

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

Program: 1.9

Question No. SBE15/019

Senator Collins asked the following question at the hearing on 20 October 2015:

Mr Lutze: The amount we estimated as actual when we did the budget back in April-May this year was that they would spend \$23.1 million; they actually spent \$23.3 million. And the amount that was set aside for the royal commission, including the task force, would be \$17.813 million for this financial year.

Senator JACINTA COLLINS: Right.

Mr Moraitis: It is not separate; it is aggregated.

Mr Lutze: It is included.

Mr Moraitis: It is included there.

Mr Lutze: Yes.

Mr Moraitis: It is just one figure.

Senator JACINTA COLLINS: Are you telling me that the \$17.813 million figure includes the offset amounts directed towards the task force?

Mr Lutze: Yes.

Senator JACINTA COLLINS: Okay, but it does not explain that anywhere, does it?

Mr Lutze: No.

Senator JACINTA COLLINS: Does that figure include offsets from departmental funds in any other respect?

Mr Lutze: No. The amount that was actually provided to the royal commission in respect of the additional year that followed the \$17 million was actually made up of a reprofile from underspends in previous years.

Senator JACINTA COLLINS: So we have reprofiles of underspends—

Mr Moraitis: For the commission itself.

Senator JACINTA COLLINS: For the commission itself, and we have offsets from department funds—

Mr Moraitis: Of about \$2 million.

Senator JACINTA COLLINS: for the task force—

Mr Moraitis: Police task force.

Mr Lutze: Yes.

Senator JACINTA COLLINS: and no other offsets for departmental funds.

Mr Moraitis: Not for that purpose.

Mr Lutze: No.

Senator JACINTA COLLINS: Okay.

Mr Lutze: Yes.

Mr Moraitis: State jurisdictions and Federal Police—we do not have visibility on either of those.

Senator JACINTA COLLINS: Well, I thought that I was told by Commander Ney earlier that—

Mr Moraitis: I am sorry. We did not have visibility; just the AFP do.

Senator JACINTA COLLINS: So, for the AFP, did you tell me an amount earlier, Ms Innes-Brown?

Cmdr Ney: No; I did not

Senator JACINTA COLLINS: You have taken that on notice.

Cmdr Ney: Yes. The AFP is on later this evening.

Senator JACINTA COLLINS: Fine; I can ask them. In case we do not get to the AFP, we will put it on notice via the secretariat. Did I misunderstand the information you provided earlier, which was that the state contribution to the task force was fully funded at the Commonwealth level, or are there further contributions from the states?

Cmdr Ney: Those dollars that were just discussed is the pure ongoing effort of the police that are currently there at the moment.

Senator JACINTA COLLINS: Okay.

Cmdr Ney: That budget and that expenditure goes directly to offset the costs associated with the state police contribution to the task force.

Senator JACINTA COLLINS: So the offset from the A-G's Department offsets the costs for the state contributions to the task force?

Cmdr Ney: Correct.

Senator JACINTA COLLINS: Is that described anywhere? Did the announcement itself describe it? When the task force was established was there—

Cmdr Ney: Task forces were announced on 31 October last year, and detail around the funding and the numbers was worked on over the next couple of months, prior to stand-up date on 1 January 2015—well, in fact 2 January 2015.

Senator JACINTA COLLINS: Okay. I am sorry; the head-nodding will not be captured by Hansard. Did I correctly identify, and know, there is not some other description of how these funds have been allocated?

Mr Moraitis: I am not aware of any specific description of how that was done, no.

Mr Lutze: No. The method of funding is usually a budget process rather than a presentation issue for the budget statements. We do it normally.

Senator JACINTA COLLINS: Yes, Mr Lutze, I am approaching this from the accountability end. I could ask Mr Moraitis, for instance, 'When did you learn you were going to need to offset \$2.275 million out of the department?'

Mr Moraitis: When was I aware? Around October-November last year, I think. Senator

JACINTA COLLINS: So after the announcement but ahead of 2 January?

Mr Moraitis: I was well aware of the need to find some resourcing.

Senator JACINTA COLLINS: Were you aware when it was announced that there would be no contribution from the states?

Mr Moraitis: I would have to take that on notice—my exact recollection of whether I knew that that is how it would work. But I knew there would have to be a contribution, certainly from offsets from the department, to somehow assist the setting up of the task force. I cannot remember the details. I would have to check.

Senator JACINTA COLLINS: Is that standard for a royal commission?

Mr Moraitis: I am not that experienced on royal commission.

Senator JACINTA COLLINS: No, I am not necessarily either—that they include this next layer.

Senator Brandis: I think I can help, Senator Collins. I do not know if it is standard for royal commission. In fact, I suspect it is not. But it is certainly one of the budget rules of this government that new outlays require offsets. When the trade union royal commission was established then, obviously, there was an estimate of its cost. Mr Abbott's cabinet took a decision that the cost of the outlays on the royal commission would be offset from other government spending—some of it, but not all of it, from within the Attorney-General's portfolio.

Senator JACINTA COLLINS: When the costs were estimated, did that include the costs that we are now talking about—that the states would not make a contribution?

Senator Brandis: I am not sure. I will take that on notice.

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

The Secretary of the Attorney-General's Department was briefed prior to the taskforce being announced that there would be no contribution from the states. The states' contribution to the Joint Police Taskforce is fully funded by the Commonwealth. When costs were estimated for the Taskforces it was on the basis that the Commonwealth would fund the contribution for State Police officers.