

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

**Portfolio**

**Question No. 66**

**Senator Humphries asked the following question at the hearing on 14 February 2012:**

Staffing

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.

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

Please see the following tables:

Attachment A  
SES Positions

Department/Agency	2007-08	2008-09	2009-10	2010-11	2011-12
Attorney-General's Department            *information on temporary positions prior to 2010 is unavailable	78 SESB1 = 59 SESB2 = 17 SES B3 = 2  *	77 (This figure was originally reported as 94 due to reporting on a/g SES this year)  SESB1 = 58 SESB2 = 16 SES B3 = 3  *	78  SESB1 = 60 SESB2 = 15 SES B3 = 3  *	75  SESB1 = 57 SESB2 = 14 SES B3 = 4  Including 4 temporary positions	81  SESB1 = 60 SESB2 = 17 SES B3 = 4  Including 3 temporary positions
Please see table below.  Australian Commission for Law Enforcement Integrity	2007-08 to current: Integrity Commissioner (Statutory appointment) SES Band 3 Equivalent, Permanent position with a five year limitation on occupancy by an individual	2008-09 to current: Executive Director, SES Band 1, ongoing position			
Institute of Criminology	SES Band 1 Equivalent – 2	SES Band 1 Equivalent – 2	SES Band 1 Equivalent – 2	SES Band 1 Equivalent – 2	

Department/Agency	2007-08	2008-09	2009-10	2010-11	2011-12
	<p>The AIC's SES positions are currently appointed under the Criminology Research Act. The AIC was made an FMA Act agency on 1 July 2011. As a result, the AIC will be seeking to have these positions recognised by APSC under the Public Service Act, however this process has not yet commenced.</p> <p>All positions are permanent</p>				
Federal Court	<p>3 x District Registrar – SES Band 1 – permanent positions  2 x District Registrar – SES Band 2 – permanent positions  2 x Deputy District Registrar – SES Band 1 – permanent positions  1 x Native Title &amp; e-Services Registrar – SES Band 1 – permanent position  1 x Deputy Registrar, Principal Registry – SES Band 1 – permanent position  1 x Executive Director, Corporate Services – SES Band 2 – permanent position</p> <p>All positions have existed since 2007-08 and remained in 2008-09, 2009-10, 2010 -11 and 2011-2012.</p>				
Office of the Australian Information Commissioner	<p>On 1 November 2010, the OAIC was established and the Office of the Privacy Commissioner (OPC) was integrated into the OAIC. The 2010–11 figure includes 1 x SES Band 1 from the former OPC (1 July–31 October 2011) and 3 x SES Band 1 from the OAIC (1 November 2010–30 June 2011).</p> <p>The OAIC was established on 1 November 2010. Therefore, information relating to 2007–08, 2008–09, 2009–10 financial years is not provided.</p>			3 x SES Band 1	3 x SES Band 1
Australian Crime Commission	SES Band 2 – 3 SES Band 1 - 10	SES Band 2 – 3 SES Band 1 - 8	SES Band 2 – 3 SES Band 1 - 11	SES Band 2 – 3 SES Band 1 - 11	SES Band 2 – 3 SES Band 1 – 12  *One SES Band 1 position is temporary.

<b>Department/Agency</b>	<b>2007-08</b>	<b>2008-09</b>	<b>2009-10</b>	<b>2010-11</b>	<b>2011-12</b>
Australian Customs and Border Protection Service	SES Band 1 - 43 SES Band 2 – 10 SES Band 3 – 3 56 Permanent	SES Band 1 – 44 SES Band 2 – 9 SES Band 3 – 4 57 Permanent	SES Band 1 – 44 SES Band 2 – 9 SES Band 3 - 3 56 Permanent	SES Band 1 – 43 Permanent and 1 Temporary SES Band 2 – 10 SES Band 3 - 3 56 Permanent 1 Temporary	SES Band 1 – 42 permanent and 1 temporary SES Band 2 – 11 SES Band 3 – 3 56 Permanent 1 Temporary

Department/Agency	2007-08	2008-09	2009-10	2010-11	2011-12
Australian Federal Police	SES Band 1 – 56 SES Band 2 – 13 SES Band 3 – 3 Total – 74  All SES positions are permanent.	SES Band 1 – 52 SES Band 2 – 15 SES Band 3 – 3 Total – 71  All SES positions are permanent.	SES Band 1 – 60 SES Band 2 – 16 SES Band 3 – 4 Total – 80  All SES positions are permanent.	SES Band 1 – 62 SES Band 2 – 16 SES Band 3 – 4 Total – 82  All SES positions are permanent.	SES Band 1 – 62 SES Band 2 – 16 SES Band 3 – 4 Total – 82  All SES positions are permanent.
Australian Government Solicitor	<p>AGS is a government business enterprise operating on a commercial and competitive basis in providing legal and related services to government and its agencies. AGS is not subject to the <i>Public Service Act 1999</i> and its employees are not Australian Public Service (APS) employees. AGS has a broadband classification structure which is significantly different to that for APS agencies. AGS's most senior employees are classified as either Senior Executive Lawyers (if working in a legal capacity) or Senior Executives (if working in a business support role). For the purposes of answering this question, these senior employees are referred to as 'SES equivalents'. AGS has a higher proportion of 'SES equivalent' roles than might be expected for an average APS agency due to the highly specialised nature of the legal services AGS provides to the Commonwealth.</p> <p>The number of Full Time Equivalent (FTE) 'SES equivalents' for the last 5 years is as follows:</p> <ul style="list-style-type: none"> <li>• 2007-08 (as at 30 June 2008) - 139</li> <li>• 2008-09 (as at 30 June 2009) - 136</li> <li>• 2009-10 (as at 30 June 2010) - 138</li> <li>• 2010-11 (as at 30 June 2011) - 129</li> <li>• 2011-12 (as at 29 February 2012) - 128</li> </ul> <p>There are no levels within the 'SES equivalent' group. All the SES equivalents as at 29 February 2012 were ongoing staff.</p>				
Australian Human Rights Commission	1 x SES Band 2	1 x SES Band 1 1 X SES Band 2	1 x SES Band 2 1 x SES Band 1 (not filled)	2 x SES Band 1 x SES Band 2	2 x SES Band 1 x SES Band 2

Department/Agency	2007-08	2008-09	2009-10	2010-11	2011-12
Australian Transaction Reports and Analysis Centre	SES Band 1 – 7 ongoing  SES Band 2 – 1 ongoing	SES Band 1 – 8 ongoing  SES Band 2 – 1 ongoing	SES Band 1 – 6 ongoing  SES Band 2 – 2 ongoing	SES Band 1 – 7 ongoing and 1 non-ongoing  SES Band 2 – 2 ongoing	SES Band 1 – 8 ongoing and 1 non-ongoing  SES Band 2 – 2 ongoing
National Native Title Tribunal	<p><b>All SES1</b></p> <p>2007-08            2 (1 ongoing and 1 non-ongoing)  2008-09            2 (1 ongoing and 1 non-ongoing)  2009-10            3 (1 ongoing and 2 non-ongoing)  2010-11            2 (1 ongoing and 1 non-ongoing)  Fin yr to date    2 (both ongoing roles)</p>				
Australian Law Reform Commission	4 Positions—3 Commissioners, 1 Executive Director— Nil Permanent	4 Positions—3 Commissioners, 1 Executive Director— Nil Permanent	2 Positions—1 Commissioners, 1 Executive Director— Nil Permanent	3 Positions—2 Commissioners, 1 Executive Director— 1 Permanent	3 Positions—2 Commissioners (Non-Ongoing), 1 Executive Director (Permanent)
Australian Security Intelligence Organisation	<p>In 2007-08 the number of SES positions totalled <b>57</b>. The classification of these positions were:</p> <ul style="list-style-type: none"> <li>• SES Band 1 <b>40</b> – 4 non-ongoing and 36 ongoing</li> <li>• SES Band 2 <b>14</b> – 2 non-ongoing and 12 ongoing</li> <li>• SES Band 3 <b>3</b> – all ongoing.</li> </ul>	<p>In 2008-09 the number of SES positions totalled <b>66</b>. The classification of these positions were:</p> <ul style="list-style-type: none"> <li>• SES Band 1 <b>48</b> – 3 non-ongoing and 45 ongoing</li> <li>• SES Band 2 <b>16</b> – 2 non-ongoing and 14 ongoing</li> <li>• SES Band 3 <b>2</b> – all ongoing.</li> </ul>	<p>In 2009-10 the number of SES positions totalled <b>62</b>. The classification of these positions were:</p> <ul style="list-style-type: none"> <li>• SES Band 1 <b>45</b> – 2 non-ongoing and 43 ongoing</li> <li>• SES Band 2 <b>15</b> – 1 casual, 1 non-ongoing and 14</li> </ul>	<p>In 2010-11 the number of SES positions totalled <b>73</b>. The classification of these positions were:</p> <ul style="list-style-type: none"> <li>• SES Band 1 <b>57</b> – 5 non-ongoing and 52 ongoing</li> <li>• SES Band 2 <b>14</b> – 1 casual, 1 non-ongoing and 12</li> </ul>	<p>2011-12 February YTD the number of SES positions totalled <b>71</b>. The classification of these positions were:</p> <ul style="list-style-type: none"> <li>• SES Band 1 <b>51</b> – 10 non-ongoing and 41 ongoing</li> <li>• SES Band 2 <b>18</b> – 1 casual, 4 non-ongoing and 13 ongoing</li> <li>SES Band 3 <b>2</b> – all ongoing.</li> </ul>

Department/Agency	2007-08	2008-09	2009-10	2010-11	2011-12
			ongoing • SES Band 3 2 – all ongoing.	ongoing • SES Band 3 2 – all ongoing.	
Commonwealth Director of Public Prosecutions	49 (40 x SES B1, 8 x SES B2 & 1 x SES B3)	48 (39 x SES B1, 8 x SES B2 & 1 x SES B3)	48 (37 x SES B1, 7 x SES B2 & 1 x SES B3)	47 (39 x SES B1, 7 x SES B2 & 1 x SES B3) (YTD)	
	All SES positions outlined above are permanent positions.				
CrimTrac	2007-08: 3 x SES 1	2008-09: 3 x SES 1	2009-10: 3 x SES 1	2010-11: 3 x SES 1	FYTD: 2 x SES 1
High Court of Australia	Senior Principal Registrar Court Librarian Senior Executive Deputy Registrar Marshal	Senior Principal Registrar Court Librarian Senior Executive Deputy Registrar Manager Corporate Services			4 SES positions.
	All of these positions are SES equivalent positions. None of these positions are permanent positions.				
Insolvency and Trustee Service Australia	6 (All permanent Band 1)	6 (All permanent Band 1)	6 (All permanent Band 1)	6 (All permanent Band 1)	7 (6 permanent Band 1, 1 Acting Band 1)
Office of Parliamentary Counsel	5 x SES Band 2 and 10 x SES Band 1; 14 ongoing.	4 x SES Band 2 and 10 x SES Band 1; 14 ongoing.	4 x SES Band 2 and 9 x SES Band 1; 13 ongoing.	6 x SES Band 2 and 9 x SES Band 1; 15 ongoing.	x SES Band 2 and 11 x SES Band 1; 15 ongoing.
Family Court of Australia	10 SES positions (3 SES2, 7 SES1) permanent positions	2008-09 - 9 SES positions (3 SES2, 6 SES1) permanent positions	2009-10 - 9 SES positions (3 SES2, 6 SES1) permanent positions	2010-11 - 9 SES positions (3 SES2, 6 SES1) permanent positions	2011-2012 – 9 SES positions (3 SES2, 6 SES1) permanent positions
Federal Magistrates Court of Australia		2008-09 - 1 SES1 (Substantively vacant)	2009-10 - 1 SES1 (Substantively vacant)	2010-11 - 1 SES1 (Substantively vacant)	2011-12 - 1 SES1 (Substantively vacant)
Administrative Appeals tribunal	1 SES Band 1 - Permanent	1 SES Band 1 – Permanent	1 SES Band 1 – Permanent	1 SES Band 1 – Permanent	2 SES Band 1 - Permanent