

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

**Group: 2**

**Program: 1.6**

**Question: BE14/041**

**Senator Singh asked the following questions at the hearing on 28 May 2014:**

**Senator SINGH:** Can Mr Anderson provide me with details of the change between the previous government's program and this program?

**Mr Anderson:** As the Attorney indicated, it has broadly the same name and is broadly for the same purpose but it is in fact a new tranche of funding and so we are anticipating that there will be new guidelines set up to set out the process by which we will be administering the funding.

**Senator SINGH:** So the funding has changed but the program has remained the same. Is that correct?

**Senator BRANDIS:** No, that is not what he said.

**Senator SINGH:** I am asking clarification for that.

**Senator BRANDIS:** The guidelines have not been settled, Senator.

**Senator SINGH:** I am asking for clarification from Mr Anderson from the answer he just gave.

**Senator BRANDIS:** I would refer you to the coalition's policy document, which is in fact referenced at page 63 of paper No. 2; it sets out the details of the policy.

**Senator SINGH:** Can you please explain to me the difference between the previous government's program, which has the same name, and this current program, other than the funding change?

**Mr Anderson:** There can be a number of possible differences in the program. One difference I can point to is that this program can involve expenditure on matters that were not covered by the previous program, such as security guards; that is just one of the differences.

**Senator SINGH:** Security guards. But still, there is the nature of the program. 'A program that is focused on schools at risk of attack, harassment or violence caused by racial or religious intolerance' is still the remit of this program, is it not?

**Mr Anderson:** That is correct.

**Senator SINGH:** There would have been guidelines put in place from the last government, wouldn't there?

**Mr Anderson:** There would have been guidelines previously, yes. But with this new tranche of funding, and given that there are new matters that can be funded under this funding, new guidelines will be developed.

**Senator BRANDIS:** I can add to that answer if I may please, Mr Anderson. One of the important differences between the coalition's program and the pre-existing program is: whereas the previous government's program only funded capital works, for example, fences, gates and those sorts of things, the new program funds both those capital items but also recurrent items and, in particular, security guards. When I was travelling around during the election campaign and I visited a number of Jewish schools, one thing that they were at pains to say to me was, 'We really need a program that is flexible enough to allow us to spend the money on security guards in some of our at-risk schools.' So when we designed this program it was with that in particular in mind, so it is not just for capital work but also for recurrent expenditure on, in particular, security guards.

**Senator SINGH:** So human resources as well as capital works.

**Senator BRANDIS:** If you want to put it that way. I would say it is recurrent costs as well as capital costs.

**Senator SINGH:** I am still unclear as to why the guidelines would change for assessment for a particular school to apply for this program. Can someone explain to me why the guidelines are being changed?

**Mr Anderson:** I will take that on notice; my belief is that the *Commonwealth Grants Guidelines* actually require fresh guidelines for this fresh package of funding.

**Senator SINGH:** Are the proposed changes to the exposure draft to the *Racial Discrimination Act* being assessed against guideline changes for this program?

**Senator Brandis:** No.

**Mr Wilkins:** No. It had not occurred to us.

**Senator Brandis:** They have absolutely nothing to do with each other.

**Senator SINGH:** This is a program that is for schools at risk of harassment or violence caused by racial or religious intolerance. The government is proposing changes to the *Racial Discrimination Act*. There are no guidelines currently for this program, which were in place until the last election, before this government came into office. I am asking you the reason why. You are not able to tell me the reason why. So I now ask you: is the reason associated with the government's proposed changes to the *Racial Discrimination Act*?

**Senator Brandis:** It has nothing to do with it.

**Mr Anderson:** That is not the reason why there are not currently guidelines.

**Senator SINGH:** I ask the question because obviously, under the proposed changes by Senator Brandis—the external draft to the *Racial Discrimination Act*—it would be easier to provide a racial-hate speech towards a particular school.

**Senator Brandis:** No. Actually, Senator, you are completely wrong about that; it would be harder.

**Senator SINGH:** Therefore, I am trying to understand why there are currently no guidelines and if there is correlation between the Senator's *Racial Discrimination Act* changes.

**The answers to the honourable Senator's questions are as follows:**

- 1) The Program Guidelines from the former Secure Schools Program were required to be revised for the new Schools Security Programme for three reasons:
  1. Under the *Commonwealth Grant Guidelines* (2013), agencies must develop grant guidelines for all new granting activities, revise guidelines where significant changes have been made to the current granting activity (paragraph 4.5.b), and ensure that grant guidelines and related operational guidance are consistent with the CGGs (paragraph 4.5.d). The Secure Schools Program terminated on 30 June 2014 and the new Schools Security Programme will begin in early 2014-15. The Schools Security Programme Guidelines will be released before the application period.
  2. The former Secure Schools Program provided grants for capital items of security infrastructure only, but the new Schools Security Programme will allow schools to apply for the cost of employing security guards in addition to capital items.
  3. The criterion of the Schools Security Programme also varies from the Secure Schools Program, changing from assisting schools at risk of racially, religiously or ethnically motivated crime and violence, to those at risk of attack, harassment or violence stemming from racial or religious intolerance.
- 2) The revision of the Program Guidelines is unrelated to any changes to the *Racial Discrimination Act*.