

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

**Program 1.3**

**Question No. 69**

**Senator Barnett asked the following question at the hearing on 22 February 2011:**

**Senator BARNETT**—So this is based on feedback that you have had based on the fact that there will be an increased demand for those services in the area of drugs, terrorism and people smuggling. Correct?

**Ms Jones**—I think the 'correct' is in terms of anticipated demand.

**Senator BARNETT**—Yes. Based on your best estimates, it is an anticipation. It is an estimate and that is why you have made this allocation of \$7.6 [million]. Can you provide an indicative breakdown of that money to those three areas, please?

**Ms Jones**—I would have to take that on notice.

**Senator BARNETT**—All right. What was it last financial year in terms of the breakdown? Is it a third, a third, a third. Give us a breakdown.

**Ms Jones**—We can obtain that information for you but I would have to take it on notice.

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

The Expensive Commonwealth Criminal Cases Fund is a reimbursement fund. Demand is estimated by evaluating past expenditure patterns and advice from legal aid commissions on anticipated case load. This is subject to reassessment throughout the year as actual caseload information is provided through reimbursement claims. There are significant variables such as whether defendants plead guilty, whether there are delays, the length of trials and the amount of evidence involved in the case. The Expensive Commonwealth Criminal Cases Fund allocation is not identified by law type until expenditure is incurred through reimbursements provided to legal aid commissions.

Table 1 provides a breakdown of reimbursements made to legal aid commissions from the ECCCCF during 2009-10.

*Table 1: Breakdown of reimbursement made to legal aid commissions from the ECCCCF during 2009-10*

	<b>\$m</b>	<b>%<sup>(1)</sup></b>
People smuggling	0.5	5
Drug related	2.1	21
Terrorism	5.1	52
Other <sup>(2)</sup>	2.1	21
	9.8	100

Note:

(1) Percentages do not add due to rounding.

(2) Other includes Fraud, Sex Slavery, Computer Hacking and Copyright matters.