

CHAPTER 1

ATTORNEY-GENERAL'S PORTFOLIO

Introduction

1.1 This chapter summarises areas of interest and concern raised during the committee's consideration of the Additional Estimates for the Attorney-General's portfolio for the 2007-08 financial year.

Australian Federal Police (AFP)

1.2 The committee questioned officers on the total number of AFP officers currently deployed overseas.¹ The committee heard that as of 9 January 2008² there were 393 officers deployed to international missions, with 70 officers being deployed to East Timor in the week preceding the estimates hearings.³ Officers told the committee that in addition to officers deployed to international missions, there were 87 staff posted to 28 countries as liaison officers.⁴

1.3 Continuing its examination of the AFP, the committee sought an update on the current strength of the International Deployment Group (IDG). Officers told the committee that the IDG had 944 staff, with the AFP aiming to increase the size of the IDG to 1200 personnel by 30 June 2008.⁵ Officers told the committee they were confident of meeting the target.⁶

1.4 The committee sought information on the investigation regarding Dr Mohammad Haneef and related matters.⁷ Officers told the committee:

...there were in excess of 300 witness statements obtained; a total of 16 telephone intercept and six surveillance device warrants issued; a total of 22 search warrants executed on residential premises, work premises and vehicles; a total of 623 gigabytes of data seized from various computers and portable media devices; and a total of 349 forensic samples collected.⁸

1 *Committee Hansard*, 18 February 2008, p. 8.

2 See Letter of Correction dated 4 March 2008

3 *Committee Hansard*, 18 February 2008, pp. 8-9.

4 *Committee Hansard*, 18 February 2008, p. 9.

5 *Committee Hansard*, 18 February 2008, p. 9.

6 *Committee Hansard*, 18 February 2008, p. 9.

7 *Committee Hansard*, 18 February 2008, pp. 24-25.

8 *Committee Hansard*, 18 February 2008, p. 24.

1.5 The committee heard that, at its peak, the investigation involved 601 personnel, and as of December 2007, had cost in excess of \$7.5 million.⁹ Officers told the committee that investigations are ongoing.¹⁰

Attorney-General's Department (AGD)

1.6 Changes in the output/outcome structure for AGD are outlined in appendix 5.

1.7 The committee sought information on the increase in the efficiency dividend for the 2007-08 financial year.¹¹ In particular, the committee questioned officers on the effect that the increase would have on AGD. Officers told the committee that:

The implications for this year are a reduction of \$940,000; and for next year, \$4,258,000. That has to be considered in the light of a total budget of over \$200 million. It is 0.46 per cent of our total budget, so it is not a huge amount in terms of the current financial year.¹²

1.8 Committee members questioned officers on whether any particular programs would be affected by the application of the increased efficiency dividend.¹³ Officers told the committee that they did not expect there to be 'a dramatic impact on any particular program.'¹⁴

Security Clearances for Ministerial Staff

1.9 The committee questioned officers on the granting of security clearances to newly appointed ministerial staff.¹⁵ Specifically, the committee questioned officers on interim arrangements for the handling of classified material in ministerial offices while staff were undergoing security clearances.¹⁶ Officers told the committee that in certain circumstances a provisional clearance could be provided allowing staff to access some classified material.¹⁷ Officers also told the committee that new staff are given a comprehensive briefing on the requirements of the *Protective Security Manual* prior to handling any classified material.¹⁸

9 *Committee Hansard*, 18 February 2008, p. 24.

10 *Committee Hansard*, 18 February 2008, p. 24.

11 *Committee Hansard*, 18 February 2008, p. 83.

12 *Committee Hansard*, 18 February 2008, p. 83.

13 *Committee Hansard*, 18 February 2008, p. 83.

14 *Committee Hansard*, 18 February 2008, p. 83.

15 *Committee Hansard*, 18 February 2008, pp. 102-106.

16 *Committee Hansard*, 18 February 2008, pp. 104-105.

17 *Committee Hansard*, 18 February 2008, pp. 104-105.

18 *Committee Hansard*, 18 February 2008, p. 105.

Procedural Issues

1.10 During the hearings senators also questioned officers on legal advice provided to the government regarding possible compensation to the 'stolen generation'¹⁹ as well as advice regarding the constitutionality of parliamentary chambers sitting with quorum rules suspended.²⁰ Officers were reluctant to provide information, citing a 'convention' that legal advice and information about whether such advice had been sought or given was not provided to committees:

... we understand that the established practice is that we do not disclose either advice or whether we have been asked to give advice.²¹

1.11 Following a request from the committee, written advice was provided by the Clerk of the Senate which stated:

There is nothing in the rules of the Senate which prevents a senator requesting, or a committee or the Senate itself requiring, the production of legal advice to government...if ministers do not wish to produce advice, or any other information, they are expected to raise a public interest ground for the consideration of the committee or the Senate.

1.12 The Clerk's advice was also tabled during the hearings²² (Appendix 1).

19 *Committee Hansard*, 18 February 2008, pp. 68-73.

20 *Committee Hansard*, 18 February 2008, p. 73-74.

21 *Committee Hansard*, 18 February 2008, p. 67.

22 *Committee Hansard*, 19 February 2008, p. 24.

