

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

**Program: 1.9**

**Question No. AE16/047**

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

Senator Brandis: That is right. And it will be highly relevant what the next Council on Law, Crime and Community Safety decides. What the Commonwealth has decided to do—and Mr Porter, the social services minister, and I announced this in a joint press release late last year—is to take leadership to try and shape a nationally consistent approach to redress. This is for the obvious reasons that it is a Commonwealth royal commission and we are the lead jurisdiction. On the other hand, we do not have responsibility for most—in fact, for hardly any—of the institutions that are subject to the review, so the Commonwealth sees its role as taking the lead in creating the architecture, as it were, of a nationally consistent approach to redress.

Senator SIEWERT: Have you already got the agreement of the states and the territories to engage in this process, or is the initial step to seek their agreement to engage in the process?

Senator Brandis: I wrote to the states and territories at the end of last year—and I had better take on notice how many replies I have received from them so far. Obviously, where one is talking about a very large amount of money that will be paid by way of redress payments to the victims, there is, as there always is in a federation, a back-and-forth, as it were, between the states and the Commonwealth about financial obligations. For the moment the Commonwealth has said that it will take the leadership in creating the architecture, but we have not made any commitments in relation to the assumption of financial obligations. I am sorry—I am corrected. The letters that went to the state and territory ministers went out at the end of last month, not at the end of last year

Senator SIEWERT: Around the time the announcement was made—on 29 January, is that correct?

Senator Brandis: Yes.

Senator SIEWERT: So you have not had time for a response yet?

Senator Brandis: Yes.

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

Officials from the Attorney-General's Department and the Department of Social Services have had discussions with officials from all jurisdictions.