

Q No.	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
001	AHRC	Boyce	Forced sterilisation of women and girls	<p>Senator BOYCE: I have a few questions to direct to Mr Innes. You have written to all the state attorneys-general and adult guardians about the levels of forced sterilisation of women and girls, particularly with intellectual disabilities in Australia.</p> <p>...</p> <p>When did you write the letters?</p> <p>Mr Innes: I would have to take that on notice, I am sorry; I do not recall the date.</p>	L&C 7
002	AHRC	Siewert	People incarcerated from the stolen generation	<p>Senator SIEWERT:...Yesterday the Stolen Generations Alliance had a forum in Parliament House to coincide, obviously, with the anniversary of the apology. They raised an alarming statistic. We already know about the alarming number of Aboriginal and Torres Strait Islander people in incarceration, but they also highlighted the number from the stolen generation that are in incarceration in New South Wales as an example of the continuing effect. Has there been any analysis done nationally? They said there do not seem to be the same figures available for some of the other states. Are you aware of any work that has been done or is being undertaken?</p> <p>Mr Gooda: I am not aware of any work, except if you go back to the Royal Commission into Aboriginal Deaths in Custody. They talked extensively about the number of people incarcerated from the stolen generation.</p> <p>Senator SIEWERT: Exactly. As we know, March last year was 20 years since that report was released and we know that a number of the recommendations have not yet been implemented and we know there is some ongoing work in reviewing their implementation. Given that we are still waiting for that work, are you aware of any work that has been done recently around the number of people that are incarcerated and their link with the stolen generation?</p> <p>Mr Gooda: I am not aware.</p> <p>Senator SIEWERT: Is it work that has been done by the commissioner in the past? I know work has been done on incarceration.</p> <p>Mr Gooda: I am not sure. I could take that on notice.</p> <p>Senator SIEWERT: If you could, that would be really appreciated.</p>	L&C 10
003	Program 1.1 AJD	Brandis	Family Court restructure	<p>Senator BRANDIS: ... But, Minister, to come back to my long-foreshadowed question: given the good and positive story Mr Foster has to tell; given that neither the Federal Magistrates Court nor the Family Court want this merger to happen; given that because of the consolidation of the administrative things there appears to be no financial reason why it needs to happen; and, in particular, given that both the Chief Federal Magistrate and, we now learn this morning, the Chief Justice of the Family Court do not want it to happen, why on earth is the government proceeding with this?</p> <p>Senator Ludwig: As indicated earlier, the timing of the legislation is rightly with the government... I think it is also appropriate that the new Attorney-General consult with all affected parties to gauge their views, particularly around the Federal Court system, because it is a view that we want to ensure is managed both efficiently and effectively. We need to</p>	L&C 25

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				<p>ensure, of course—this is the primary driver—that the family law system provides people with access and assistance when they need it. The germane issue, of course, is always that the government is committed to ensuring that people can resolve their disputes before they reach court and be dealt with by the court efficiently and in as simple and cost-effective a way as possible. . . . That is the position of government. You, like all others, will have to wait for anything further from the Attorney-General. I will pass the conversation back to the Attorney-General and see if she does want to provide any additional comment.</p> <p>Senator BRANDIS: Thank you.</p>	
004	Federal Magistra- tes Court	Pratt	Fair Work pilot in Coffs Harbour	<p>Senator PRATT: I have a brief question. I asked at estimates in February last year about a program that was rolling out starting last March. It was an evaluation of a Fair Work pilot to commence in the Coffs Harbour circuit. As I understand it, it started off in March last year and began proceedings then. Was the pilot successful? Were there plans to expand it more broadly or will that depend on the outcome of the pilot?</p> <p>Mr Agnew: The Fair Work pilot is the pilot you are referring to in Coffs Harbor, and we commenced that early last year. There have been a small number of applications filed within that process. I would have to take on notice the exact details of the number of matters filed within Coffs Harbour, but we are still continuing to take those filings there. We are also doing other pilot programs with Fair Work in both Sydney and Melbourne. If you like, I can provide further details on the numbers specific to Coffs Harbour.</p>	L&C 26
005	OAIC	McKenzie	Recommendatio ns from the Joint Select Committee on Cyber-Safety's interim report <i>High-wire act: cyber-safety and the young</i>	<p>Senator McKENZIE: My questions go to government's response to the Joint Select Committee on Cyber-Safety interim report <i>High-wire act: cyber-safety and the young</i> and to the Office of the Privacy Commissioner.</p> <p>Mr Pilgrim: If you have questions on the cyber side, I think they may be best directed to the department.</p> <p>Senator McKENZIE: In the government's response out of the recommendations the Privacy Commissioner was mentioned in terms of some of the recommendations and outcomes, so I wanted to assess how you were going in working towards those.</p> <p>...</p> <p>Mr Pilgrim: Our assistant commissioner of our policy section is working with the Department of the Prime Minister and Cabinet on how we can further those particular recommendations. At this stage I do not have any particular detail on how they may look or what form those responses will be, but we are actively involved at that level in discussions with the Department of the Prime Minister and Cabinet.</p> <p>Senator McKENZIE: For the recommendations 5, 6, 7, 21 and 8, which your office is involved in, your only progress so far is discussions with PM&C?</p> <p>Mr Pilgrim: At this stage is I would say, yes, that is where we are at with it. I would like to take that on notice to get any further detail I can from the committee.</p>	L&C 26-27

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006	General SDD	McKenzie	Reforms to the Privacy Act	<p>Senator McKENZIE: ... Has the appropriate person given any consideration to the development of the code that includes a do-not-track model?</p> <p>Mr Pilgrim: We have been in discussion with the department on that and there are a number of issues that we face in terms of the ability to undertake a code. A number of those hang off the reforms of the Privacy Act itself and what powers both the Information Commissioner and I would have to develop the code. We need to consider those reforms prior to being able to give a firm response on that particular recommendation.</p> <p>Senator McKENZIE: As part of those reforms can you give us an update around the recommendation to remove the small business exemptions?</p> <p>Mr Pilgrim: Senator, I think that is the question that should be responded to properly by the department as it goes to the timeframe for the recommendations. Sorry, the Attorney-General's Department is responsible for the reforms to the Privacy Act.</p> <p>Senator McKENZIE: Thank you. I will look forward to that update in questions on notice.</p>	L&C 27
007	OAIC	Boyce	OAIC scam	<p>Senator BOYCE: I was a bit surprised, whilst looking through your website, to find a media release of 11 July 2011 from the office advising about a scam with the OAIC. Did you report that to the ASIC scams-alert system?</p> <p>Mr Pilgrim: I will have to take on notice whether we made contact with ASIC on that.</p>	L&C 28
008	AGS	Abetz	Fair Work Australia investigations into the Health Services Union	<p>Senator ABETZ: ... Is it fair to say that you were first instructed [in relation to the Health Services Union matters], on the basis of the information I have received, on 24 April 2009?</p> <p>Mr Govey: I might need to check that. I think the actual engagement was a little earlier than that, but the substantive work may well have been done on that date.</p> <p>Senator ABETZ: All right.</p>	L&C 32
009	AGS	Abetz	FOI advice to Fair Work Australia	<p>Senator ABETZ: ... When were you first engaged to advise [Fair Work Australia] in relation to matters FOI?</p> <p>Mr Govey: I do not have the answer to that question. I would have to take that one on notice.</p> <p>Senator ABETZ: If you could, please, because my office's initial request for FOI was rejected absolutely. Not a single document was revealed—a list of documents that would not be revealed was not even provided. Simply, they would not cooperate. Mr Govey, in your experience, have you ever advised another department or agency to behave in such a blocking manner in relation to a FOI request, other than possibly the Office of National Assessments, ASIO or the Defence Materiel Organisation?</p> <p>Mr Govey: Senator, I hope you will understand that I cannot really agree with the premise underlining your question. If it were put in a different way, I would have to say that I am not really in a position to talk about the generality of advice that our FOI lawyers have provided across the board.</p> <p>Senator ABETZ: Perhaps you could take that on notice. We do not have to know with which department but how often in the last 12 months they have advised a department or an agency</p>	L&C 35

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				to simply not provide anything—and I mean that: anything. Not even a list of documents that they were not prepared to provide; simply a letter responding, in effect saying, 'We aren't going to provide you with anything.'	
10	AGS	Abetz	Gambling reform proposal advice	<p>Senator ABETZ: Unless I get a second wind after asking other questions, that should dispense with the HSU matters. This question relates to the government's commitment, now broken, to Mr Wilkie in relation to poker machine reform. Was the Australian Government Solicitor asked by the government for advice in relation to this issue?</p> <p>Mr Govey: I think I can say that we have been involved in providing advice on the government's gambling reform proposals, but that is the limit of what I can say.</p> <p>Senator ABETZ: When were you first asked?</p> <p>Mr Govey: I do not have that date.</p> <p>Senator ABETZ: Can you take that on notice?</p> <p>Mr Govey: Certainly.</p>	L&C 36
11	CDPP	Brandis	People-smuggling prosecutions	<p>Senator BRANDIS: Can we go back to the earlier type of statistic—that is, the number of people before the courts [charged with people-smuggling or people-smuggling offences] for each of the years at June 2008, June 2009 and June 2010.</p> <p>Mr Craigie: I can go back to June 2009.</p> <p>...</p> <p>Senator BRANDIS: You do not have the 2008 figure?</p> <p>Mr Craigie: We do not have that figure.</p> <p>Senator BRANDIS: Can you get that for me? If it were able to be got very fast, would you mind?</p> <p>Mr Craigie: I doubt whether it could be obtained very fast, as you put it.</p> <p>Senator BRANDIS: I see. All right. You might take that on notice.</p> <p>Mr Craigie: Yes, I most certainly will.</p>	L&C 40
12	CDPP	Hanson-Young	Legal representation of people with age determination issues charged with people-smuggling offences	<p>Senator HANSON-YOUNG: Have the eight individuals who have a question mark over their age determination all seen lawyers? I imagine the four who are out on bail have seen lawyers or legal representatives. Have the remaining four?</p> <p>Mr Craigie: I am not sure, quite frankly. Ordinarily, the legal aid bodies in each of the states and territories do represent these people. In the specific instances that you ask about, I am not sure, but I can tell you that we are at pains, particularly on the bail issue, to have it known to people over whom a question mark is raised—whether they have raised it or someone else has—our position on bail.</p> <p>Senator HANSON-YOUNG: I understand that, but if four of those people have not had access to legal representation yet then I can understand perhaps why that application has not been put.</p> <p>Mr Craigie: I would be astonished, given the controversy and the interest shown by a number of bodies, let alone legal aid lawyers, were that indeed the case.</p>	L&C 44

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				<p>Senator HANSON-YOUNG: Would you be able to take that on notice then, please.</p> <p>Mr Craigie: I will take that on notice, most certainly.</p> <p>Senator HANSON-YOUNG: Would you also be able to tell me how long they have been detained?</p> <p>Mr Craigie: I can take that on notice as well.</p> <p>Senator HANSON-YOUNG: Thank you.</p>	
13	ACC	Furner	Public shootings	<p>Senator FURNER: In respect of the drive-by shootings, in particular in New South Wales, what sorts of numbers are we talking about? Are we talking in the high hundreds?</p> <p>Mr Lawler: I do have some figures around that. I understand from our discussions with New South Wales police that this is a cyclical thing. This is why I use the term 'public shootings'. Public shootings can incorporate drive-by shootings, but drive-by shootings may not necessarily capture the full gamut of that. I may need to take that specific question on notice. I understand it is under 100, but it is cyclical from jurisdiction to jurisdiction as these matters come to the fore. They are driven, might I say, principally by disputes between organised criminal groups over illicit markets, who use violence and this demonstrated exercise of force to exercise control over their market share.</p> <p>Senator FURNER: If you do not have the numbers on drive-bys, do you have numbers on public shootings?</p> <p>Mr Lawler: I do not have them immediately before me, but I am sure members of the commission who are working and watching this hearing will be able to provide those as we proceed through the hearing process.</p>	L&C 46
14	ACC	Brandis	Staff numbers devoted to people-smuggling activities	<p>Senator BRANDIS: Staying with the PBS, I am interested in exploring what resources the ACC devotes to that part of its transnational crime activities as are concerned with illegal people smuggling. Are you able to tell us how many full-time equivalent staff you have devoted to that area of your activities?</p> <p>Mr Lawler: I will endeavour to see if we have a figure, but I suspect we do not in that particular area.</p>	L&C 47
15	ACC	Brandis	National criminal intelligence priorities	<p>Senator BRANDIS: Can I take you to program 1.1—Strategic criminal intelligence services. The PBS says that the ACC's strategic criminal intelligence services include the provision of an annual assessment of national criminal intelligence priorities. Is that a public document or is it a confidential document?</p> <p>Mr Lawler: The priorities are a confidential document. They are in a document that is presented to the board of the Australian Crime Commission and approved by the commission.</p> <p>Senator BRANDIS: People smuggling isn't one of them, is it?</p> <p>Mr Lawler: I would need to take that on notice just to refresh my memory as to what the exact priorities are.</p> <p>...</p> <p>Mr Lawler: What can happen with our priorities is that they can often be bundled into a</p>	L&C 48

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				<p>theme of particular activity, including people trafficking and people smuggling which are, as you know, quite different activities. I understand that people smuggling is amongst those, but I do not know whether it is stand-alone or not. In that context I just wanted to be careful to ensure that the information I provided was accurate.</p> <p>Senator BRANDIS: That is fine. If your concern is for terminological exactness, take the question on notice.</p> <p>Mr Lawler: Thank you.</p>	
16	AFP	Furner	Drug seizure convictions	<p>Mr Colvin: ... Last financial year we seized nearly six tonnes of illegal narcotics. This year we are not tracking as high as that pro rata, but we are tracking higher in the number of actual seizures; more seizures but smaller amounts. It is cyclical and it is difficult for us to predict one year to the next whether we will have large quantities or a large number of seizures. At the moment, for this financial year, we have seized just under two tonnes of illegal narcotics and that has come from nearly 2,000 different seizures. To give you an example, for the full 2010-11 financial year we had 3,762 actual seizures, so pro rata we are ahead of that number, but we seized just over five tonnes of actual narcotics. This year we are at about two tonnes of narcotics.</p> <p>Senator FURNER: Out of those 2,000 different seizures, how many convictions have resulted?</p> <p>Mr Colvin: I would need to take that on notice. It will be some time before most of those matters from this financial year make it through the courts. I would suggest that none of those matters in this financial year, unless they offer a guilty plea and are dealt with very quickly by the courts, would have resulted in a conviction.</p>	L&C 51
17	AFP	Wright	Surveillance of environmental protest groups	<p>Senator WRIGHT: Thank you for your time today. I would like to ask you some questions today about surveillance of environmental protest groups. Does the AFP monitor the activities of environmental issues motivated groups and activists that undertake peaceful protests at coal mine sites, power stations, coal export facilities and other related sites?</p> <p>...</p> <p>Mr Negus: It is very difficult to give you an answer on that. If there is an allegation of criminal offences that would be conducted, we do conduct surveillance, and of course we do it across a wide range of different criminal activity, from the serious organised crime spectrum right through. It is not something we do routinely, but I could not give you a categorical answer. We do not really confirm who or other we may or may not be investigating or conducting surveillance on. But it is not a primary activity of what the AFP does.</p> <p>Senator WRIGHT: I am not asking you for identities. I would understand that. What I am asking about is the process by which you would make a decision. If you do that surveillance—and I understand that you are essentially saying that you do—</p> <p>Mr Negus: We would certainly consider it. If there were an allegation of a criminal offence that may be committed or something that may threaten public safety, we would certainly work</p>	L&C 52-53

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				<p>with other government agencies to make sure that we were getting across that to the best of our ability.</p> <p>Senator WRIGHT: So has that occurred in the past?</p> <p>Mr Negus: Looking at the table here, not in our knowledge. This is why I am being a bit circumspect about it, because, again, most of our activity where we deal with protest groups is very much upfront and we try to work with them to get a proper outcome which satisfies the need to protest but also protects public safety. There is no covert, underhanded nature going on, but if there were an allegation of a criminal offence, a terrorist offence or some other matter then I could not categorically say that the AFP would not conduct surveillance, because it is something that is in our remit to do.</p> <p>Senator WRIGHT: When you say 'not in your knowledge', do you mean the knowledge of the four gentlemen who are here today or do you mean generally? In that case, I guess I would ask you to take it as a question on notice.</p> <p>Mr Negus: Yes, I am looking across my deputies here. Unfortunately, the deputy commissioner who is responsible for our protection intelligence area is on leave at the moment and he is not here, but I am very confident in saying that the four of us would know about it if it were taking place, and that has not happened.</p> <p>Senator WRIGHT: In that case I will ask you to take the question on notice, because I think you can probably understand that the allegations that were raised in the article are of great concern to citizens, a lot of whom—or not a lot, but there are certainly some citizens in Australia—participate in peaceful protests, and in fact it is a tenet of our democracy that it is possible to do that. The idea that there may be some kind of surveillance occurring is obviously something that we would like to know more about if that is the case.</p> <p>Mr Negus: I understand and respect that and am happy to take that on notice.</p> <p>Senator WRIGHT: Thank you.</p>	
18	AFP	Wright	Disruption of electricity supply in Australia by environmental activists	<p>Senator WRIGHT: Thank you. Have any protests by environmental activists ever caused actual disruption to electricity supply in Australia to your knowledge?</p> <p>Mr Negus: I do not know. Of course, many of these demonstrations would be based around state and territory police responses as well as the AFP. So not to my knowledge, but again we can certainly take that on notice.</p> <p>Senator WRIGHT: Thank you; I would appreciate that. I suppose what I will ask you to take on notice—because you have not been able to give me a definitive answer about whether there has been surveillance of this kind to date—is, if indeed you are of the view that that has occurred or you come up with that information, the total cost of such monitoring and surveillance.</p> <p>Mr Negus: We will take that on notice. Again, if—and it is a big if—that has occurred, it would be very minor, because this is not something that we would do very much at all.</p> <p>Senator WRIGHT: I have heard about the extensive array of duties that you have, so that</p>	L&C 53-54

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				<p>would be interesting to know. Again I will ask you, if indeed there has been this kind of surveillance, to look at the last five years and take on notice whether or not the intensity or resourcing of those sorts of operations has increased in the last five years and, if so, by what percentage the costs have increased over the past five years, from 2007 to 2012. Could that be compared with 2002 to 2007. Thank you.</p> <p>Mr Negus: Yes.</p>	
19	AFP	Wright	Successful prosecutions of monitored environmental groups	<p>Senator WRIGHT: Are you aware of any such monitoring by NOSIC having lead to any charges being laid or prosecutions undertaken?</p> <p>Mr Negus: Given we go back 10 years with that contract, I would have to take that on notice. I am sure that over the years they have provided material to which we have value-added and it may have ended up being used in a criminal investigation. But I would have to take that on notice.</p> <p>Senator WRIGHT: I ask you to take one last matter on notice; that is, details of the number of successful prosecutions that have resulted from surveillance and/or monitoring of environmental groups specifically.</p> <p>Mr Negus: Certainly. But I will put this up front: it is sometimes difficult to make a direct link between material that was provided and then ended up two years down the track leading to a particular point. There might be many steps in between. I couch it in those terms. But we will do our best to provide you an answer on that.</p> <p>Senator WRIGHT: I appreciate that that could be challenging. Just for clarity: it is about not just about the surveillance by NOSIC but also surveillance and monitoring of environmental groups by AFP in your own right as well.</p>	L&C 55
20	AFP	Ludlam	Interception and stored communication warrants	<p>Senator LUDLAM: When you go through the earlier chapters of the annual report, there are breakouts by topic for intercepts and for stored communications warrants, whether for organised crime, drug offences, terrorist related stuff. They actually tell you for those categories of warrants and there is no such thing for the quarter of a million interception authorisations. Do you hold that data for the AFP and can you table it for us?</p> <p>Mr Phelan: I know where you are coming from. It is possible, because obviously when we go through the authorisation, there has to be put down a Commonwealth offence as to what it is for. Whether or not they are categorised in our system, I cannot tell you that, but I can take that on notice. It may be possible, but I am not quite sure whether or not we would be able to disaggregate that data for you down to the level of detail that you want.</p> <p>Senator LUDLAM: Just the degree of detail that is provided earlier in that annual report for the other kinds of warrants.</p> <p>Mr Phelan: We will take that on notice and we will do our best.</p> <p>Senator LUDLAM: Can you provide us with a blank form, or what the template is if I am an officer and I am needing some of this data? Can you show me what it is that I need to fill out—just a blank one?</p>	L&C 57

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				<p>Mr Phelan: I think we could probably provide that. That is no problem.</p> <p>Senator LUDLAM: I would greatly appreciate that.</p>	
21	AFP	Ludlam and Rhiannon	Use of Facebook accounts	<p>Senator LUDLAM: ... I have a follow-up to one of Senator Wright's questions about NOSIC and your slightly creepy consultancy with them. You talked in a bit of detail about open source reporting. Would you consider somebody setting up a fake Facebook account as open source? Do they do that kind of thing?</p> <p>Mr Negus: I would have to take that on notice. I do not have the detail about whether that would be captured or not; I just do not know.</p> <p>Senator LUDLAM: There is a difference between getting a subscription with Media Monitors and filtering that for you, googling, providing that kind of information or just doing press clippings, and effectively doing social engineering, which is arguably open source if you are of that mind—for example, setting up a Facebook account so that you can do social network mapping and then providing you with that data. I am interested to know whether they do that kind of work.</p> <p>Mr Negus: I do not believe so. It is not something that has been brought to my attention. Given that we are going to break I will endeavour to get an answer to that and we can explore that when we come back.</p> <p>Senator LUDLAM: All right.</p> <p>...</p> <p>Senator RHIANNON: ... With a number of those Facebook pages, if you become somebody's friend—if you set up an alias or you are NOSIC and join up to that person—you will get information. That was what my question was. Is NOSIC doing it as NOSIC or is NOSIC doing it as an alias?</p> <p>Mr Negus: We are trying to get some information. I think we took a similar question about the scope of that on notice from Senator Ludlam earlier.</p> <p>Mr Colvin: That is right. We basically took on notice a question about whether NOSIC create an account and go on and befriend to access a Facebook page. The point the commissioner is making, though, is that, depending on how settings are set on Facebook, you do not need to create an account to look at a Facebook page. If you Google 'Senator Rhiannon' and you have a Facebook page that is open, I do not need to come in to look at it through Facebook. It is publicly available.</p> <p>Senator RHIANNON: I understand that, but I think we all know there are also various levels you can penetrate to get information. My key question is whether it is NOSIC or an alias, and that is what I would ask you to answer.</p> <p>Mr Negus: We will take on notice whether NOSIC actually do that.</p> <p>Senator RHIANNON: Thank you. Could you take on notice or tell me now—there are a number of you here—if the AFP use aliases themselves when they are endeavouring to collect information or endeavouring to test the veracity of NOSIC's information?</p>	L&C 58, 88-89

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				Mr Negus: Specific to NOSIC I think we would just take that on notice.	
22	AFP	Hanson-Young	People-trafficking growth	<p>Senator HANSON-YOUNG: I have a quick follow-up to a question from Senator Furner about the growth of people trafficking. I am wondering if you have mapped what the percentage of growth has being in the last 12 months.</p> <p>Mr Colvin: I do not believe we have, but let me take that on notice and I think I will be able to give you an answer before we finish with the committee. I can certainly give you a sense of the referrals. For instance, for the full 2010-11 financial year we had 35 referrals, which led to 45 separate investigations. For this year to date we have 23 referrals, which have led to 16 separate investigations. Those numbers are fairly comparable, so it is not necessarily a trend that is increasing, but certainly the community has a concern about this. I think the public attention it gets has focused our attention.</p> <p>Senator HANSON-YOUNG: Okay. Thank you.</p>	L&C 58
23	AFP	Ludlam	Wikileaks	<p>Senator LUDLAM: As foreshadowed before the break, I have a few questions about WikiLeaks. First, I want to confirm some information that was provided last year. On the request of the Attorney, the AFP reported on 17 December 2010 that it did not identify any criminal offences regarding WikiLeaks publishing US cables. You made it fairly clear during our last conversation that you were not conducting an investigation, you were evaluating primary material to see whether there was sufficient material to commence an investigation over which you would have jurisdiction. Is that a reasonably accurate summary?</p> <p>Mr Negus: I do not have the dates in front of me, but I would take that as being accurate.</p> <p>Senator LUDLAM: You provided a report to the Attorney. Did the report take them through the process you undertook and your line of logic, or did you just provide advice that there was no basis on which to continue?</p> <p>Mr Negus: I will have to take that on notice. I was not involved in writing that report. Given it is some time ago, I do not have access to it in front of me.</p> <p>Senator LUDLAM: If you are going to take the shape of the report and what form it took on notice, I invite you to table it for the benefit of the committee, if that is possible.</p> <p>Mr Negus: I would have to examine the report and see whether that is appropriate, given it was correspondence to the Attorney-General about an operational matter. I will certainly take it on notice and make that assessment.</p> <p>Senator LUDLAM: That would be much appreciated. If you find that a year and a half on it could be redacted and it is appropriate to table it, that would be greatly appreciated.</p>	L&C 58-59
24	AFP	Ludlam	Wikileaks	<p>Senator LUDLAM: ... When was the first time the AFP advised the Prime Minister's office that the activities [of Wikileaks] were not or probably were not, in your view, a violation of Australian law? Was it on the 17th or was it prior to that?</p> <p>Mr Negus: Again, I would have to take that on notice.</p> <p>Senator LUDLAM: Did you provide that information, brief or dossier to anybody in an Australian government entity apart from the Prime Minister's office?</p>	L&C 59

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				<p>Mr Negus: Again, I would have to take that on notice. I am not sure if I have answered these questions before.</p> <p>Senator LUDLAM: No.</p> <p>Mr Negus: If I had, the answers have not changed in that regard.</p> <p>Senator LUDLAM: I would not have expected that they would have. You have not answered these questions before. Has the AFP, in the course of putting the brief together, received any information about Mr Assange or any WikiLeaks associate from any foreign entity?</p> <p>Mr Negus: Again, we will take that on notice.</p> <p>Senator LUDLAM: This is going faster than I thought. I would like to know whether you received any information on Mr Assange or any of his associates from any Australian or foreign government department or entity. I am trying to get a sense of the degree to which due diligence was undertaken, who was communicated with and so on. Has the AFP assessed the security threats against Mr Assange or his associates, based on threats of assassination by senior US government officials or other political and media figures in the United States?</p> <p>Mr Negus: We have not taken any action in relation to WikiLeaks since the original task force, as I mentioned. That was some time ago and, to my knowledge, we have not assessed the issues you raised.</p> <p>Senator LUDLAM: How often does informal communication occur between the AFP and US government agencies? Have such informal communications occurred in the case of this publishing organisation?</p> <p>Mr Negus: As you are aware, we have a very broad remit. Particularly in the high-tech crime space, we have almost weekly communications with the FBI and other agencies on cybercrime and those sorts of things. Transnational crime is more broadly in our scope of operations, so we talk a lot about those particular issues with international investigative agencies. In regard to Mr Assange or any perceptions you are putting forward about communication in that regard, I would have to take that on notice.</p>	
25	AFP	Ludlam	Cyber-Security	<p>Senator LUDLAM: I want to dodge back to the questions I was asking before the break because they relate to this and you might be able to help us out. Of the broad scope of work you do in this space, how much of it relates to copyright laws or data protection and piracy?</p> <p>Mr Gaughan: We would have to take that on notice. As Deputy Commissioner Phelan indicated prior to the break, we are not sure whether or not we have that information per case, but I am aware that we are trying to obtain that information now.</p> <p>Senator LUDLAM: That is great. Do you have a specific role or unit or section or expert who deals with, for example, software piracy, copyright theft and that kind of stuff?</p> <p>Mr Gaughan: No.</p> <p>Senator LUDLAM: Does that come under the rubric of high-tech crime?</p> <p>Mr Gaughan: No, it does not.</p> <p>Senator LUDLAM: So you are not offering to take that on notice. You are just telling me you</p>	L&C 60-61

Q No.	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
				<p>do not do that work.</p> <p>Mr Gaughan: It might be undertaken by the crime program but it is certainly not undertaken by high-tech crime. The crime program is Deputy Commissioner Colvin's area of responsibility.</p> <p>Senator LUDLAM: It is still within the AFP?</p> <p>Mr Negus: It is still within the AFP and those areas are covered under our general crime operations. Where they require the services of someone from the high-tech crime operations portfolio for technical assistance, they may go to Assistant Commissioner Gaughan's area for some support, but they would broadly be done by general investigators, with a background, who may do a range of different investigations across things like copyright.</p> <p>Senator LUDLAM: If we do not have the right people here, or if or if it is within another section, can I ask you to take on notice—in as much detail as you are able to provide without creating a heap of work—how much time the AFP has taken up with pursuing those sorts of infringements in that broad example of copyright breach and software piracy.</p> <p>Mr Negus: Certainly, Senator.</p> <p>Senator LUDLAM: It is much appreciated.</p>	
26	AFP	Xenophon	Allan Kessing	<p>Senator XENOPHON: ... I think the brief of evidence makes reference to the document or report that was the subject of the charges against Mr Kessing under section 70 of the Crimes Act was found in the bathroom. That was not videotaped. Is that because it was found when the camera person was somewhere outside?</p> <p>Mr Negus: We would have to take the specifics of that on notice. It is not unusual that, if it was located, it may well have been brought back to a central place. It depends on whether the person who is the occupier of the house is cooperating with the police, whether they are hostile, whether or not they are violent. I am not saying this occurred in Mr Kessing's case, but these are all considerations for the operational officers—whether you would move the person around the house or bring items to that person and then ask them questions about them.</p>	L&C 79
27	AFP	Xenophon	Allan Kessing	<p>Senator XENOPHON: I want to talk about general protocols. Mr Kessing was not actually questioned at the time [of the property search], was he?</p> <p>Mr Colvin: I have seen the transcript of the discussion at the time. I would need to check because your comment that he was not there at the start of the search warrant does not accord with my memory. So I will check that.</p>	L&C 79
28	AFP	Rhiannon	Resolution of serious complaints from the public	<p>Senator RHIANNON: Could you take on notice to provide figures to the committee [on resolution of serious complaints from the public] for this last year? You are saying that things have improved, that the data is presented in a way to make a comparison to what appears in the latest Commonwealth Ombudsman's report.</p> <p>Mr Wood: Certainly we will take that on notice. I would explain that because we have cleared a number of older matters during the period, the actual average time to resolution does go up</p>	L&C 85-86

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				for a time while we clear the old ones. What is of particular interest to me as the responsible manager in this area, is that new matters coming in are being dealt with more speedily at the same time as we address the backlog. But I will take that on notice and provide stats that can be compared from period to period.	
29	AFP	Rhiannon	Outsourcing of policing work	<p>Senator RHIANNON: Thank you very much. I would like to go back to what some of my colleagues asked you about earlier with regard to NOSIC. But firstly, I would just like to ask: what operations are outsourced by the AFP to private companies or private organisations or any other body?</p> <p>Mr Negus: We do not outsource any operations per se. Operations are the confine of police.</p> <p>Senator RHIANNON: Or any work? Anything?</p> <p>Mr Negus: It might be a long list because, as you can appreciate, we have a large IT section and a large—</p> <p>Senator RHIANNON: I think you know what I mean. To try and be clearer, I obviously do not want to know who does your printing and all those sorts of things, but where it has relevance to your primary work as police officers, what private companies, organisations or any other bodies has work been outsourced to?</p> <p>Mr Negus: We will have to take that on notice, but I can tell you that it is a very limited group.</p>	L&C 87
30	AFP	Rhiannon	NOSIC contract	<p>Senator RHIANNON: How long does the [NOSIC] contract run for?</p> <p>Mr Negus: I am not sure of that. We have had an ongoing contract, and I am not sure whether it is every year or every five years, but it is up for renegotiation very shortly, I am told.</p> <p>Senator RHIANNON: Can you take that on notice? Or is there somebody here who can supply the information?</p> <p>Mr Negus: I am told it is three years and it is being renegotiated as we speak.</p> <p>Senator RHIANNON: When you say 'renegotiated', does that mean it does not go out to tender again and is just negotiated with the company?</p> <p>Mr Negus: Senator, I will have to take that on notice. There are quite complex arrangements about the provision of this type of information and what the field would be like if you went out to tender, and some other areas to consider, so I think it is best if I take it on notice and give you a full answer.</p> <p>Senator RHIANNON: When this arrangement with NOSIC was first established in 2002, was it put out to tender then?</p> <p>Mr Negus: That predates me, so I will take that on notice and provide it as part of the answer.</p> <p>Senator RHIANNON: Is there just one contract with NOSIC?</p> <p>Mr Negus: To the best of my knowledge, yes.</p> <p>Senator RHIANNON: If that could be clarified please, take it on notice.</p>	L&C 87 and 89

Q No.	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
				<p>...</p> <p>Senator RHIANNON: Is [NOSIC] an Australian-based company?</p> <p>Mr Negus: Yes, it is.</p> <p>Senator RHIANNON: It is not a subsidiary of an overseas company.</p> <p>Mr Negus: I do not have that information in front of me. I am happy to take that on notice and provide you with whatever information we possibly can.</p> <p>...</p> <p>Senator RHIANNON: Has the contract between AFP and NOSIC been publicly released or, if not, can it be publicly released?</p> <p>Mr Negus: I will take it on notice. I think that would be commercial-in-confidence. I think we have given the costings figures to the Commonwealth in what we do, but, as to the terms of the contract, it is probably best if I take that on notice.</p> <p>Senator RHIANNON: Thank you for that. If you determine it is commercial-in-confidence, could you explain why considering you have released some information here tonight, particularly the be-relevant one, with the amount of money that is paid to them each year? If it cannot be provided to the committee, would you also take on notice why?</p> <p>Mr Negus: Yes, we will.</p>	
31	AFP	Humphries	Carbon tax fraud	<p><u>Carbon Tax</u></p> <ol style="list-style-type: none"> 1. Has the working group commissioned under the heads of law enforcement agencies regarding investigations surrounding fraud with the implementation of the carbon tax convened as indicated in the October round of Senate Estimates? If so, what level is each member of the working group and from which program areas have they been sourced? 2. What were the outcomes of the meeting between the lower levels of the AFP who were to meet in October to determine what processes, rules and terms of reference the working group would adhere to? 3. How many members may be called upon to investigate allegations of fraud with the implementation of the carbon tax? How many of these members have been assigned to investigating fraud surrounding the carbon tax? 	Written
32	AFP	Humphries	AGDRP fraud	<p><u>AGDRP Fraud</u></p> <ol style="list-style-type: none"> 1. What role does the AFP play in any allegations of fraud surrounding the 	Written

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				<p>Australian Government Disaster Recovery Payments (AGDRP)?</p> <ol style="list-style-type: none"> 2. Have any allegations of fraud been referred to the AFP since January 2011 to the current date? If so, how many? 3. How many officers are tasked with the investigation of disaster assistance claims? Were any of these allegations escalated by the AFP? 4. How many charges have been laid? 5. What communication has the AFP had with the Attorney-General's Department regarding allegations of fraud surrounding AGDRP claims? 6. What communication has the AFP had with Centrelink regarding allegations of fraud surrounding AGDRP claims? 7. Were any AFP members posted to the Centrelink taskforce investigating fraudulent claims during 2011 and 2012? If so, how many? 	
33	ACBPS	Cash	SIEV reports	<p>Senator CASH: Could I just confirm your evidence. You said, 'When you receive calls from people,' and I said to you, 'Do you mean people on the [SIEV] boat?' and you said, 'Yes,' but you said that you also meant people on land who had a sighting of them.</p> <p>Ms Grant: Senator, could I just say not a sighting. Sometimes we have had phone calls from people in other locations—one as far away as London one time—who have rung me so then it has been relayed to us through another party.</p> <p>Senator CASH: When you say, 'People from the boat,' do you mean the boats coming to Australia will actually call up and say, 'These are our coordinates'?</p> <p>Ms Grant: We have had instances where people will ring to say, 'I am on a boat. We are in trouble. We are close. Help.'</p> <p>Senator CASH: How often does that happen?</p> <p>Ms Grant: I would have to take that on notice to give you a precise answer. It comes in a bit of a pattern and then abates and then we get a little bit of a pattern of it happening again.</p>	L&C 92
34	ACBPS	Cash	Passenger processing times at airports	<p>Senator CASH: What feedback have you had from Customs and the airport corporations regarding any increases in passenger processing times?</p> <p>Mr Buckpitt: We have had representations from airports about their concerns regarding the initial announcement. They were concerned as to what it would mean for the efficiency of their airport operations. More recently, we have had representations from the Melbourne Airport</p>	L&C 100

Q No.	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
				<p>Corporation. As you will have noticed in terms of those statistics I read, Melbourne Airport is one airport where the performance is lower than others.</p> <p>Senator CASH: Can you take on notice to provide any other feedback that you may have received?</p> <p>Mr Buckpitt: Yes.</p>	
35	ACBPS	Cash	Workload growth funding	<p>Senator CASH: In the Customs annual report 2010-11, Mr Carmody states in the CEO review at page xi: ... international passenger movements projected to increase from around 28 million this year to some 40 million by 2020. In light of this statement, are Customs concerned about the funding cut from international passenger facilitation and are there any plans to increase the funding to cope with this significant increase in passenger numbers?</p> <p>Mr Carmody: If you just look at those bald numbers, there has to be more people. I do not think we can continue with our present processes in doing that. I should just point out that we do receive passenger workload increase funding.</p> <p>Senator CASH: On what basis is that?</p> <p>Mr Carmody: I do not know the exact form. It is to reflect increases in passenger numbers, so while the 77 was taken out of our base number we still each year will receive, under current policies, a passenger workload growth. That is built into the current system. On the broader point, we have our automated solution now, SmartGate. We have to start looking in that territory to what different ways we can operate into the future to meet those long-term projections.</p> <p>Mr Buckpitt: I can provide some more detail about that workload growth funding formula if you would like to have it.</p> <p>Senator CASH: I might get you to table it, purely in the interests of time, because I do have other questions I need to get through.</p>	L&C 100-101
36	ACBPS	Cash	Asylum seeker documentation	<p>Senator CASH: How many asylum seekers arrived with their identity documents in those two calendar years and to date?</p> <p>Mr Carmody: I do not know that we have that figure, but I think DIAC may be able to provide that level of information.</p> <p>Senator CASH: So that is not something that falls within your remit. Is that what you are saying?</p> <p>Mr Carmody: As far as I know, that is not material that we would file.</p> <p>Senator CASH: I will put that on notice to the department of immigration.</p> <p>Mr Carmody: If I am wrong and we have it, we will provide it on notice, but I think it is a question for DIAC.</p>	L&C 101-102
37	ACBPS	Brandis	Asylum seeker documentation	<p>Senator BRANDIS: ... My point really is this: do your procedures in which your officers are trained include, wherever possible, taking proactive steps to secure the identity documents [of</p>	L&C 102-103

Q No.	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
				<p>asylum seekers]?</p> <p>Ms Grant: Yes, Senator. The first thing we do, once we have done a boarding and secured the vessel and the people on board, is to muster the people and gather all their possessions and detain those positions. So, identity documents are immediately detained and taken from the people.</p> <p>Senator BRANDIS: Does that mean they are given a higher priority or sense of importance than other personal possessions, or that they are just treated alongside all the other goods and chattels an asylum seeker might have on their person?</p> <p>Ms Grant: I would have to clarify that with my boarding party before I could give you a definitive answer.</p> <p>...</p> <p>Senator BRANDIS: If an asylum seeker were to be caught destroying their identity documents, is that, as a matter of routine, reported to the department of immigration?</p> <p>Ms Grant: I do not know the answer to that question. I will take it on notice.</p> <p>Senator BRANDIS: Is there anyone else in the room who knows the answer to that question? Do you know, Mr Carmody? It seems a fairly central question.</p> <p>Mr Carmody: No, I do not, Senator. We will have to take it on notice.</p> <p>Senator BRANDIS: Can you also then take on notice this related question: what procedures are put in place to deal with incidents of that time, that is, the destruction of identity documents?</p> <p>Mr Carmody: Yes, Senator.</p> <p>Senator BRANDIS: Thank you. If those procedures are contained in a procedures manual or some such document, could that document be produced please?</p> <p>Mr Carmody: If it is, we can and we will.</p> <p>Senator BRANDIS: Thank you.</p>	
38	ACBPS	Brandis	Offshore people-smuggling public information campaigns	<p>Mr Pezzullo: Since 2009-10, we have run campaigns and research components to support those [offshore people-smuggling public information] campaigns variously in Indonesia, Malaysia, Sri Lanka, Pakistan and Afghanistan.</p> <p>Senator BRANDIS: You qualified yourself with the adverb 'variously'. Are the programs being run in all of those countries at the moment or only some of them? If so, which?</p> <p>Mr Pezzullo: I will have to take the specific breakdown on notice, for this purpose: in some of these countries we focused initially on building a profile of the information environment through research and then undertook modest community or village based public messaging. In other countries we have undertaken more sophisticated campaigns more akin to what you would think of as a public information campaign in a more advanced media market. Which of those methods we employed in which of those countries across which of the three financial years is a question of details that I will have to take on notice.</p> <p>Senator BRANDIS: Please do take this on notice. If you would not mind, please also take on</p>	L&C 104-105

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				<p>notice the expenditure in each country within that program in each of the years that it has been running. I surmise, by the way—correct me if I am wrong—that the largest component of expenditure would be in Indonesia.</p> <p>Mr Pezzullo: Not necessarily so. I will take it on notice, as you have requested. I say that simply because in Indonesia, learning from our experiences in relation to, say, illegal fishing public information campaigns, the more grassroots campaigning at the village level is actually cheaper. It is more effective, you spend less and you get coverage in particular ways.</p>	
39	ACBPS	Brandis	SIEV Interception	<p>Senator BRANDIS: Okay. I have one last question. You may need to take this on notice. Can you give us the figure of approximately how much on average it costs your agency for its part in the interception of an unauthorised vessel?</p> <p>Mr Carmody: We will take that on notice and provide what we can.</p> <p>Senator BRANDIS: Are you able to give me even an approximate figure, to the nearest \$100,000?</p> <p>Mr Carmody: We will look to do that. I do not have it now and it would be hazardous for me to guess.</p>	L&C 106
40	ACBPS	Kroger	Shonan Maru II	<p>Senator KROGER: I have a couple of questions in relation to the three protesters who boarded the Japanese vessel the <i>Shonan Maru II</i> on 8 January. Can you provide the exact location where the three protesters boarded that boat?</p> <p>Mr Carmody: I will get Ms Grant to help to the extent that she can.</p> <p>Ms Grant: I am sorry. I do not have the precise location or information about where the protesters boarded the Japanese vessel. Our involvement with that particular operation commenced beyond that point.</p> <p>Senator KROGER: So you cannot advise me of the actual bearings of where it was? Even, for instance, the coordinates of the <i>Sea Shepherd</i> for the position of boarding? You cannot give me any of those details?</p> <p>Ms Grant: I am sorry, I do not have those details. I do not have the coordinate information about that boarding. I am not sure whether we actually have that information within our agency. Otherwise, I can take that on notice.</p> <p>Senator KROGER: If you could take that on notice, that would be great. So, you can or cannot confirm that Australian officials have verified that the location was outside Australian waters?</p> <p>Ms Grant: I am just trying to refresh my memory. I will see if any of my colleagues have information about exactly where it was when they boarded that vessel, or whether we got that information from the vessel.</p> <p>Senator KROGER: Yes.</p> <p>Ms Grant: My colleagues have confirmed that we do not have coordinate details. We only have advice, we believe, from the Japanese vessel that it was outside Australia's territorial sea, but no coordinate information.</p>	L&C 106

Q No.	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
				<p>Senator KROGER: Please take on notice, if you do have the advice, whether you were advised of the exact location and whether three protesters boarded.</p> <p>Ms Grant: When you say the exact location, do you mean the coordinates?</p> <p>Senator KROGER: Yes, using a maritime term. Also, whether Australian officials did confirm and verify that location. I would like to know how we became aware of the exact position where they boarded and how that was confirmed or verified. Also, what was the exact location of the <i>Ocean Protector</i> on each day during this period? And what was the source of that information?</p> <p>Ms Grant: I will take all of that on notice.</p>	
41	ACBPS	Xenophon	International tag flights	<p>Senator XENOPHON: Mr Carmody, I have some general questions about a matter I have been pursuing in relation to international tag flights and issues that may relate to Customs. I am very happy for these to be taken on notice. I will reel them off in case you want to comment on any of them specifically. First, is there a legal and/or policy distinction between an international flight sector and a domestic flight sector or are they mutually exclusive? Second, are inbound international flights cleared at the first point of entry into Australia? Under what circumstances might a decision be made to clear a flight at an on-port? I do not know whether you are able to comment on that one at this stage.</p> <p>Mr Carmody: Can we take them on notice?</p> <p>Senator XENOPHON: I am happy for you to do that. Further to that, Australian designated international airlines mix international and domestic passengers on so-called tag flights that are feeder flights for the international sectors. Do Customs procedures permit the mixing of domestic passengers with uncleared international passengers? An issue that has been put to me is that on some occasion those international tag flights leave from the international terminal, so domestic passengers have to go through the immigration process with the appropriate identification, and on other occasions they do not. Foreign international airlines are not permitted to carry domestic passengers in Australia. However, an Australian designated international airline may do so. What processes are in place to manage the border protection aspects if an Australian designated international airline decides to pick up domestic passengers? Finally, are the arrangements under which you act on behalf of the Department of Immigration and Citizenship limited to entry and exit administration or do you have an investigation and enforcement role?</p> <p>Mr Carmody: We will take those on notice and get the answers to you as soon as we can.</p>	L&C 106-107
42	ACBPS	Boyce	Quarantine processes in the Torres Strait	<p>Senator BOYCE: My question is: with Papua New Guineans arriving by whatever method—but mostly it is by boat—in the Torres Strait at Saibai or Boigu who appear ill, what is going to happen now that the clinics no longer operate?</p> <p>Mr Carmody: I think that will require us to get information not only from our own people but from those involved in the clinics, so unfortunately I do not think we can help you this evening.</p>	L&C 107-108

Q No.	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
				<p>...</p> <p>Ms Grant: ... The person in charge of the small, open vessel should be required to advise that there is a communicable disease on board, but in the unique situation of the Torres Strait I think it would be best if we described whether pratique operates in the same way in the Torres Strait as it does in the rest of Australia. I would rather not give you false information now.</p> <p>...</p> <p>Senator BOYCE: Would you know if there are Quarantine agents in the Torres Strait?</p> <p>Ms Grant: I need to take that on notice, but I understand we do have colleagues there. The border is managed in the Torres Strait with the usual agencies that you see at the border on the mainland. Customs, Quarantine and Immigration were all present in the Torres Strait.</p> <p>Senator BOYCE: Could you perhaps provide on notice a copy of the memorandum of understanding or whatever it is you have for how you operate the services there, and provide me with information as to what is now going to happen with Papua New Guineans arriving in the Torres Strait who appear unwell.</p> <p>Ms Grant: We will certainly take that on notice.</p>	
43	Program 1.3 SID	Wright	Justice reinvestment	<p>Senator WRIGHT: Did the [National Justice CEOs] working group consult with Indigenous groups in the process of developing its report?</p> <p>Mr Wilkins: I am not sure about that. It was certainly composed by people who had developed a number of programs with Indigenous groups and brought to bear a lot of experience in that regard. Whether or not they were specifically consulted for his purpose, I do not know, but you will appreciate that a lot of it looks at extant programs and programs that are being developed by various states and territories.</p> <p>Senator WRIGHT: Could I ask you to take that question on notice. Also, if there was consultation undertaken, could you indicate which groups were consulted with.</p> <p>Mr Wilkins: Okay. I do not think there is a clear answer to that question; that is what I am trying to say, but we will—</p> <p>Senator WRIGHT: To the best of your ability—</p> <p>Mr Wilkins: get something back to you.</p> <p>Senator WRIGHT: Thank you.</p>	L&C 112
44	Program 1.3 SID	Wright	The government's response to the <i>Doing time— time for doing</i> report	<p>Senator WRIGHT: Thank you, yes. The government's response to the House of Representatives <i>Doing time—time for doing</i> report indicated that the [National Justice CEOs] working group's report would enable the identification of gaps in services and gaps in the necessary data to better target programs and strategies. Has the working group identified the gaps in services and data, and if so what service gaps and data gaps have been identified?</p> <p>...</p> <p>Ms Fitch: We might need to take that on notice just to check the context. There are several avenues of work going on in this area.</p> <p>Senator WRIGHT: Certainly. I am happy to do that, and that can possibly save time too.</p>	L&C 113

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				What I would then be interested in—again on notice—is: following identification of gaps in service delivery and data, has the department engaged, or will it engage, in preliminary justice mapping to identify areas of high offending? Is the department planning to undertake that work, and if so when?	
45	Program 1.3 SID	Wright	National Indigenous Law and Justice Framework	<p>Senator WRIGHT: ... Back in December 2010, the department commissioned evaluations of 20 Indigenous justice programs which are consistent with justice reinvestment approaches. These evaluations are occurring under the National Indigenous Law and Justice Framework. The former Attorney-General, Robert McClelland, indicated in his September 2011 Lionel Murphy lecture that interim evaluation reports were due to be provided to the department by the end of 2011. Has the department received these interim reports and will they be publicly released?</p> <p>Ms Fitch: The department has received interim reports in respect of the first tranche of evaluations that are occurring under the National Indigenous Law and Justice Framework. As to whether they are to be publicly released, I think it probably was not initially proposed that it be the case. I am happy to follow up whether it is possible to release those, but I do emphasise that the way the evaluations are being undertaken means necessarily that the information flowing from those interim reports is limited. The evaluations are due for completion by the end of this calendar year.</p> <p>Mr Wilkins: The other thing is because we have done it in conjunction with the states, and they are evaluations of state programs, we are bound to ask the states that question too before releasing them because we are likely to lose credibility and comity with the states if we just bung these things out. We will take that on notice.</p>	L&C 113-114
46	Program 1.3 SID	Wright	<i>Doing time – time for doing report</i>	<p>Senator WRIGHT: ... The government's response to <i>Doing time – time for doing</i> report indicated that the Australian Institute of Criminology is preparing a paper on the application of justice reinvestment in an Australian context. Do you know what the expected timeframe is for the release of that paper?</p> <p>Mr Wilkins: We will have to take that on notice.</p>	L&C 114
47	Program 1.1 ILHRD	Boyce	Incarceration of indigenous people with an intellectual or cognitive disability	<p>Senator BOYCE: In terms of data collection, are you able to tell me how many Aboriginal people are currently being detained past the conclusion of their supervision orders—people with intellectual disability or cognitive impairment.</p> <p>Ms Fitch: We will need to take that on notice.</p>	L&C 114
48	Program	Wright	Ratification and	Ratification and implementation of the Optional Protocol to the Convention Against Torture (OPCAT)	Written

Q No.	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
	1.1 ILHRD		implementation of the Optional Protocol to the Convention Against Torture (OPCAT)	<ol style="list-style-type: none"> 1. What is the timetable for Australia's ratification and implementation of OPCAT? 2. What, if any, cost-benefit analysis has the Federal Government undertaken relating to the implementation of OPCAT and preventing ill-treatment in places of detention in Australia? 3. What are the social and economic costs associated with failure to prevent torture and ill-treatment in places of detention? 4. Public submissions on a National Interest Analysis of ratification of OPCAT were received in July 2008. When will the National Interest Analysis be completed and publicly released? 5. Over the last 5 years, what is the total compensation paid by the Federal Government for unlawful or wrongful detention or for ill-treatment or injury in or as a consequence of detention? 	
49	Program 1.1 ILHRD	Wright	Consolidation of anti-discrimination laws	<p>Consolidation of anti-discrimination laws</p> <ol style="list-style-type: none"> 1. When will the exposure draft for the new consolidated anti-discrimination legislation be released for consultation? 2. What is the timetable following release of the exposure draft? 3. What further consultation, if any, will be conducted following release of the exposure draft? 	Written
50	Program 1.6 NSCDD	Humphries	DisasterWatch application	<p>Senator HUMPHRIES: I have an article here from <i>PS News</i>, which says: Minister for Emergency Management, Robert McClelland said the success of the free DisasterWatch app had resulted in fewer calls to Triple Zero for information. Were they misquoting the minister?</p> <p>Mr Sheehan: I think it is a reasonable statement on the basis that we have had 12,000 people download it and use it and that some of them would otherwise have called 000, but I cannot give you data as to how many.</p> <p>Senator HUMPHRIES: It is actually supposition. There is no evidence at this stage that that is the case.</p> <p>Mr Sheehan: To my knowledge—I will check with colleagues. In the event we have had direct feedback, we will take it on notice and provide you the direct feedback if we have that specifically about use of 000.</p> <p>Senator HUMPHRIES: That would be nice.</p>	L&C 117
51	Program 1.7 EMA	Humphries	Crisis Coordination Centre staffing	<p>Senator HUMPHRIES: ... Lastly, has the Crisis Coordination Centre here in Canberra been used in the flooding of New South Wales and Queensland this summer?</p> <p>Mr Wilkins: I might get Mr Darby to talk about that.</p> <p>Mr Darby: Yes, it has been utilised, although we have not ramped up to the level of activity that we had in previous seasons.</p>	L&C 117

Q No.	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
				<p>Senator HUMPHRIES: What is the maximum number of staff that have operated the centre during this period? Take it on notice if you want to.</p> <p>Mr Darby: I would need to take that on notice because it varies depending on what the situation is overnight and the number of planning staff we have available.</p>	
52	Program 1.7 EMA	Humphries	Crisis Coordination Centre staffing	<p><u>Crisis Coordination Centre</u></p> <ol style="list-style-type: none"> 1. What was the maximum number of operational staff in the centre from 1 January 2012 to the current date? 2. What was the capital cost for the centre's establishment? 3. What are the ongoing costs per financial year excluding staffing? 4. Will the CCC be affected by the increased efficiency dividend? If so, what areas or programs will be affected? Will CCC staffing budgets be reduced as a consequence of the increase? 5. Of the two DLOs deployed to QLD, what has been their period of deployment for this year? 6. At whose advice or direction is the CCC upgraded from a Steady State period to a Crisis State? 7. From the period of the CCC's launch in September 2010 until the current date, how many incident reports have been released? 8. Of these, how many incident reports have been released with information pertaining to the 2012 floods in QLD and NSW? 	Written
53	Program 1.2 NSRPD	Humphries	Emergency Alert & LBNS	<p><u>Emergency Alert & LBNS</u></p> <ol style="list-style-type: none"> 1. What is the cost of the contract for the 'Location Based Number Store' used by both <i>Emergency Alert</i> and <i>StateAlert</i>? 2. Are there alternative systems that function in the same manner as the LBNS? If so, what are they? 3. Has the Department considered using these alternative storage systems? Why was 	Written

Q No.	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
				<p>the LBNS system chosen over the alternative systems?</p> <ol style="list-style-type: none"> 4. What impact, if any, will the upgrade of the Emergency Alert warning system have on the use of the LBNS? 5. Will the system require upgrading? If so, what will be the costs of upgrade? 6. In regards to Emergency Alert, will there be any operational outages during the system upgrade? If so, for how long is the outage anticipated for? 7. What negotiations have taken place with telecommunication providers regarding the enhanced system upgrade? 8. How many of these telcos are still to agree to the upgraded system? Who are they? 9. What is the close of negotiation dates for the telcos? 	
54	Program 1.2 NSCDD	Humphries	DisasterWatch Application	<p><u>DisasterWatch Application</u></p> <ol style="list-style-type: none"> 1. What information can the Department provide to demonstrate that the DisasterWatch application has reduced the amount of emergency triple zero calls, other than the number of downloads? 2. What was the cost of the DisasterWatch Smartphone application? 3. What are the continued costs of operation? 4. What authoritative sources are fed to the application and how regularly is the information updated? 5. Does the application provide for emergency warnings? If not why not? 6. Will the application provide for emergency warnings in the future? 7. Does the application only reiterate information readily available on websites? 8. How many DisasterWatch application downloads were made to non-Australian smartphones or devices? 	Written

Q No.	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
				<p>9. Is the application available on any other platform besides Android and Apple? If not why not?</p> <p>10. What order of precedence are disasters given on the application?</p> <p>11. Does the application offer emergency information for regions or geolocations? If not why not?</p> <p>12. If the application closes after downloading information on a particular location and an internet connection is lost, will information already downloaded be available for reviewing without further download?</p>	
55	Family Court of Australia	Xenophon	Family consultants	<p>1. What are the minimum standards in terms of qualifications and experience for ‘family consultants’?</p> <p>2. Are there any provisions in place to ensure that any assessments done by family consultants do not cover areas outside the expertise of the consultant in question – for example, if they do not have mental health qualifications, are they prevented from making comments or assessments in relation to mental health conditions of the people they are assessing?</p> <p>3. If a family consultant made a finding they were not qualified to make – for example, diagnosing a mental illness when they were not a qualified mental health practitioner – are there any provisions requiring the Court to disregard these findings?</p> <p>4. There are examples in South Australia where a consultant, whose only experience was a certificate in social work, made some significant comments about the mental health of some parents and children, and in fact stated that someone had a Personality Disorder. This person did not have the qualifications to make this diagnosis. What would normally happen such a case?</p> <p style="padding-left: 40px;">a) In this situation, does the parent or child’s representative have any recourse against what could well be an incorrect diagnosis that could negatively affect their case?</p>	Written
56	ALRC	Siewert	Debt waiver provisions	<p>At last Estimates I was told that a report by the Law Reform Commission (incl. stakeholder responses) should be with AG from November.</p> <p>1. Has the ‘unknowing failure to comply’ waiver been included in this report?</p> <p>2. How would this operate?</p>	Written

Q No.	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
				3. What happens now?	
57	ALRC	Boyce	Management advisory committee	<p>Section 27 of the Australian Law Reform Commission Act provides for the establishment of a management advisory committee to advise the President on matters that are relevant to the proper discharge of the Commissions functions, has any such committee been formed?</p> <p>a) Who are the members? b) How are they selected? c) How many times has the committee met?</p>	Written
58	ALRC	Boyce	Premises and staffing	<p>1. Where is the ALRC located at present?</p> <p>a) Is there still a lease on the old ALRC premises? a) How much do both leases cost per month? b) How long will each lease continue for?</p> <p>2. What is the current level of staff turnover at the ALRC – has there been any survey work completed on the current levels of staff satisfaction and with what results?</p>	Written
59	CDPP	Siewert	Penalties for tax fraud	<p>For the financial years 2009-10 and 2010-11:</p> <p>1. How much of the Director of Public Prosecutions financial resources (amount and percentage) was dedicated to tax fraud? 2. What are the financial savings to Government of this expenditure? 3. How many staff working on projects related to tax fraud? 4. How many convicted for tax fraud? 5. For the financial periods 2010-11 and 2011-12 and 31 July to 31 December 2011 please provide a breakdown of the sentencing outcomes of recipients convicted [for tax fraud offences] by the CDPP by type of sentence (eg. custodial sentence,</p>	Written

Q No.	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
				<p>good behaviour bond, community service order, etc). Please provide a breakdown of the sentencing outcomes by:</p> <ul style="list-style-type: none"> i. Age ii. Gender iii. State and Territory, and iv. Indigenous/non-Indigenous background. <p>6. For all custodial sentences, detail the length of sentence and the value of the fraud involved.</p>	
60	CDPP	Siewert	Penalties for Social Security fraud	<p>For the financial years 2009-10 and 2010-11:</p> <ul style="list-style-type: none"> 1. How much of the Director of Public Prosecutions financial resources (amount and percentage) was dedicated to social security fraud? 2. What are the financial savings to Government of this expenditure? 3. How many staff working on projects related to social security fraud? 4. How many convicted for social security fraud? 5. For the financial periods 2010-11 and 2011-12 and 31 July to 31 December 2011 please provide a breakdown of the sentencing outcomes of recipients convicted [for social security fraud offences] by the CDPP by type of sentence (eg. custodial sentence, good behaviour bond, community service order, etc). Please provide a breakdown of the sentencing outcomes by: <ul style="list-style-type: none"> i. Age ii. Gender 	Written

Q No.	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
				<ul style="list-style-type: none"> iii. State and Territory, and iv. Indigenous/non-Indigenous background. <p>6. For all custodial sentences, detail the length of sentence and the value of the fraud involved.</p> <p>7. For the periods 1 July 2010 to 30 June 2011 and 1 July 2011 to 31 December 2011, how many people were successfully prosecuted by the Commonwealth Director of the Public Prosecutions for social security fraud:</p> <ul style="list-style-type: none"> i. in total; ii. by payment type; iii. by gender; iv. by age; v. by state and territory; vi. by size of debts, e.g. <\$500; \$501 - \$1,000; \$1,001-\$5,000; \$5,001-\$10,000; \$10,001-\$15,000; \$15,001-\$40,000; \$40,001-\$50,000; \$50,001- \$100,000; and over \$100,000; vii. by Aboriginal and Torres Strait Island (ATSI) status and non ATSI status; and viii. born outside of Australia (in total and listing top 5 countries of origin with numbers involved). 	
61	ASIO	Wright	Information collected by ASIO	<p>Monitoring the accuracy of information collected by ASIO and other security agencies</p> <ul style="list-style-type: none"> 1. How does ASIO monitor the accuracy of information it collects? Please be specific and detail the mechanisms and accountability procedures in place to ensure that the information ASIO collects is accurate. 2. Has the percentage of incorrect data and information increased in recent years, particularly given the amount of information on the internet and the transferring of data between different sources? If yes, please explain reasons for this increase and the safety mechanism ASIO has in place to detect incorrect information. 	Written

Q No.	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
				3. Does ASIO conduct periodic and snap audits of information it collects? If yes, how frequent are they? Are these audits conducted internally, or by external people who are independent of ASIO? Are these audits publicly reported?	
62	ASIO	Wright	Information collected by ASIO	<p>Publication of information collected by ASIO</p> <ol style="list-style-type: none"> 1. If information collected by ASIO as part of its intelligence operations is subsequently published in full or in part, how does ASIO respond? 2. Is an investigation undertaken to determine who within ASIO released such material? 3. If no investigation is undertaken on what basis is that decision made? 4. Are the details of any such investigations publicly released? If not why not? 5. If a media outlet publishes information gleaned from ASIO intelligence operations does ASIO question the journalist who covered the leaks and/or the editor of the publication or media outlet that printed or broadcast the report in order to help determine the circumstances of the leak? 6. If a member of the public ascertains that parts of their ASIO file that had been redacted in the version held by National Archives were subsequently publicly released how does ASIO respond? 7. Does ASIO investigate complaints from the public about the release of redacted material? 	Written
63	AGD Portfolio	Humphries	Staffing	<p><u>Staffing</u></p> <ol style="list-style-type: none"> 1. How many ongoing staff recruited this financial year to date? What classification 	Written

Q No.	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
				<p>are these staff?</p> <ol style="list-style-type: none"> 2. How many non ongoing positions exist or have been created this financial year to date? What classification are these staff? 3. This financial year to date, how many employees have been employed on contract and what is the average length of their employment period? 	
64	AGD Portfolio	Humphries	Staffing	<p><u>Staffing</u></p> <ol style="list-style-type: none"> 1. How many ongoing staff left in the year 2010-11? What classification were these staff? 2. How many non ongoing staff left in the year 2010-11? What classification were these staff? 	Written
65	AGD Portfolio	Humphries	Staffing	<p><u>Staffing</u></p> <ol style="list-style-type: none"> 1. Are there any plans for staff reduction? If so, please advise details ie. reduction target, how this will be achieved, services/programs to be cut etc. 2. If there are plans for staff reductions, please give the reason why these are happening. 	Written
66	AGD Portfolio	Humphries	Staffing	<p><u>Staffing</u></p> <p>Please list the SES positions have you in your department/agency in the years 2007-08, 2008-09, 2009-10, 2010-11 and financial year to date. Identify the different levels and how many are permanent positions.</p>	Written
67	AGD Portfolio	Humphries	Staffing	<p><u>Staffing</u></p> <ol style="list-style-type: none"> 1. How many graduates have been engaged this year? Where have they been placed 	Written

Q No.	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
				<p>in the department/agency? Were these empty positions or are they new positions?</p> <p>2. List what training will be provided, the name of the provider and the cost.</p>	
68	AGD Portfolio	Humphries	Education expenses	<p><u>Education expenses</u></p> <p>For this financial year to date, detail all education expenses (i.e. in house courses and tertiary studies) for each portfolio department and agency. Include what type of course, the total cost, cost per participant, how many participants and the amount of study leave granted to each participant. Also include the reason for the study.</p>	Written
69	AGD Portfolio	Humphries	Executive Coaching and Leadership Training	<p><u>Executive Coaching and Leadership Training</u></p> <p>1. In relation to executive coaching and/or other leadership training services purchased by each department/agency, please provide the following information for this financial year to date:</p> <ul style="list-style-type: none"> a) Total spending on these services b) The number of employees offered these services and their employment classification c) The number of employees who have utilised these services, their employment classification and how much study leave each employee was granted d) The names of all service providers engaged <p>2. For each service purchased from a provider listed under (4), please provide:</p> <ul style="list-style-type: none"> a) The name and nature of the service purchased b) Whether the service is one-on-one or group based c) The number of employees who received the service and their employment classification d) The total number of hours involved for all employees e) The total amount spent on the service f) A description of the fees charged (i.e. per hour, complete package) 	Written

Q No.	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
				<p>3. Where a service was provided at any location other than the department or agency's own premises, please provide:</p> <ul style="list-style-type: none"> a) The location used b) The number of employees who took part on each occasion c) The total number of hours involved for all employees who took part d) Any costs the department or agency's incurred to use the location 	
70	AGD Portfolio	Humphries	Media Training	<p><u>Media Training</u></p> <p>1. In relation to media training services purchased by each department/agency, please provide the following information for this financial year to date:</p> <ul style="list-style-type: none"> a) Total spending on these services b) The number of employees offered these services and their employment classification c) The number of employees who have utilised these services, their employment classification and how much study leave each employee was granted d) The names of all service providers engaged <p>2. For each service purchased from a provider listed under 1. d), please provide:</p> <ul style="list-style-type: none"> a) The name and nature of the service purchased b) Whether the service is one-on-one or group based c) The number of employees who received the service and their employment classification d) The total number of hours involved for all employees e) The total amount spent on the service f) A description of the fees charged (i.e. per hour, complete package) <p>3. Where a service was provided at any location other than the department or agency's own premises, please provide:</p> <ul style="list-style-type: none"> a) The location used b) The number of employees who took part on each occasion 	Written

Q No.	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
				c) The total number of hours involved for all employees who took part d) Any costs the department or agency's incurred to use the location	
71	AGD Portfolio	Humphries	Paid Parental Leave	<u>Paid Parental Leave</u> 1. Please list how many staff in each portfolio department and agency are eligible to receive payments under the Government's Paid Parental Leave scheme? 2. For this financial year to date list which department/agency is providing its employees with payments under the Government's Paid Parental Leave scheme? Please list how many staff are in receipt of these payments.	Written
72	AGD Portfolio	Humphries	Training for Portfolio Minister and Parliamentary Secretaries	<u>Training for Portfolio Minister and Parliamentary Secretaries</u> 1. For this financial year to date, how much has been spent on training for Ministers and Parliamentary Secretaries in your portfolio? Itemise each training, cost and for which Minister and/or Parliamentary Secretary the training was for. 2. For this financial year to date, how much has been spent on training for staff of Ministers and Parliamentary Secretaries in your portfolio? Itemise each training, cost and for which Minister and/or Parliamentary Secretary the training was for. 3. For this financial year to date, how much has been spent on training designed to better suit the needs of Ministers and Parliamentary Secretaries in your portfolio? Itemise each training, cost and for which Minister and/or Parliamentary Secretary the training was for, and how many employees attended and their classification.	Written
73	AGD Portfolio	Humphries	Efficiency Dividend	<u>Efficiency Dividend</u> 1. How will the efficiency dividend applied in the 2011-12 Mid-Year Economic and Fiscal Outlook be implemented in your agency/department? 2. What percentage of your budget must be cut? 3. Will any staff position be cut to meet the efficiency divided? If yes, provide details of where the positions are locate, the classification, whether the position is	Written

Q No.	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
				<p>ongoing or not.</p> <p>4. Please list where and what spending has been reduced to meet the efficiency dividend.</p>	
74	AGD Portfolio	Humphries	Efficiency Dividend	<p><u>Efficiency Dividend</u></p> <ol style="list-style-type: none"> 1. What is the effect of the efficiency dividend increase from 1.5 percent to 4 percent on the department/agency's budget bottom line during financial years 2012/13, 13/14, 14/15? 2. What percentage of the department/agency's budget is designated to staffing? 3. What is the size of the department/agency's staffing establishment? Include figures for FTE, PT, casual, contractors, and consultants. 4. What specific strategies will the department/agency adopt to ensure continued operation within budget? 5. Will or has consideration been made to reducing staffing compliment including contractors, and consultants? 	Written
75	AGD Portfolio	Humphries	Hospitality and Entertainment	<p><u>Hospitality and Entertainment</u></p> <ol style="list-style-type: none"> 1. What is the Department/Agency's hospitality spend for this financial year to date? Detail date, location, purpose and cost of all events. 2. For each Minister and Parliamentary Secretary office, please detail total hospitality spend for this financial year to date. Detail date, location, purpose and cost of each event. 3. What is the Department's entertainment spend for this financial year to date? Detail date, location, purpose and cost of all events. 4. For each Minister and Parliamentary Secretary office, please detail total entertainment spend for this financial year to date. Detail date, location, purpose and cost of each event. 	Written

Q No.	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
				<p>5. What hospitality spend is the Department/Agency's planning on spending? Detail date, location, purpose and cost of all events.</p> <p>6. For each Minister and Parliamentary Secretary office, what hospitality spend is currently being planned for? Detail date, location, purpose and cost of each event.</p> <p>7. What entertainment spend is the Department/Agency's planning on spending? Detail date, location, purpose and cost of all events.</p> <p>8. For each Minister and Parliamentary Secretary office, what entertainment spend is currently being planned for? Detail date, location, purpose and cost of each event.</p>	
76	AGD Portfolio	Humphries	Consultancies	<p><u>Consultancies</u></p> <p>1. How many consultancies were undertaken in 2007-08, 2008-09 and 2009-10?</p> <p>2. How many consultancies have been undertaken this financial year to date? Identify the name of the consultant, the subject matter of the consultancy, the duration and cost of the arrangement, and the method of procurement (ie. open tender, direct source, etc). Also include total value for all consultancies.</p> <p>3. How many consultancies are planned for this calendar year? Have these been published in your Annual Procurement Plan (APP) on the AusTender website and if not why not? In each case please identify the subject matter, duration, cost and method of procurement as above, and the name of the consultant if known.</p>	Written
77	AGD Portfolio	Humphries	Contractors	<p><u>Contractors</u></p> <p>For this financial year to date:</p> <p>1. Has the department/agency ever employed Hawker Britton in any capacity or is it considering employing Hawker Britton? If yes, provide details.</p> <p>2. Has the department/agency ever employed Shannon's Way in any capacity or is it considering employing Shannon's Way? If yes, provide details.</p>	Written

Q No.	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
				<ol style="list-style-type: none"> 3. Has the department/agency ever employed John Utting & UMR Research Group in any capacity or is it considering employing John Utting & UMR Research Group? If yes, provide details. 4. Has the department/agency ever employed McCann-Erickson in any capacity or is it considering employing McCann-Erickson? If yes, provide details. 5. Has the department/agency ever employed Cutting Edge in any capacity or is it considering employing Cutting Edge? If yes, provide details. 6. Has the department/agency ever employed Ikon Communications in any capacity or is it considering employing Ikon Communications? If yes, provide details. 7. Has the department/agency ever employed CMAX Communications in any capacity or is it considering employing CMAX Communications? If yes, provide details. 8. Has the department/agency ever employed Boston Consulting Group in any capacity or is it considering employing Boston Consulting Group? If yes, provide details. 9. Has the department/agency ever employed McKinsey & Company in any capacity or is it considering employing McKinsey & Company? If yes, provide details. 	
78	AGD Portfolio	Humphries	Contractors	<u>Contractors</u> <ol style="list-style-type: none"> 1. How many contractors are currently employed in the department/agency? 2. How many contractors have been under contract for a period of more than 2 	Written

Q No.	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
				<p>years?</p> <ol style="list-style-type: none"> 3. How many contractors have been under contract for a period of more than 5 years? 4. How many contractors have been under contract for a period of more than 10 years? 5. Does the department/agency make a habit of employing contractors to fill positions on a permanent basis? 	
79	AGD Portfolio	Humphries	Discretionary Grants	<p><u>Discretionary Grants</u></p> <ol style="list-style-type: none"> 1. Could the Department provide a list of all discretionary grants, including ad hoc and one-off grants for this financial year to date? Please provide details of the recipients, the intended use of the grants and what locations have benefited from the grants. 2. Has the Department complied with interim requirements relating to the publication of discretionary grants? 	Written
80	AGD Portfolio	Humphries	Government Payments of Accounts	<p><u>Government Payments of Accounts</u></p> <ol style="list-style-type: none"> 1. For this financial year to date, has the department/agency paid its accounts to contractors/consultants etc in accordance with Government policy in terms of time for payment (i.e.within 30 days)? If not, why not, and what has been the timeframe for payment of accounts? Please provide a breakdown, average statistics etc as appropriate to give insight into how this issue is being approached) 2. For accounts not paid within 30 days, is interest being paid on overdue amounts and if so how much has been paid by the portfolio/department agency for the current financial year and the previous financial year? 3. Where interest is being paid, what rate of interest is being paid and how is this rate determined? 	Written

Q No.	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
81	AGD Portfolio	Humphries	Legal costs	<p><u>Legal costs</u></p> <ol style="list-style-type: none"> 1. What sum did each portfolio department and agency spend on legal services for this financial year to date within the department/agency? Please provide a list of each service and costs. 2. What sum did each portfolio department and agency spend on legal services this financial year to date from the Australian Government Solicitor? Please provide a list of each service and costs. 3. What sum did each portfolio department and agency spend on legal services this financial year to date from private firms? Please provide a list of each service and costs. 4. What sum did each portfolio department and agency spend on legal services this financial year to date from other sources? Please provide a list of each service and costs. 	Written
82	AGD Portfolio	Humphries	Corporate Cars	<p><u>Corporate Cars</u></p> <ol style="list-style-type: none"> 1. How cars are owned by each department and agency in your portfolio? 2. Where is the car/s located? 3. What is the car/s used for? 4. What is the cost of each car for this financial year to date? 5. How far did each car travel this financial year to date? 	Written
83	AGD Portfolio	Humphries	Taxi Costs	<p><u>Taxi Costs</u></p> <ol style="list-style-type: none"> 1. How much did each department/agency spend on taxis in 2007-08, 2008-09, 2009-10 and 2010-11? Provide a breakdown of each business group in each 	Written

Q No.	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
				<p>department/agency.</p> <p>2. How much did each department/agency spend on taxis this financial year to date? Provide a breakdown of each business group in each department/agency.</p>	
84	AGD Portfolio	Humphries	Credit Cards	<p><u>Credit Cards</u></p> <ol style="list-style-type: none"> 1. How many staff in each department and agency have a corporate credit card? What is their classification? 2. What action is taken if the corporate credit card is misused? 3. How is corporate credit card use monitored? 4. What happens if misuse of a corporate credit card is discovered? 5. Have any instances of corporate credit card misuse have been discovered? List staff classification and what the misuse was, and the action taken. 6. What action is taken to prevent corporate credit card misuse? 	Written
85	AGD Portfolio	Humphries	Government Advertising	<p><u>Government Advertising</u></p> <ol style="list-style-type: none"> 1. What was the total cost of all advertising for 2007-08, 2008-09, 2009-10 and 2010-11? 2. For each of those years, list whether the advertising is campaign or non-campaign and details of each advertising, including the program the advertising was for, the total spend and the business that provided the advertising services. 3. Did the Department of Finance and Deregulation provide any advice about the advertising? Provide details of each advertising item. 4. Did the Advertising comply with the Guidelines on Information and Advertising 	Written

Q No.	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
				<p>Campaigns by Australian Government Departments and Agencies? Provide the details for each advertising item.</p> <p>5. Provide details for any other communications program, including details of the program, the total spend and the business that provided the communication services.</p> <p>6. What advertising – Campaign and Non-Campaign – and other communications programs is the Department/Agency undertaking, or are planning to undertake?</p>	
86	AGD Portfolio	Humphries	Media Monitoring	<p><u>Media Monitoring</u></p> <ol style="list-style-type: none"> 1. What was the total cost of media monitoring services, including press clippings, electronic media transcripts etcetera, provided to the Minister's office for 2007-08, 2008-09, 2009-10 and 2010-11? 2. What was the total cost of media monitoring services, including press clippings, electronic media transcripts etcetera, provided to the department/agency for 2007-08, 2008-09, 2009-10 and 2010-11 3. What was the total cost of media monitoring services, including press clippings, electronic media transcripts etcetera, provided to the Minister's office for this financial year to date? <ol style="list-style-type: none"> a) Which agency or agencies provided these services? b) What is the estimated budget to provide this same services for the year 2011-12? c) What has been spent providing these services this financial year to date? 4. What was the total cost of media monitoring services, including press clippings, electronic media transcripts etcetera, provided to the department/agency for this financial year to date? <ol style="list-style-type: none"> a) Which agency or agencies provided these services? b) What is the estimated budget to provide this same services for the year 2011-12? c) What has been spent providing these services this financial year to date? 	Written

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87	AGD Portfolio	Humphries	Media Subscriptions	<p><u>Media Subscriptions</u></p> <ol style="list-style-type: none"> 1. Does your department or agencies within your portfolio subscribe to pay TV (for example Foxtel)? <ol style="list-style-type: none"> a) If yes, please provide the reason why, the cost and what channels. b) What is the estimated cost for 2011-12? c) What is the cost for this financial year to date? 2. Does your department or agencies within your portfolio subscribe to newspapers? <ol style="list-style-type: none"> a) If yes, please provide the reason why, the cost and what newspapers. b) What is the estimated cost for 2011-12? c) What is the cost for this financial year to date? 3. Does your department or agencies within your portfolio subscribe to magazines? <ol style="list-style-type: none"> a) If yes, please provide the reason why, the cost and what magazines. b) What is the estimated cost for 2011-12? c) What is the cost for this financial year to date? 	Written
88	AGD Portfolio	Humphries	Freedom of Information	<p><u>Freedom of Information</u></p> <ol style="list-style-type: none"> 1. Has the Department/agency received any advice on how to respond to FOI requests? 2. What was the total cost to the department to process FOI requests for 2009-10 and 2010-11? 3. What is the total cost to the department to process FOI requests for this financial year to date? 4. How many FOI requests did the Department receive for the financial year 2009-10 and 2010-11? For each financial year, how many requests were denied and how many were granted? Did the department fail to meet the processing times outlined 	Written

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				<p>in the FOI Act for any requests? If so, how many? Do any of these requests remain outstanding?</p> <p>5. How many FOI requests has the Department received for this financial year to date? How many requests have been denied and how many have been granted? Has the department failed to meet the processing times outlined in the FOI Act for any requests? If so, how many? Do any of these requests remain outstanding?</p> <p>6. How many conclusive certificates have been issued in relation to FOI requests for this financial year to date?</p>	
89	AGD Portfolio	Humphries	Board Appointments	<p><u>Board Appointments</u></p> <ol style="list-style-type: none"> 1. List all of the boards within this portfolio, including: board title, terms of appointment, tenure of appointment and members. 2. What is the gender ratio on each board and across the portfolio? 3. Please detail any board appointments for this financial year to date. 	Written
90	AGD Portfolio	Humphries	Community Cabinet	<p><u>Community Cabinet</u></p> <ol style="list-style-type: none"> 1. What was the cost of Ministers travel and expenses for the Community Cabinet meetings held this financial year to date? 2. How many Ministerial Staff travelled with the Minister for the Community Cabinet meetings for this financial year to date? What was the total cost of this travel? 3. How many Departmental officers travelled with the Minister for the Community Cabinet meetings for this financial year to date? What was the total cost of this travel? List travel type, accommodate and any other expenses. 4. What was the total cost to the Department and the Ministers office for the 	Written

Q No.	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
				Community Cabinet meetings for this financial year to date?	
91	AGD Portfolio	Humphries	Reviews	<p><u>Reviews</u></p> <p>For this financial year to date:</p> <ol style="list-style-type: none"> 1. How many Reviews are being undertaken? 2. What reviews have concluded, and for those that are still ongoing, when will those reviews be concluded 3. Which of these reviews has been provided to Government? 4. When will the Government be responding to the respective reviews that have been completed? 5. What is the estimated cost of each of these Reviews? 6. What reviews are planned? 7. When will each of these reviews be concluded? 	Written
92	AGD Portfolio	Humphries	Social Media	<p><u>Social Media</u></p> <p>Has there been any changes to department and agency social media or protocols about staff access and usage of Youtube; online social media, such as Facebook, MySpace and Twitter; and access to online discussions forums and blogs since publication of the Australian Public Service Commission's Circular 2012/1: Revisions to the Commission's guidance on making public comment and participating online? If yes, please explain and provide copies of any advice that has been issue. If no, please explain why not.</p>	Written
93	AGD Portfolio	Humphries	Commissioned Reports	<p><u>Commissioned Reports</u></p> <ol style="list-style-type: none"> 1. How many reports were commissioned by the government in your portfolio in 2007-08, 2008-09, 2009-10 and 2010-11? 2. How many Reports have been commissioned by the Government in your portfolio this financial year to date? Please provide details of each report including date commissioned, date report handed to Government, date of public release, Terms of Reference and Committee members. <ol style="list-style-type: none"> a) How much did each report cost/or is estimated to cost? How many 	Written

Q No.	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
				<p>departmental staff were involved in each report and at what level?</p> <p>b) What is the current status of each report? When is the Government intending to respond to these reports?</p>	
94	AGD Portfolio	Humphries	Government stationery requirements	<p><u>Government stationery requirements</u></p> <p>How much was spent by each department and agency on the government (Ministers/Parliamentary Secretaries) stationery requirements in your portfolio (i.e. paper, envelopes, with compliments slips) this financial year to date?</p>	Written
95	AGD Portfolio	Humphries	Travel Costs	<p><u>Travel Costs</u></p> <ol style="list-style-type: none"> 1. For the financial year to date, please detail all travel (itemised separately,) undertaken by your portfolio Minister and Parliamentary Secretaries. Include details of what the travel was for, what cost was spent on travel (including travel type – i.e. business airfare), accommodation, security, food, beverages (alcohol listed separately), gifts, entertainment, and all other expenses. 2. For the financial year to date, please provide the same information (itemised separately) for any Minister and Parliamentary staff that accompanied the Minister and Parliamentary Secretary on their travel and include a similar breakdown of the costs incurred by or on behalf of those staff. 3. For the financial year to date, please provide the same information (itemised separately) for Departmental officers that accompanied the Minister and Parliamentary Secretary on their travel and include a similar breakdown of the costs incurred by or on behalf of those staff. 4. For the financial year to date, please detail all travel (itemised separately) undertaken by employees of each department and agency within each portfolio. Include details of what the travel was for, what cost was spent on travel (including travel type – i.e. business airfare), accommodation, security, food, beverages 	Written

Q No.	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
				<p>(alcohol listed separately), gifts, entertainment, and all other expenses.</p> <p>5. Are employees taking the most direct route when travelling? If not, please explain why.</p> <p>6. Are lounge memberships provided to any employees? If yes, what lounge memberships, to how many employees and their classification, the reason for the provision of lounge membership and the cost per employee.</p> <p>7. When SES employees travel, do any support or administrative staff (such as their Executive Assistant) travel with them? If yes, provide details of why such a staff member is needed and the costs of the support staff travel.</p>	
96	AGD Portfolio	Humphries	Provision of Equipment	<p><u>Provision of Equipment</u></p> <p>1. Does the department/agency provide their Ministers and/or Parliamentary Secretaries and/or their offices with any electronic equipment? If yes, provide details of what is provided, the cost and to who it is provided.</p> <p>2. What equipment is provided to department/agency staff? Please list what the equipment is, the cost, the classification of the staff receiving the equipment and the reason why.</p>	Written
97	AGD Portfolio	Humphries	Climate Change	<p><u>Climate Change</u></p> <p>Are there climate change sections or areas that work on climate change in your department/agency? If yes, list details.</p>	Written
98	AGD Portfolio	Humphries	Printing of Documents	<p><u>Printing of Documents</u></p> <p>Does the department/agency print any hard copies of reports/statements/papers they produce? If yes, please list how many copies, where they are delivered and the cost</p>	Written
99	Program 1.1 AJD	Boyce	Administrative	<p>1. How many inquiries/references is the Administrative Review Council currently undertaking? What are the reporting dates for these inquiries?</p>	Written

Q No.	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question
			Review Council	<ol style="list-style-type: none"> 2. Is the ARC maintaining a 'watching brief' on agency adherence to ARC report number 20 in regards of use of coercive powers? 3. Is the ARC fully resourced in terms of ARC staff and ARC members of the support staff? 4. There has been some recent media re to the Model Litigant Rules, has the ARC considered reviewing these? 	
100	General SDD	Boyce	Statutory Cause of Action for Serious Invasion of Privacy	<p>The Commonwealth Government developed an issues paper, <i>A Commonwealth Statutory Cause of Action for Serious Invasion of Privacy</i>, to inform its response to the Australian Law Reform Commission's recommendations to introduce a statutory cause of action for serious invasions of privacy (this was also post the News of the World scandal).</p> <ol style="list-style-type: none"> 1. What is the status of the Government's proposed Statutory Cause of Action for Serious Invasion of Privacy? <ol style="list-style-type: none"> a) How many submissions were made? b) Have you made contact with any of the submitters to have them elaborate on their view? c) When will a report be presented to Parliament? 2. Would it be fair to say that most submissions were against a statutory tort for invasion of privacy? 	Written
101	Program 1.1 ILHRD	Boyce	Incarceration of Aboriginal people with cognitive impairment	<p>Across Australia, many Aboriginal people with a cognitive impairment (intellectual disability or acquired brain injury) are charged with offences but because of their impairment, are found unfit to be tried or not guilty due to their impairment. This often leads to indefinite incarceration in prison despite the person not having been convicted.</p> <ol style="list-style-type: none"> 1. Would you please advise how many people are currently incarcerated in jails on 	Written

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				<p>supervision orders as a result of a finding of unfit to plead or mental impairment?</p> <ol style="list-style-type: none"> 2. How many people are currently incarcerated in psychiatric unit/institutions on supervision orders as a result of a finding of unfit to plead or mental impairment? 3. How many people are being held in jails and psychiatric units/institutions past the conclusion of their supervision order? 4. How many of these people that are currently detained and are detained past the conclusion of their orders are Aboriginal or Torres Strait islander? 5. On what basis are these people being detained past the conclusion of the supervision orders? 6. What evidence is provided to the courts that determine that this group of people under supervision orders are able to continue to be detained? 7. Who provides the evidence that enables the continued detention past the conclusion of people supervision orders? 8. Many jurisdictions provide residential treatment options that divert people away from imprisonment. What federally funded residential treatment programs are currently operating that divert people found unfit to plead / mentally impaired from jail? 9. What post release funded residential support programs exist that provide an exit option for people whose supervision orders have concluded? 10. Are there any Aboriginal and Torres Strait Islanders with a cognitive impairment in jail whose supervisions orders have concluded because there are no accommodation and treatment options available - if so what jails are they being detained in? 	
102	ALRC	McKenzie	ALRC reporting	The ALRC was due to report on 30 January 2012 and will now be reporting on 28	Written

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				<p>February 2012.</p> <ol style="list-style-type: none"> 1. What is the reason for the delay? 2. Who allowed the extension of time? 3. What additional work needs to be undertaken? 4. Has the ALRC provided a draft report to the Attorney General? 	
103	Program 1.2 NSCDD	McKenzie	Australian Emergency Management Institute training	<ol style="list-style-type: none"> 1. Local governments in Victoria have advised me that courses run by the Australian Emergency Management Institute are highly competitive and it can be difficult for regional Victorian local governments to access this training. Given the natural disasters experienced by areas of regional Victoria in recent years, are there any plans to expand access to courses for regional Victorian local governments? 2. Are there any courses planned for 2012 in regional Victoria? What, when and where will these be available? 	Written
104	General SDD	McKenzie	Joint Select Committee on Cyber-Safety Interim Report High Wire Act: Cyber-Safety and the Young	<p>The following questions relate to the Government Statement of Response – <i>Joint Select Committee on Cyber-Safety Interim Report High Wire Act: Cyber-Safety and the Young</i></p> <ol style="list-style-type: none"> 1. Is the Government considering the ALRC’s recommendation to remove the small business exemption as per recommendation 4? 2. What is the status of deliberations over the proposed amendment? 3. Has the Department undertaken any work to further recommendations 22, 23, 31 or 32? 4. The Government response to recommendations 9, 10 and 11 says that “the Government will consider this as part of the stage one response to the ALRC recommendations currently being undertaken”. What progress has been made 	Written

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				towards the stage one response to the ALRC recommendation?	
105	Program 1.2 ILHRD	Birmingham	Shonan Maru II	<ol style="list-style-type: none"> 1. Please detail all resources committed by the Attorney-General's Department, as well as known contributions from other agencies, towards the return to Australia in January 2012 of three protesters who boarded the Japanese vessel Shonan Maru No 2. 2. What was the Department's total expenditure on this exercise? 	Written
106	ACBPS	Birmingham	Shonan Maru II	<ol style="list-style-type: none"> 1. Please detail all resources committed by the Australian Customs and Border Protection Service, as well as known contributions from other agencies, towards the return to Australia in January 2012 of three protesters who boarded the Japanese vessel Shonan Maru No 2. 2. What was the Australian Customs and Border Protection Service's total expenditure on this exercise? 	Written
107	CrimTrac	McKenzie	Internet predators	Do you have a flag for internet predators? Are there plans to develop one?	Written
108	Program 1.1 CLD	Boyce	Court actions	<p>Would the department please list the court actions that have been brought against the Rudd and Gillard Governments?</p> <p>Could you please provide me with all the details, ie the grounds for the actions, how much has been claimed etc?</p> <p>How much has the government spent on those actions to date?</p>	Written

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109	Program 1.3 SID	Wright	Legal aid funding for refugee cases of judicial review	<p>Legal aid funding for refugee cases of judicial review</p> <ol style="list-style-type: none"> 1. Following the decision of the High Court in November 2010,¹ which held that offshore asylum seekers hold the right to exercise judicial review, what additional funding has been provided to Legal Aid Commissions and/or Community Legal Centres to meet the growing demand for legal representation? 2. How will the Government respond to the increasing demand for legal representation by both onshore and offshore asylum seekers seeking judicial review? 3. What is the timeline for such a response? 4. What, if any, cost benefit analysis has the Government undertaken relating to the allocation of funds to Legal Aid Commissions? <p><small>1. <i>Plaintiff M61/2010E v Commonwealth of Australia; Plaintiff M69 of 2010 v Commonwealth of Australia</i> [2010] HCA 41.</small></p>	Written
110	AFP	Cash	Alleged assault on board an asylum seeker boat.	<p>On 24 October 2011, it was reported that specialist police officers from Perth travelled to Christmas Island to investigate reports of a sexual assault on board on an asylum seeker boat that had arrived a few days earlier. Allegedly a woman on one of the three boats intercepted had told officials she was assaulted by other people while at sea. What has happened to these allegations? Have they been investigated? Has anyone been charged? Will the department be recommending to the Minister that anyone involved in this assault be refused a visa under the provisions of s.501?</p>	Written
111	Program 1.1 CLD	McKenzie	Classification of internet content	<p>Are there any guidelines or plans to produce guidelines for classifying internet content? What are they?</p>	Written

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112	AHRC	Cash	Staffing	<p>In an email from the office of the Age Discrimination Commissioner it was noted that the Personal Assistant as at November 2011 was allocated to both the Age Discrimination Commissioner and the Sex Discrimination Commissioner.</p> <p>How many other staff are allocated to both the Office of the Age Discrimination Commissioner and to the Office of the Sex Discrimination Commissioner?</p>	Written
113	ASIO	Hanson-Young	Security assessments	<ol style="list-style-type: none"> 1. Regarding the length of detention of people who have failed ASIO Assessments: 2. What is the government doing to find genuine solutions for the people to whom have been recognised as being owed protection obligations? 3. Are there people who are not applying for asylum who have been given a negative security assessment? Are they all immediately placed into immigration detention or another form of incarceration? If not, why are there different approaches? 4. Has there been a change in policy regarding the security assessments of Tamils since 2009? Do the numbers demonstrate a change since 2009? 5. How is ASIO applying their new powers to issue negative assessments under section 4(aa) of the ASIO Act? 6. How does a person challenge their negative assessment in the courts without having access to the statement of reasons for the adverse ASIO decision? 	Written
114	Program 1.1 CrJD	Hanson-Young	People smuggling	<p><u>Boat Crew</u></p> <ol style="list-style-type: none"> 1. What is the daily cost of their detention, broken down into costs pre-charge, costs post charge? How is it divided currently between the States and Cth? 2. What is the cost of running age determination hearings? 3. What is the cost of detention for boat crew (e.g. in Berrima House / state and territory prisons / immigration detention network?) 	Written

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				4. Does the Dept have any evidence that the mandatory minimum sentences have any deterrence effect?	
115	ACBPS	Hanson-Young	People smuggling communication campaigns	Spokesperson for AG has said Australia is conducting communications campaigns in Indonesia to educate Indonesian nationals about the risks of getting involved as boat crew on asylum seeker vessels – and in Additional Estimates the Dept of Immigration said that their Department has provided some funding but is not responsible or aware of the features of these communications campaigns. Please outline the details of the campaigns, where they are occurring, their cost, the message they are communicating and how they are communicating it?	Written
116	Program 1.1 ILHRD	Hanson-Young	Convention on Mirant Worker Rights	<p><u>Convention on Migrant Worker Rights</u></p> <p>Has the Australian Government decided not to ratify the Convention on Migrant Worker Rights? What is the Australian government’s current position on this?</p> <p>Has the Government undertaken any analysis of the implications of ratifying the Convention on Migrant Worker Rights for Australian domestic legislation?</p> <p>What is the status of this analysis, has it or will it be publicly released?</p>	Written