

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
CRIMTRAC

Question No: 59

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

Senator HUMPHRIES: What has been the total cost in the period since the beginning of the last financial year of complaint processing, including legal costs for CrimTrac?

Mr Smith: I would not have a total figure available to me at the moment.

Senator HUMPHRIES: Can you take it on notice?

Mr Smith: Yes, I can.

Senator HUMPHRIES: Thank you very much. I also ask you to take on notice how long each investigation has gone on for, whether the complaints that generated those investigations—and I am referring here to, for example, the APS Code of Conduct complaints and the other ones of which I have spoken—were formal or informal and what their current status is. How many Comcare claims have been made since the beginning of the last financial year?

Mr Smith: A total number?

Senator HUMPHRIES: A total number.

Mr Smith: I would have to take that on notice and it may be divided into a range of different types of complaints because, obviously, things have different causal factors.

Senator HUMPHRIES: Indeed, I am sure they do. Would any of them have been for stress?

Mr Smith: Yes.

Senator HUMPHRIES: Are we looking at one or two, or 20?

Mr Smith: No, we are talking in very low single digits. But I will take that on notice.

Senator HUMPHRIES: Similarly, if I could have the status of those claims. I am not asking for the results of any individual's claim.

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

1. Total ascertainable cost of complaint processing between 1 July 2010 and 24 May 2012, exclusive of GST, was \$13,441.20 in legal costs and \$18,000.00 for the engagement of external investigation services. Crimtrac does not keep records of costs associated with its staff working on such complaints.

As two investigations are ongoing CrimTrac does not know the final legal costs for these matters and are not included in the above figures.

This figure reflects costs of payment of invoices relating to external legal advice and the engagement of external investigating services associated with investigations undertaken in accordance with CrimTrac's procedures for determining breaches of the APS Code of Conduct established under section 15(3) of the *Public Service Act 1999* during the specified period.

2. CrimTrac does not collect reportable information relating to informal complaints.

In regard to formal complaints or management reports raised since 1 July 2010, as at 24 May 2012, seven (7) formal investigations were finalised in accordance with CrimTrac's procedures for determining breaches of the APS Code of Conduct established under section 15(3) of the *Public Service Act 1999*.

The duration of these investigations were as follows:

- 1 day
- 6 days
- 38 days
- 61 days
- 72 days
- 89 days
- 97 days

A further two (2) investigations are currently underway.

3. A total of nine (9) Comcare claims from seven (7) employees have been received.

4. The status of these claims, as at 24 May 2012, is:

- five (5) - accepted
- three (3) - refused
- one (1) – undetermined

5. These claims have been categorised by Comcare as follows:

- anxiety / depression – two (2)
- reaction to stressors – one (1)
- depression – one (1)
- dislocation – one (1)
- anxiety / stress disorder – two (2)
- post traumatic stress disorder – one (1)
- soft tissue injury – one (1)