

Preface

On 9 February 2017, the Senate referred to the Senate Legal and Constitutional Affairs Legislation Committee (the committee) for examination the estimates of proposed additional expenditure for the financial year 2016–17.

The committee is responsible for the examination of the Attorney-General's portfolio and the Immigration and Border Protection portfolio. The Portfolio Additional Estimates Statements (PAES) for 2016–17 were tabled on 9 February 2017.¹

Reference of documents

The Senate referred to the committee, for examination and report, the following documents:

- Particulars of proposed additional expenditure in respect of the year ending on 30 June 2017 [Appropriation Bill (No. 3) 2016–2017];
- Particulars of certain proposed additional expenditure in respect of the year ending on 30 June 2017 [Appropriation Bill (No. 4) 2016–2017]; and
- Final Budget Outcome 2015–16.²

The committee was required to report on its consideration of the additional estimates on or before 22 March 2017, however the tabling date was extended to 4 May 2017.

The committee notes the following significant changes and measures in the Portfolio Additional Estimates Statements 2016–17 for the Attorney-General's portfolio:

- the establishment and commencement of the Royal Commission into the Protection and Detention of Children in the Northern Territory; and
- the passing of the *Australian Crime Commission Amendment (National Policing Information) Act 2016* by parliament, resulting in the merger of the Australian Crime Commission and CrimTrac to create the Australian Criminal Intelligence Commission, which formally commenced operations on 1 July 2016.³

Estimates hearings

The committee initially met in public session on 27 and 28 February 2017. Over the course of the two days of hearings, totalling over 20 hours, the committee took evidence from the following departments and agencies:

- Department of Immigration and Border Protection;
- Attorney-General's Department;
- Australian Human Rights Commission;

1 *Journals of the Senate*, No. 26, 9 February 2017, p. 889.

2 *Journals of the Senate*, No. 26, 9 February 2017, pp. 888-9.

3 *Portfolio Additional Estimates Statements 2016–17, Attorney-General's Portfolio*, p. 3.

- Commonwealth Director of Public Prosecutions;
- Federal Court of Australia;
- Family Court of Australia;
- Federal Circuit Court of Australia;
- Office of the Australian Information Commissioner;
- Administrative Appeals Tribunal;
- Australian Transaction Reports and Analysis Centre;
- Australian Criminal Intelligence Commission;
- Australian Institute of Criminology;
- Australian Law Reform Commission;
- Australian Security Intelligence Organisation; and
- Australian Federal Police.

Following the February hearings, the committee received correspondence from three committee members requiring a spill-over hearing pursuant to an Order of Continuing Effect of the Senate of 25 June 2014.

This additional hearing was held on the afternoon of 24 March 2017 and heard further evidence from the following agency and departments:

- Australian Human Rights Commission;
- Attorney-General's Department; and
- Department of Immigration and Border Protection.

Copies of the *Hansard* transcripts are available from the committee's webpage at: www.aph.gov.au/senate_legalcon.

An index of the *Hansard* for each portfolio appears at Appendix 2.

Ministers

On 27 February and 24 March 2017, the committee heard evidence from Senator the Hon Michaelia Cash, representing the Minister for Immigration and Border Protection.

On 28 February and 24 March 2017, the committee heard evidence from Senator the Hon George Brandis, Attorney-General. The Attorney-General was also assisted by Senator the Hon Nigel Scullion, Minister for Indigenous Affairs, on 28 February and by Senator Cash on 24 March.

Officers from both departments and associated agencies also appeared. The committee thanks the ministers and officers for their assistance.

Questions on notice

The committee resolved that the due date for submitting responses to questions on notice from the additional estimates hearings in February would be 28 April 2017 and from the spill-over hearing in March would be 12 May 2017.

Further written explanations, and answers to questions on notice, will be tabled as soon as possible after they are received. That information is also available on the committee's webpage.

The committee notes that 60 answers to questions taken on notice by the Attorney-General's portfolio during additional estimates 2015–16 (February 2016) remain outstanding.

Note on references

References to the committee *Hansard* are to the proof *Hansard*. Page numbers may vary between the proof and the official *Hansard* transcript.

