

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS  
ATTORNEY-GENERAL'S DEPARTMENT

**Portfolio**

**Question No. 132**

**Senator Humphries asked the following question at the hearing on 24 May 2012:**

- 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 and the program those positions are part of or have been taken from.

**The answer to the honourable senator's question is as follows:**

**Administrative Appeals Tribunal**

- a) No changes have occurred from the 2012-13 Budget.
- b) Not applicable.

**Attorney-General's Department**

- a) Average staffing levels appearing in the 2012-13 Portfolio Budget Statements are forecast to decline from 1,482 to 1,393 which is a reduction of 89.

The reduction to ASL numbers is a result of terminating programs, specific budget savings measures, including the one-off 2.5% Efficiency Dividend. In addition, the Department has an ongoing strategy to manage future cost pressures by reviewing its business processes including leveraging the benefits of technology to realise efficiencies.

- b) **See Attachment A**

**Australian Commission for Law Enforcement Integrity**

- a) No staffing changes have yet occurred from the 2012-13 Budget. From 2012-13, \$0.750m per year was transferred to ACLEI from the Australian Customs and Border Protection Service in the 2012-13 Budget. The funding is intended to enable ACLEI to improve information access for investigators, strengthen management structures and contribute strategically to law enforcement corruption awareness and prevention programs and related policy development (*refer 2012-13 Portfolio Budget Statements*).
- b) Decisions about the number and classifications of any additional staff are yet to be finalised. ACLEI will not have any redundant positions as a result of the 2012-13 Budget.

## **Australian Crime Commission**

a) In preparation for the 2012-13 Budget the ACC continues to plan in order to meet our anticipated reduced full time equivalent, including making a number of redundancies as identified at question b. Necessary ASL reductions will be achieved through natural attrition, expiry of non-ongoing contracts and may require voluntary and involuntary redundancies.

b) Voluntary Redundancy:

Five positions were identified as redundant in the 2011-12 financial year as per the table below.

Classification	Program
APS4	People, Business Support and Stakeholder Relations
APS5	Intervention and Prevention
APS6	Fusion Target Development and Performance
EL2	Fusion Target Development and Performance
EL1	People, Business Support and Stakeholder Relations

## **Australian Customs and Border Protection Service**

a) The 2012-13 expected ASL is 5,035 a planned reduction of 190 (3.6%) from the expected actual ASL for the 2011-12 financial year of 5,225.

The ASL reduction is a result of the net impact of the implementation of specific budget measures, including the one-off 2.5% Efficiency Dividend increase announced as part of the MYEFO process, as well as the need to manage cost pressures over and above salary supplementation levels.

At this stage the need to reduce staff by a planned 190 positions has been considered at the macro level. A more detailed consideration of where the final staffing reductions will occur will be performed as part of the organisation's business planning and internal budgeting process.

ASL reductions in 2012-13 will be managed as far as possible through natural attrition and redeployment. Voluntary redundancies will be used only as a last resort.

Workforce reductions throughout 2012-13 will be managed through the continued application of the internal Workforce Adjustment Strategy. The Strategy guides how Customs and Border Protection is managing the required reduction whilst minimising the impact on staffing levels and ensuring that we can still deliver our business.

b) The work areas from where the final staffing reductions will occur is still being worked through as part of the organisation's business planning and internal budgeting process, due for completion in July 2012.

## **Australian Federal Police**

a)

- The AFP will increase its sworn officer numbers by 50 in 2012-13 and then 50 per year until 2015-16.
- In meeting the savings and efficiency measures from the 2012-13 Budget and the previous MYEFO the AFP anticipates that some reductions in staff numbers across less critical roles may be required and will be managed through natural attrition.
- Overall the AFP will experience a small net drop in staffing numbers from an estimated 6,420 in 2011-12 to 6,410 in 2012-13 incorporating 2011-12 MYEFO and 2012-13 Budget measures. Noting the estimated 2011-12 staffing level is lower than original estimates due to a higher rate of natural attrition experienced during 2011-12.

b) Measures in the 2012-13 Budget impacting specific staff positions include:

- Program 1.2 – a reduction of 20 positions at various levels in the International Future Strategy from the International Deployment Group to be achieved by natural attrition.
- Program 1.3 – a continuation of 25 ASL from 2013-14 to 2014-15 as part of Project Wickenby.
- Note aid related measures provide for the deployment costs of staff but do not increase staff numbers.

## **Australian Government Solicitor**

a) AGS is a government business enterprise (GBE) operating on a commercial and competitive basis in providing legal and related services to government and its agencies. AGS does not receive any appropriations.

As a GBE, AGS continually reviews and adjusts its workforce structure and profile to meet its business needs in the light of ongoing developments in the legal services market. AGS expects its staffing levels to vary over 2012-13 to reflect anticipated changes in demand for its services.

b) AGS is not undertaking a redundancy program. However, AGS is looking to reduce its corporate costs through restructuring of business processes and where appropriate through reducing staff numbers in some areas.

## **Australian Human Rights Commission**

The Commission has received additional funding in the 12/13 budget for the new Children's Commissioner and the measure to counter negative age stereotyping. The Commission will need to review and where possible redeploy its current staffing resources in order to align with the new priorities and to address the effects of the efficiency dividend. In order to attain the best overall skill mix and support for the establishment of these new activities the Commission in the first instance would look to redeploy staff and then consider other options such as voluntary redundancies.

### **Australian Institute of Criminology**

- a) No change. AIC staffing levels are set based on a combination of both appropriation funding and own-source income. A number of programs were reviewed as a result of efficiency dividends placed on our funding in the 2012-13 budget with the reduction in funding being managed through a reduction in contractor costs associated with a number of projects and an increased focus on increasing own-source income to offset appropriation funding reductions.
- b) Nil

### **Australian Law Reform Commission**

- a) One full-time ongoing position for a legal officer (APS 6.6, LO 9) will not be replaced while the employee is on maternity leave, due to the efficiency dividend applied to the 2012-13 budget.
- b) There are no redundancies for the ALRC.

### **Australian Security Intelligence Organisation**

- a) ASIO's net growth from 1 July 2011 to 30 April 2012 was 35 (headcount). Total recruitment or commencements over the same time period was 123 staff, with 88 staff separating from ASIO. In support of the Government's fiscal policy, planned growth in staffing for ASIO has been deferred from the 1,860 identified in the 2005 Review of ASIO Resourcing conducted by Mr. Allan Taylor AM to a new endpoint of 1,760 full time equivalent staff.
- b) As at 15 June 2012, ASIO is not considering cutting existing staff positions.

### **Australian Transaction Reports and Analysis Centre**

- a) Three additional roles will be added to the agency's Project Wickenby team as a result of the Tax Compliance (Project Wickenby) budget measure.

It is not possible to identify other staffing changes to occur resulting from the 2012-13 Budget until detailed budget setting and business planning activities are finalised. It is expected that no programs or services will be cut and any required staffing changes or reductions will be implemented using natural attrition.

- b) Project Wickenby officers: additional EL1 x 3 roles.

It is not possible to identify other staffing changes or reductions to occur resulting from the 2012-13 Budget until detailed budget setting and business planning activities are finalised.

### **Commonwealth Director of Public Prosecutions**

- a) The 2012-13 Portfolio Budget Statements (PBS) for the Attorney-General's Portfolio state that the Average Staffing Level (ASL) for the CDPP for 2011-12 is 513 and for 2012-13 is 504.
- b) N/A

## **CrimTrac**

- a) There are no staffing changes within CrimTrac linked to the 2012-13 Budget.
- b) N/A

## **Family Court of Australia**

- a) The Budget had an impact on the Family Court of Australia in several areas:

### Financial

Over recent years the court has undertaken many initiatives to reduce costs and generate efficiencies; however the court continues to face ongoing financial pressures. The court is identifying different ways to continue to provide access to justice for all litigants, including alternative approaches to the use of in-house resources and the best use of external resources.

### Staffing

The court's average staffing levels are 572. This will be subject to further review over the coming months noting the court's financial pressures.

- b) Sustainable funding

The Minister for Finance and Deregulation has approved the court's financial deficits for the current financial year of FCoA \$3.15m; however, there is an expectation by Government that the court does not run further deficits. We are now working with the Attorney-General's Department and the Department of Finance and Deregulation to develop budget strategies to ensure the Courts do not run operating deficits in the future.

Despite this, it is inevitable there will be some staff reductions. Reducing staffing is as always, a last resort; however the other options are limited and there may be little choice but to explore this further. At this stage it is estimated there will be a reduction of between 30 and 50 APS3 equivalent positions. These will occur across both the Family Court of Australia and the Federal Magistrates Court.

## **Federal Court of Australia**

- a) The Federal Court is considering its response to the 2012-13 Budget. A combination of measures including natural attrition and voluntary redundancies will be used to make the necessary savings.
- b) No positions have been identified at the time of writing.

## **Federal Magistrates Court of Australia**

- a) The Budget had an impact on the Federal Magistrates Court in several areas:

### Financial

Over recent years the court has undertaken many initiatives to reduce costs and generate efficiencies; however the court continues to face ongoing financial pressures. The court is

identifying different ways to continue to provide access to justice for all litigants, including alternative approaches to the use of in-house resources and the best use of external resources.

### Staffing

The court's average staffing levels are 234. This will be subject to further review over the coming months noting the court's financial pressures.

Provide a list of additional and/or redundant positions, the classification and the program those positions are part of or have been taken from.

b) Sustainable funding

We are now working with the Attorney-General's Department and the Department of Finance and Deregulation to develop budget strategies to ensure the courts do not run operating deficits in the future.

Despite this, it is inevitable there will be some staff reductions. Reducing staffing is as always, a last resort however the other options are limited and there may be little choice but to explore this further. At this stage it is estimated there will be a reduction of between 30 and 50 APS3 equivalent positions. At this stage these will occur across both Family Court of Australia and the Federal Magistrates Court.

### **High Court of Australia**

- a) Nil.
- b) Not applicable.

## Insolvency and Trustee Service Australia

The reason for increased staffing is predominantly related to ITSA assuming responsibility for a new function - the Personal Property Securities Register.

**Below is data that shows the difference in staffing changes, including additional and redundant positions.**

Number of ITSA Employees (FTE) | by Substantive Classification | by Program | 30 June 2011 and 30 May 2012

<b>Classification</b>	30 June 2011 Insolvency employees (FTE)	30 June 2011 PPS employees (FTE)	<b>30 June 2011 Total employees (FTE)</b>	30 May 2012 Insolvency employees (FTE)	30 May 2012 PPS employees (FTE)	<b>30 May 2012 Total employees (FTE)</b>	Difference in total employees between 30 June 2011 and 30 May 2012 (FTE)
<b>APS1</b>	0	0	<b>0</b>	0.33	0	<b>0.33</b>	+0.33
<b>APS2</b>	4.62	0	<b>4.62</b>	5.8	0	<b>5.8</b>	+1.18
<b>APS3</b>	82.86	1.51	<b>84.37</b>	110.47	12.91	<b>123.38</b>	+39.01
<b>APS4</b>	29.02	0.71	<b>29.73</b>	23.73	10.64	<b>34.37</b>	+4.64
<b>APS5</b>	39.32	2.05	<b>41.37</b>	44.74	15.04	<b>59.78</b>	+18.41
<b>APS6</b>	59.13	4.1	<b>63.23</b>	62.27	18.2	<b>80.47</b>	+17.24
<b>EL1</b>	39.2	3.85	<b>43.05</b>	43.3	15.3	<b>58.6</b>	+15.55
<b>EL2</b>	24.5	1.5	<b>26</b>	21	7.6	<b>28.6</b>	+2.6
<b>SES 1</b>	5.35	0	<b>5.35</b>	2.4	1.4	<b>3.8</b>	-1.55
<b>TOTAL</b>	<b>284</b>	<b>13.72</b>	<b>297.72</b>	<b>314.04</b>	<b>81.09</b>	<b>395.13</b>	<b>+97.41</b>

Redundancies | 2011/12 and agreed to redundancies yet to be executed

<b>Number of redundancies processed in 2011/12</b>	<b>Substantive Classification</b>	<b>Program</b>
4	APS3 – 1 APS5 – 1 EL1 – 1 EL2 -1	Insolvency - 3 PPS - 1

<b>Number of already agreed to redundancies which will be effective after 1 July 12</b>	<b>Substantive Classification</b>	<b>Program</b>
8	APS3 – 2 APS5 – 2 APS6 – 2 EL2 – 2	Insolvency - 8

## National Native Title Tribunal

a) In the 2012–13 Budget, the Australian Government announced its decision to effect native title institutional reform in relation to the operations of the National Native Title Tribunal (NNTT) and the Federal Court to provide a more efficient and effective native title system.

From 1 July 2012, the NNTT's status as a Financial Management and Accountability Act 1997 agency will cease, and the NNTT's funding will be transferred to the Federal Court of Australia (FCA), which will provide funding and support for the ongoing performance by the NNTT of its functions as a sub-program of the FCA.

It is the Government's policy that work in the following areas will, over time, cease to be undertaken in the NNTT and will be taken up by the Federal Court:

- Native title claims mediation
- Indigenous Land Use Agreements (ILUA) negotiations related to native title claims mediation

All of the NNTT's other statutory functions will remain with the NNTT after 1 July 2012

### b) Staffing changes

To implement Government's decision for institutional reform there will be a reduction in NNTT staffing numbers, either through redundancy (June – August 2012) or 'machinery of government' changes. Twenty four NNTT staff members (both operational and corporate services staff) will transfer to the FCA by or on 1 July 2012.

Details of those positions being made redundant are listed below:

APS Level	Redundant position	Effective date
APS4	Senior Admin Officer	20 June
APS6	Portfolio Officer	20 June
EL1	Strategic Advisor -	20 June
EL2	State Manager	20 June
EL1	Regional Manager	20 June
APS6	Case Manager -	20 June
APS3	Directorate Officer	20 June
APS4	Senior Admin Officer	20 June
EL2	Registry Manager	17 July
APS5	Senior Library Technician	27 July
APS3	Accounts Payable Assistant	20 June
APS5	Property & Security Admin Officer	20 June
APS2	Records Officer	20 June
LIB 2.5	Librarian	20 June
APS3	HR Officer	22 June
EL1	Regional Manager	20 June
EL1	Regional Manager	20 June



APS2	Admin Assistant -	20 June
APS2	Admin Assistant -	20 June
APS4	Records Officer	27 July
APS6	Case Manager	20 July
EL1	Senior Research Officer	20 June
LG1	Legal Officer	20 June
APS6	Research Officer -	20 June
APS4	Members' Assistant	20 June
EL2	Chief Information Officer	29 June
EL2	State Manager	17 August
EL2	Chief Financial Officer	31 August
EL2	Mgr Human Resources	31 August
APS5	Payroll Officer	31 August
APS4	Payroll Administrator	31 August
APS4	Senior Administrative Officer	20 July
APS4	Members' Assistant	20 July

### **Office of Parliamentary Counsel**

a) To date, no staffing changes have occurred in Office of Parliamentary Counsel as a result of the 2012-13 Budget. The decrease in appropriation funding due to the one-off 2.5% increase in the efficiency dividend and the savings measure associated with increased efficiency in Commonwealth property management, will be partially offset by further appropriation funding from previous budget measures and reductions to overall supplier expenditure.

b) Not applicable.

### **Office of the Australian Information Commissioner**

a) There have been no staffing changes to the OAIC as a result of the 2012–13 budget

b) Not applicable – see response to a) above.

**ATTACHMENT A**

Attorney-General's Department – Redundant Positions

<b>Program</b>	<b>Position</b>	<b>Classification</b>	<b>Qty</b>
1.1	Advisor	EL1	1
1.1	Assistant Director	EL1	2
1.1	Director	EL2	1
1.1	Director NADRAC Secretariat	PLO	1
1.1	Executive Assistant	AP4	1
1.1	Executive Level 1	EL1	3
1.1	Executive Level 2	EL2	2
1.1	Executive Resource Officer	AP3	1
1.1	Legal Officer	LO	2
1.1	Personal Assistant	AP3	2
1.1	Policy Officer	AP6	1
1.1	Principal Legal Officer	PLO	3
1.1	Public Affairs Officer	EL1	1
1.1	Senior Legal Officer	SLO	1
1.2	Adviser	EL1	1
1.2	APS5/6	AP5	1
1.2	Assistant Director	EL1	4
1.2	Assistant Manager	EL1	1
1.2	Director	EL2	4
1.2	Executive Level 2	EL2	1
1.2	Executive Level 2	PLO	1
1.2	Facilities Manager	B5-6	1
1.2	Gov.CERT Assist Manager	EL1	1
1.2	Ind Liaison Officer, Gov.CERT	AP6	1
1.2	Legal Officer	LO	2
1.2	Network Engineer/Administrator	AP6	1
1.2	Operations Supervisor	AP6	1
1.2	Principal Legal Officer	PLO	1
1.2	Senior Education Officer	AP6	1
1.2	Senior Legal Officer	SLO	1
1.2	Senior Policy Officer	EL1	2
1.2	Senior Security Advisor	AP6	1
Corporate	Assistant Director	EL1	1
Corporate	Assistant Supervisor	AP4	1
Corporate	Director	EL2	2
Corporate	Projects Officer	AP6	1
Corporate	Property Leasing	EL1	1

Corporate	Property Officer	AP4	1
Information Division	APS Level 6	AP6	1
Information Division	Assistant Director	EL1	2
Information Division	Contracts officer	AP3	1
Information Division	Director	EL2	2
Information Division	EDMS Administrator and Trainer	AP6	1
Information Division	Executive Level 1	EL1	1
Information Division	Executive Level 2	EL2	1
Information Division	IT Procurement Officer	EL1	1
Information Division	Senior Systems Engineer	EL1	1
International Crime Cooperation Division	Administration Officer	AP3	1