

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

Program: 1.1

Question No. AE16/030

Senator Simms asked the following question at the hearing on 9 February 2016:

Senator SIMMS: I do not think I will take the full 15 minutes because Senator Gallagher covered some of the territory that I was going to explore. My questions relate more generally to the Attorney General's Department, in particular, dealing with the issue of the plebiscite. You mentioned before, Mr Acting Deputy Secretary, that some work of the department had been devoted to exploring this plebiscite and liaising with other departments and ministerial offices, can you give me a bit of a sense of how much time has been devoted to this project in terms of staff time?

Mr Manning: Not off the top of my head, sorry, Senator. I would have to take that on notice.

Senator SIMMS: That would be good if you could.

Senator Brandis: Senator Simms, I know that this is impressionistic, but I do have a sense that there has been a lot of work by the department on this and a lot of attention devoted to it since the latter part of last year.

Senator SIMMS: A lot of time. Can I ask what kind of staff would be devoting time to this? Is it senior level staff or—

Mr Moraitis: I would say it is about four or five staff that have been on this for a while, Senator. Mr Hall can explain what levels they are at.

Mr Hall: Thank you, Senator. The levels range from Executive Level 2 down to APS 5-6 level.

Senator SIMMS: I am very new, so you might have to tell me salary ranges.

Mr Manning: If you like, Senator, if you have APS 5-6 and an EL1 they would be doing the sort of day-to-day work that would be under direction of an EL2 and, of course, people at the table— Ms Williams is responsible for the branch, administers the Marriage Act, Mr Hall is responsible for the division which that is in, and I am responsible for the groups it in. So, we dedicate time to it as required as well.

Senator SIMMS: Just so I am clear, four or five quite senior staff—

Mr Manning: Four or five in addition to us.

Senator SIMMS: What salary level or what increment? You do not have to tell me the actual figure. Could you take me through the classifications again?

Mr Hall: EL2 down to APS6. We can certainly take it on notice and give you a table that tells you what that equates to for salary purposes.

Senator SIMMS: Yes, that would be great, and a sense of the staff time as well that has been devoted to the project. Could I also ask, as it was certainly apparent to me, Attorney, in the response that you were giving that this is certainly quite a complex endeavour involving liaising with a range of different arms of the government. It is also the first time that a government has approached a legislative question in this way. We have not had a plebiscite since, I think, the 1950s, if I am correct, or even earlier.

The answer to the honourable senator's question is as follows:¹

As at 9 February 2016, the following staff were working on the plebiscite proposal:

Level	FTE	AGD salary range (as set out in the AGD Enterprise Agreement)
Executive Level 2	1	\$115 778 - \$131 869
Executive Level 1	2.6	\$95 154 - \$115 778

Clause 3.12 of the AGD Enterprise Agreement enables the salaries of staff that move from another agency to be maintained on engagement with AGD. Accordingly, the salary of one of the EL1 officers working on the plebiscite is slightly higher than the range identified above.

Senior Executive Service (SES) officers at Band 3, 2 and 1 level have also worked on the plebiscite proposal. Given the responsibilities of SES officers, it is not possible to estimate what proportion of those officers' workloads was dedicated to the plebiscite proposal.

¹ On 8 March 2016, AGD clarified the evidence of Mr Matt Hall PSM that only officers at Executive Level 2 and Executive Level 1 were working on the plebiscite proposal. No APS officers have been involved in this work.