that all states and territories practice indefinite detention regimes 	Written

Q No.	AG/ MHAJ	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
					<p>for people with cognitive impairments and psychiatric disabilities past the cessation of their supervision or custodial orders who have committed crimes or are a risk of harm to others, what is the Commonwealth's view given the Constitution stipulates that there must be a conviction before a person is imprisoned?</p> <p>4. Given the advice from the Australian Centre for Disability Law that the practice of indefinite detention regimes for people with cognitive impairments and psychiatric disabilities past the cessation of their supervision or custodial orders most likely breach Australia's obligations to a large number of international conventions, what is the Commonwealth doing to bring the states and territories into line with Australia's international human rights obligations?</p> <p>5. Can the Commonwealth provide an update on progress towards Outcome Area 2 of the National Disability Strategy 2, "Rights Protection, Justice and Legislation" specifically 2.4, 2.9 and 2.10 of the National Disability Strategy, particularly referencing how any development and implementation of those strategies will impact upon the indefinite detention of Aboriginal people with cognitive impairments and psychiatric disabilities in prisons in the states and territories?</p> <p>6. The coordinator of the Aboriginal Disability Justice Campaign has recently informed us that a young Aboriginal man with a profound Intellectual Disability is being mechanically and chemically restrained in the Alice Springs Correctional Centre by being belted into a chair to prevent him from banging his head and self-injuring himself. When he is belted into a chair, this young Aboriginal man becomes so distressed that he is then chemically restrained by being injected with a tranquilizer so that he goes to sleep. Can the Commonwealth describe how this is consistent with Outcome 2, "Rights Protection" of the National Disability Strategy, and comment on whether such practices, particularly in relation to 2.4, "Review restrictive legislation and practices from a human rights perspective" are being reviewed?</p>	

Q No.	AG/ MHAJ	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
					<p>7. Given that Custodial Supervision Orders were introduced to protect the rights of people with a mental or intellectual disability presenting in the criminal justice system, have they in fact worked to protect those rights especially if you consider the situation in the Northern Territory and Queensland?</p> <p>8. In a recent episode of Background Briefing on the ABC there was mention of a case of a young indigenous individual with an alcohol dependency and some cognitive impairment who was charged with assault – according to his lawyer he would have more than likely received a custodial sentence if found guilty of 4 months but because of his disability it was decided he was unfit to plead and he was then placed in gaol, in maximum security for an indefinite period- he’s been there now for five years. Is the Department aware of such cases, how common are they and what is Department proposing to do about them?</p> <p>9. Is it true that some individuals have been dealt with in this matter simply because they were deaf?</p> <p>10. Is the incarceration of people with a disability who have not been convicted a widespread problem in all states?</p> <p>11. What data have you collected regarding this issue and could you please make it all available to the Committee</p> <p>12. How does this situation square with our commitments under international human rights agreements we have signed?</p> <p>13. Given the advice from the Australian Centre for Disability Law that the practice of indefinite detention regimes for people with cognitive impairments and psychiatric disabilities past the cessation of their supervision or custodial orders most likely breach Australia's obligations to a large number of international conventions, what is the</p>	

Q No.	AG/ MHAJ	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
					<p>Commonwealth doing to bring the states and territories into line with Australia's international human rights obligations?</p> <p>14. In that this situation has a disproportionate impact on our indigenous citizens is this situation truly closing the gap?</p> <p>15. Has this situation been exacerbated in the Northern territory by the application of the Intervention?</p> <p>16. The defence is often put that there is simply nowhere else to send these people so is this a failing of the criminal justice system or the resourcing of disability services in this country?</p>	
169	AG	AJD	Siewert	Disability focused community legal centres	<p>1. As part of the government funding of the NDIS, will there be any funding for community legal centres and legal aid that assist people with disabilities by providing advice and advocacy support to ensure they get their proper entitlements under the NDIS?</p> <p>2. Has the Department been asked to provide an assessment of the impact that the change to disability service delivery under the NDIS would have on disability focused community legal centres? If yes, please provide details of that assessment including who undertook it, who contributed to it and what it recommended. If no, please explain why not.</p>	Written
170	MHAJ	Customs	Colbeck	Investigations and staffing levels of Customs and Border Protection officials	<p>a) What is the status of investigations regarding corruption and organised crime in Customs and Border Protection officials?</p> <p>b) Is there any intention to hold a Royal Commission?</p> <p>c) What are the potential biosecurity risks associated with the investigations into Customs and Border Protection officials?</p> <p>d) What resources is the government putting towards this aspect of the sustainability of Australia's biosecurity system – given in March 2012 Mr Keenan, Shadow Minister for Justice, Customs and Border Protection, was concerned about the government budget cuts having taken 340 customs staff and nearly \$60 million from the agency since</p>	Written

Q No.	AG/ MHAJ	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
					<p>2010 actions have been taken to protect Australia's biosecurity? e) What further budget cuts have been made for 2012-13 and beyond?</p>	
171	MHAJ	Customs	Brandis	Cocos Keeling Island	<ol style="list-style-type: none"> 1. What kind of Customs presence is on Cocos Keeling? How many officers are permanently stationed there? 2. What security procedures are in place when an unauthorised maritime vessel carrying asylum seekers arrives at Cocos Keeling Island? 3. On the 15 May 2012 there was an unauthorised boat arrival with 63 people on board. It arrived half a nautical mile off the coast of Cocos Keeling Island and was intercepted by the AFP. <ol style="list-style-type: none"> a) Can you give a detailed description of the events of 15 May 2012 and explain how the AFP ended up intercepting this vessel rather than Border Protection Command? b) Who initially detected the unauthorised boat? c) What happened after the AFP officers intercepted the unauthorised boat? d) What type of vessel did the AFP use? e) Given the vessel used, do you believe the officers on the Cocos Island had significant maritime capabilities to safely perform the interception on behalf of the Border Protection Command? f) Was a risk assessment completed by the AFP officers before they intercepted the vessel? g) What happened to the unauthorised vessel after it had been intercepted? Has it been destroyed and by who? h) Did the AFP officers who intercepted the boat have the passenger arrival cards that are usually given out by Customs officers upon boarding an unauthorised boat? Were they given to the passengers? i) Did the AFP officers have appropriate protective gear and weapons with them at the time of the interception? Is it the same gear a Border Protection Command officer would use? j) How did the AFP officers know the vessel was in the area and at what point were they first notified of the vessels presence in the area? k) At what point did the officers notify Border Protection Command / DIAC about the illegal vessel interception? 	Written

Q No.	AG/ MHAJ	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
172	MHAJ	Customs	Macdonald	Passenger Movement Charge	<p>The Government has announced in its 2012-13 Budget Paper #2 that the passenger movement charge will increase from \$8 to \$55 per passenger (an increase of approximately 17%). This measure is calculated in the budget paper to provide revenue of \$610m over the four-year forward estimate period.</p> <ol style="list-style-type: none"> How was the size of the increase determined in terms of cost:benefit? Will the tourism industry be provided subsidy to offset this substantial disincentive (particularly for operators of group-tours)? How will this revenue be collected? How much of this revenue will go to the customs and border protection service (as the body that is imposing the fee)? 	Written
173	MHAJ	Customs	Rhiannon	Imports of dog and cat fur	<ol style="list-style-type: none"> Has Customs undertaken sampling testing of imported fur clothing in the past two years? <ol style="list-style-type: none"> How many tests were conducted? Can you provide a copy of those test results? Has Customs obtained copies of testing of fur clothing from importers suspected of importing dog and cat fur clothing? <ol style="list-style-type: none"> In how many instances has this occurred? Can you provide a copy of the test results? 	Written
174	MHAJ	AFP	Rhiannon	Habib Report	<p>Background: The public version of the December 2011 Report into Habib's case, undertaken by the Inspector-General of Intelligence and Security was released in March this year. It contained recommendations relevant to the AFP.</p> <p>Recommendation 4 is that the <i>“AFP should develop a formal policy on what AFP officers should do in the event that they become aware torture or cruel, inhumane or degrading treatment or punishment has been experienced by an interviewee who is being held in detention overseas. The policy should encompass the sending of questions or information to support the conduct of a custodial interview, as well as circumstances where an AFP officer is physically present at an interview”</i></p> <ol style="list-style-type: none"> What is your assessment of this recommendation? Has it been implemented? If not, what is the timeline? (The IGIS has previously said that she would check in June? and was hoping they would be implemented by then) 	Written

Q No.	AG/ MHAJ	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
					<p>d) Will it be made publicly available?</p> <p>e) What processes will be put in place to ensure AFP officers are aware of this policy?</p> <p>f) What checks will you put in place to ensure AFP officers follow this policy?</p> <p>Recommendation 6 is that the “AFP should review its <i>National guidelines on the disclosure of information</i> to include procedures for the communication of information about Australians to foreign authorities”</p> <p>g) What is your assessment of this recommendation?</p> <p>h) Has it been implemented?</p> <p>i) If not, what is the timeline? Will it be made publicly available?</p> <p>j) What processes will be put in place to ensure AFP officers are aware of this policy?</p> <p>k) What checks will you put in place to ensure AFP officers follow this policy?</p>	
175	MHAJ	AFP	Rhiannon	RAMSI	<p>Background: RAMSI is now winding down. The 3 pillars - machinery of government, economic governance, and law and justice - will be transferred to bilateral and other donors by July 2013. RAMSI also plans to withdraw its military component in the second half of 2013 and focus only on supporting policing from that date.</p> <p>a) In budget papers there is aid contribution to RAMSI of approximately AUD144.9 million. How much of this is administered by the AFP?</p> <p>b) What is timeline for drawdown of AFP involvement?</p>	Written
176	MHAJ	AFP	Rhiannon	NOSIC	<p>NOSIC's website lists a wide range of areas that the intelligence or open source information collection covers which is far broader than simply environmental interests.</p> <p>a) Is NOSIC gathering open source information about Indigenous activist groups, and any activist groups that have an interest in Indigenous issues?</p> <p>b) Does NOSIC's work also entail Intel collection on individual activists?</p>	Written

Q No.	AG/ MHAJ	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
					<ul style="list-style-type: none"> c) Does NOSIC collect information on those Indigenous activists or related groups for both the private and the public sectors? d) Do any NOSIC staff belong to activist groups or become online supporters of groups? e) Does NOSIC have any Indigenous staff? f) If so, do they advise NOSIC on the cultural context of the language used on Indigenous or Indigenous-related websites, from which NOSIC gathers and interprets Open Source Information for the AFP? g) Have NOSIC staff undergone cultural awareness training, if so, what authority conducted those workshops? h) What Australian government body could take on responsibility for monitoring intelligence gathering practices and ethics of private security and intelligence companies? i) Are any NOSIC staff former employees of the Victorian Police Operations Intelligence Unit? j) NOSIC and GEG (parent company) websites state staff come from a range of backgrounds that include former law enforcement personnel and former defence personnel. What proportion of NOSIC staff are former AFP and VicPol officers? k) Do you know which other government departments NOSIC gathers information for? 	
177	AG	ASIO	Rhiannon	Use of ASIO powers	Has ASIO applied for a questioning or detention warrant since it last reported to Parliament in October 2011?	Written
178	AG	ASIO	Rhiannon	Detention warrants	<p>When the detention power was created the AFP could only detain terrorism suspects for 12 hours without charge. Since 2005, the Federal Police have been able to detain terrorism suspects for 24 hours – and now up to eight days if they apply for an extension for ‘dead time’.</p> <p>Given this, is ASIO’s detention power still necessary? Why is it necessary?</p>	Written
179	AG	ASIO	Rhiannon	Habib Report	<p>Background: The public version of the December 2011 Report into Habib's case, undertaken by the Inspector-General of Intelligence and Security was released in March this year. It contained recommendations relevant to ASIO.</p> <p>1. What is your assessment of recommendation 3?</p>	Written

Q No.	AG/ MHAJ	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
					<p>a) Has it been implemented?</p> <p>b) If not, what is the timeline? Will it be made publicly available?</p> <p>c) What processes will be put in place to ensure ASIO officers are aware of this policy?</p> <p>d) What checks will you put in place to ensure ASIO officers follow this policy?</p> <p>e) Which agencies do you consider it appropriate or relevant to advise or consult?</p> <p>2. What is your assessment of recommendation 5?</p> <p>a) Has it been implemented?</p> <p>b) If not, what is the timeline? Will it be made publicly available?</p> <p>c) What processes will be put in place to ensure ASIO officers are aware of this policy?</p> <p>d) What checks will you put in place to ensure ASIO officers follow this policy?</p>	
180	AG	ASIO	Rhiannon	ASIO Budget	<p>a) Why has the new headquarters building required further funding on numerous occasions?</p> <p>b) What have been the main overruns?</p> <p>c) How much is this project now over budget?</p>	Written
181	AG	ASIO	Rhiannon	2011 Independent Review of Intelligence	Were there any recommendations coming out of the Independent Review, released in Jan 2012, that affect the mandate, practices or resourcing of ASIO? Please detail these and any budget impact.	Written

Q No.	AG/ MHAJ	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
				Community		
182	AG	ASIO and NSLPD	Hanson- Young	Adverse Security Assessments	<ol style="list-style-type: none"> 1. Can we have a breakdown of nationality of people who have adverse security checks over the past three years? 2. How many Sri Lankans have received adverse assessments over the past three years? (DIAC referred this question to AG in their answer 12/0497) 3. What are the updated lengths of time in detention for people with ASAs? 4. In the instance that an adversely affected person has a relative overseas: <ol style="list-style-type: none"> a) What is the process for negotiating with the foreign government about potentially taking the affected person? b) What is AG's role in this? c) What information is shared? d) What is the process ?(eg British Home Office) 	Written
183	AG	SID	Wright	NJCEOs Group – Justice Reinvestment	<ol style="list-style-type: none"> a) Please provide a progress report on the work being undertaken by the National Justice Chief Executive Officers (NJCEOs) Working Group on Justice Reinvestment/Causes of Crime. b) We understand that the Working Group on Justice Reinvestment/Causes of Crime delivered a report to the NJCEOs Group in November 2011. When does the Commonwealth expect to publicly release this report? c) Seven months have now passed since the Working Group's report was delivered to the NJCEOs Group but we are still awaiting public release. What is the reason for this delay? d) Has the Working Group on Justice Reinvestment/Causes of Crime or the 	Written

Q No.	AG/ MHAJ	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
					<p>NJCEOs Group itself actioned any of the recommendations arising from the November 2011 report?</p> <p>e) What progress has the NJCEOs Group made in working with the Australian Bureau of Statistics (ABS) to improve national corrections datasets, in particular national prisoner and offence data?</p> <p>f) Please detail the gaps in national corrections data identified by the NJCEOs Group with reference to specific datasets.</p> <p>g) Is there a planned timetable for developing the datasets necessary to fill these gaps?</p>	
184	AG	SID	Wright	National Indigenous Safe Communities Strategy	<p>a) What progress has been made on the negotiation of a National Indigenous Safe Communities Strategy?</p> <p>b) To what extent have those negotiations included discussions about incorporating a Justice Reinvestment approach into the National Indigenous Safe Communities Strategy?</p> <p>c) Is there a planned timetable for further development and completion of the National Indigenous Safe Communities Strategy?</p> <p>d) Please outline all consultation processes that have been undertaken to date with respect to the development of the National Indigenous Safe Communities Strategy.</p> <p>e) What further consultation will be conducted prior to the finalisation of the National Indigenous Safe Communities Strategy?</p>	Written
185	AG	SID	Siewert	Access to Justice	What funding is the Government providing towards preventative, early intervention and diversion programs in criminal justice expenditure?	Written

Q No.	AG/ MHAJ	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
186	AG	SID	Siewert	Indigenous Law and Justice Programs	<p>I note that \$23.9m will be cut from law and justice programs, including over \$8m from the expensive cases component within the Indigenous Legal Aid and Policy Reform program and early intervention grant component within the Family Violence Prevention Legal Services Program, both of which are national programs.</p> <p>a) Can you tell me how many people [may] access these programs? How many of those are NOT in the NT?</p> <p>b) Will the cut of these budgets affect those presently accessing the programs?</p> <p>c) Will the cut of these budgets effect the capacity of these programs?</p> <p>d) What is the anticipated impact of the cuts? Will it mean people are turned away from these services?</p>	Written
187	MHAJ	CrJD	Siewert	Confiscated Assets Account	<p>What will be the impact of the budget decision to divert \$60 million over four years from the Confiscated Assets Account to consolidated revenue on the future funding and provision of community crime prevention and drug and alcohol diversionary programs?</p>	Written
188	AG	Federal magistrates Court	Brandis	Federal Magistrates' constitutional challenge	<p>Referring to an article in the Australian on 11 May 2012 which referred to the dispute between the Federal Magistrates and the Attorney General.</p> <p>Seven more federal magistrates have withdrawn from the constitutional challenge aimed at forcing the government to end their exclusion from the judicial pension scheme.</p> <p>The latest withdrawals come soon after the federal government adopted a more conciliatory approach with the magistrates.</p> <p>a) Why did the government need to adopt a more conciliatory approach to this matter?</p> <p>b) How has this conciliation manifested itself?</p> <p>c) Did there emerge a concern that a heavy handed fight between two arms of government could only serve to damage the rule of law in Australia?</p> <p>d) Was it concluded that demands via the discovery process for individual magistrates to hand over particulars of their personal financial affairs was a breach of the crown's obligation to act within the bounds of fairness under the Model Litigant rules.</p> <p>e) Did the decision to move down the path of discovering personal financial</p>	Written

Q No.	AG/ MHAJ	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
					<p>particulars of individual litigants come from a private law firm acting for the Commonwealth or was it a decision which would have emanated from Canberra?</p> <p>f) With hindsight could this matter have been transacted in a way which was less damaging to the independence of the judiciary principle?</p>	
189	AG	AJD	Boyce	Suppression orders	<p>a) In the previous 3 years on what occasions did the Federal Court/Federal Magistrates Court/AAT impose a suppression order or non-publication order?</p> <p>b) How many of these were a permanent suppression of the information?</p> <p>c) How many are still subject to suppression?</p> <p>d) If there is no data how does the department monitor the principle of open justice to ensure the openness of the courts?</p> <p>e) Does the AG's Department maintain a watching brief on the use of suppression orders, and what work in this area is it currently undertaking?</p> <p>f) Generally speaking what is the current Government policy on open justice in our federal courts?</p>	Written
190	MHAJ	CrJD and ILHRD	Hanson- Young	Inquiry into the <i>Migration Act (Removing Mandatory Minimum Penalties) Bill 2011</i>	<p>What is the department doing, or intending to do, in relation to the recommendations of the inquiry into the <i>Migration Act (Removing Mandatory Minimum Penalties) Bill 2011</i>? What has the Department been instructed by the minister to do regarding review of section 236B of the Migration Act 1958, particularly:</p> <p>a) the operation of the mandatory minimum penalties applied to aggravated people smuggling offences under, with particular reference to alternative approaches to mandatory minimum sentencing provisions, including where judicial officers are given discretion to impose lesser sentences where they are satisfied that the circumstances would make it unjust to impose the prescribed sentence for an offence;</p> <p>b) options for differentiating between the organisers of people smuggling operations and boat crew of these operations in sentencing; and</p> <p>c) specific concerns raised during this inquiry regarding Australia's human rights obligations under international law.</p>	Written
191	MHAJ	AFP	Rhiannon	ODA international deployments	<p>1. In 12/13 budget, govt identified savings of \$8.6 million over four years by reducing funding provided to the Australian Federal Police (AFP) International Deployment Group. What programs and countries are these cuts coming from? Please provide detail on this.</p> <p>2. For budget year 12/13, how much money is AFP appropriating from ODA</p>	Written

Q No.	AG/ MHAJ	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
					<p>activities?</p> <ol style="list-style-type: none"> a) What percentage is this of AFP's total funding? b) What percentage is this of the AFP's budget for international deployments? c) Can you provide a breakdown by country of how the AFP spends international deployment budget? <ol style="list-style-type: none"> 3. How many staff does the AFP international Deployment Group currently have employed overseas? 4. Do proposals for programs come from AusAID or from AFP? 5. Does AFP get a bucket of money to use as they decide? 	
192	AG	CrJD	Brandis	Audit of investigative and coercive powers available to security and law enforcement agencies	<p>The House Committee on Social Policy and Legal Affairs in February 2012 requested the Attorney-General's Department undertake an audit of investigative and coercive powers available to security and law enforcement agencies in order to identify the full scope of powers available to those agencies.</p> <p>The audit was to focus on comprehending the extent to which an individual's right to privacy can be abrogated; and ascertaining whether recent or any further expansion of those powers is necessary or justified.</p> <ol style="list-style-type: none"> a) Has the Department commenced work on the review of coercive powers as requested in Feb 2012 by the House Committee on Social Policy and Legal Affairs, viz: <p style="margin-left: 40px;"><i>Recommendation 3: The Committee recommends that the Attorney-General undertake an audit of investigative and coercive powers available to security and law enforcement agencies in order to identify the full scope of powers available to those agencies, with a view to: comprehending the extent to which an individual's right to privacy can be abrogated; and ascertaining whether recent or any further expansion of those powers is necessary or justified. The audit report should be provided to the Attorney-General and to this Committee by 1 October 2012.</i></p> b) Which section of the Department will carry out this work? 	

Q No.	AG/ MHAJ	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date <i>or</i> Written Question
					<p>c) At what stage is the work, survey of agencies, evidence gathering, working committee formulating conclusions etc.?</p> <p>d) Is the Department confident that it can meet this deadline?</p> <p>e) Would the officials before the table advise the committee on some of the issues which appear to be the most pressing in relation to this matter, as raised in a unanimous report of the House</p>	
193	AG	Family Court of Australia and AJD	Brandis	De facto proclamation amendment	<p>Referring to legislation passed in 2009 that gave the Family Court the power to deal with property and maintenance disputes between de facto couples, which the Government neglected to arrange for the Governor-General to proclaim a start date for the changes, and consequently resulted in the orders failing to take effect.</p> <p>a) How many orders were affected by the Government's mistake?</p> <p>b) How many litigants were required to obtain new orders as a result of this bungle?</p> <p>c) Why did it take so long to introduce the remedial legislation?</p>	Written