



Australian Government
Attorney-General's Department
Strategy and Delivery Division

15/15203-04

28 October 2015

Ms Sophie Dunstone
Committee Secretary
Senate Standing Committee on Legal
and Constitutional Affairs
PO Box 6100
CANBERRA ACT 2600

Dear Ms Dunstone

Clarifications and corrections to Hansard

I write to you concerning evidence provided by officers from the Attorney-General's Portfolio to the Senate Standing Committee on Legal and Constitutional Affairs during the Supplementary Budget Estimates hearing on 20 October 2015.

Officers from the portfolio who provided evidence to the Committee have identified the following clarifications:

Evidence of Ms Samantha Chard, Assistant Secretary, Data Retention Implementation Taskforce

On page 106 of the transcript, in an exchange between Ms Chard and Senator Bilyk, Ms Chard stated:

Ms Chard: The department has received 227 implementation plans, or applications for exemption or variations from providers.

Senator BILYK: How many of those DRIPs provided have been approved?

Ms Chard: Decisions have been made on 79 of those, as at 13 October. All of the decisions that were due within the statutory time frame for consideration have had decisions made against them.

...

...

Senator BILYK: You mentioned that 79 DRPs have been approved. What considerations form the department's decision to approve or disapprove a DRP?

The Attorney-General's Department would like to clarify that the department had received applications, including data retention implementation plans and applications for exemptions or variations, from 227 providers. Eighty applications were due for decision by 13 October 2015, and decisions have been made on all of those 80.

Of the 80 applications where decisions have been made:

- 70 of those included a data retention implementation plan. Of those 70 applications, 49 have been approved and 21 have been returned with a request to amend the plan.

- 40 included applications for exemptions or variations. Of those 40 applications, 17 have been approved in part or in full, and 23 have been wholly rejected. Of the 23 applications for exemptions or variations that have been wholly rejected, 18 were rejected, at least in part, because the provider does not have a certain obligation or is already meeting obligations and/or the application was unnecessary, and 5 were rejected because the request was not supported.

Evidence of Ms Catherine Smith, Assistant Secretary, Crime Prevention and Federal Offenders Branch

On page 110 of the transcript, in an exchange between Ms Smith and Senator McKenzie, Ms Smith stated:

Ms Smith: Essentially, after the Martin Place review, there was a recommendation relevant to the review of the national firearms agreement. As a result of that, there is a group called the Firearms and Weapons Policy Working Group, of which I am the chair. We have coordinated a number of meetings just of the group to begin with to—

Senator McKENZIE: Who is on that group—sorry, Ms Smith—while we are at it?

Ms Smith: On that group are representatives from Queensland police and New South Wales Police as well as the New South Wales police ministry. We have Victoria Police. We also have the Victorian Department of Justice and Regulation. We have Tasmania Police. We have South Australia Police. We have Western Australia Police, Northern Territory police—

Senator McKENZIE: Excellent! You don't want to leave them out.

Ms Smith: ACT police and the Australian Federal Police. We have the Australian Crime Commission. We have CrimTrac, and we have the Attorney-General's Department.

The Attorney-General's Department would like to clarify that the Department of Immigration and Border Protection, the Australian Institute of Criminology, and the ACT Department of Justice and Community Safety are also members of the Firearms and Weapons Policy Working Group.

Evidence of Mr Iain Anderson, First Assistant Secretary, Criminal Justice Division

On page 119 of the Hansard transcript, in an exchange between Mr Anderson and Senator Bilyk, Mr Anderson stated:

Senator BILYK: The report also found significant shortcomings in the way funding agreements were concluded by the department. Can you tell me what those shortcomings were?

Mr Anderson: In a nutshell, the ANAO thought we did not provide sufficient precision and detail in describing the steps that were to be taken, the milestones—and also in talking about the evaluation.

Senator BILYK: They were not happy with the evaluation?

Mr Anderson: They were not happy with how we provided for how we would then evaluate the impact that the particular projects had had.

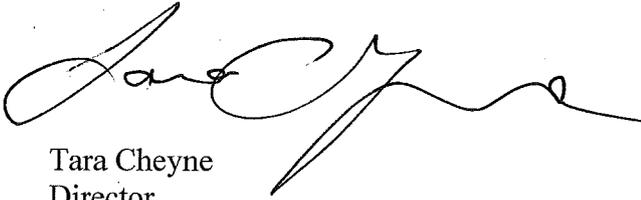
Senator BILYK: How did you?

Mr Anderson: Typically we simply required audited statements of expenditure to attest to the expenditure having been carried out in accordance with the project.

The Attorney-General's Department would like to clarify that the Safer Streets funding agreements require unaudited financial statements to attest to the expenditure.

Finally, the corrections to the Hansard are at **Attachment A**.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Tara Cheyne', with a stylized flourish at the end.

Tara Cheyne
Director
Governance Office
Strategy and Delivery Division