



BUDGET 2006-07

THE HON DR BRENDAN NELSON

Minister for Defence

SENATOR THE HON CHRIS ELLISON

Minister for Justice and Customs

SENATOR THE HON ERIC ABETZ

Minister for Fisheries, Forestry and Conservation

Tuesday, 9 May 2006

\$388.9m budget boost in fight against illegal foreign fishing in Australian waters

A new \$388.9 million plan to combat illegal foreign fishing in northern Australian waters, announced as part of the Howard Government's 2006-07 Federal Budget, brings the Howard Government's total commitment to fighting illegal fishing to well over half a billion dollars.

Under an integrated whole-of-government plan, the Australian Customs Service, Australian Fisheries Management Authority, Australian Quarantine and Inspection Service, Department of Agriculture, Fisheries and Forestry, Department of Defence, Department of Immigration and Multicultural Affairs, the Great Barrier Reef Marine Park Authority, Attorney-General's Department, the Australian Federal Police and Commonwealth Director of Public Prosecutions will be provided with the resources to more than double the number of illegal foreign fishing boats that are apprehended each year.

The additional resources will meet the costs associated with the apprehension, transportation, processing and accommodation of the several thousand extra fishermen likely to be detained each year. It will also fund the expansion of fishing boat management and destruction facilities, and the additional investigations and prosecutions.

As part of the new package, the Joint Offshore Protection Command (JOPC) will now assume responsibility for operational coordination and control for all enforcement responses to illegal foreign fishing.

The creation of this single command centre to undertake planning, surveillance, intelligence analysis and deployments will facilitate a coordinated, whole-of-government focus on illegal fishing in particular, and maritime security more generally.

Other new initiatives to enhance the Government's response to foreign fishing incursions include:

- **\$24.9 million** for the establishment of a rapid long-range helicopter response capability to more effectively deal with foreign vessel landings and abandoned boats over 4yrs
- **\$65.9 million** for the upgrading of the processing facility for foreign fishermen in Broome, the establishment of facilities in Gove (Nhulunbuy) and Weipa, and modifications to the facility in the Torres Strait, and the construction and operation of new boat-destruction facilities over 4yrs
capital items over
2yrs
- **\$9.6 million** over four years from 2006-07 for increased intelligence support for Australia's on-shore surveillance and interdiction capabilities, and to provide greater support to policy, intelligence and enforcement agencies engaged in fisheries compliance and maritime enforcement. over 4yrs

- **\$18.5 million** over three years from 2006-07 to enhance charting of the Torres Strait and northern Great Barrier Reef to enable Defence and Customs vessels and other enforcement agency vessels to navigate reliably in previously uncharted waters where illegal activity may occur *over 3 yrs*
- **\$2.0 million** for the establishment of a dedicated patrol/response vessel stationed in the northern waters of the Great Barrier Reef Marine Park *over 3 yrs*
- **\$14 million** to fund the use of civilian charter vessels to tow apprehended illegal foreign fishing vessels to shore, as required *Over 4 yrs*
- **\$6.9 million** to engage indigenous community groups to help monitor the bio-security risks from illegal foreign fishing vessels, with a review of the programme in 12 months *over 4 yrs*
- **\$6.3 million** for increased officer training and equipment on Customs patrol boats to address the risks associated with boardings of foreign fishing vessels, and the establishment of a project team to bring forward the replacement of the Customs fleet, and *over 4 yrs*
- **\$1.4 million** to maintain our ongoing commitment to the High Seas Task Force on Illegal, Unreported and Unregulated Fishing. *over 4 yrs*

Tonight's announcement builds on current initiatives developed in consultation with Indonesia to discourage illegal foreign fishing at its source.

Additional officers from Customs, the Australian Federal Police and the Department of Agriculture, Fisheries and Forestry will be deployed to Jakarta to work with Indonesian regulatory and enforcement agencies in addressing this problem, including a permanent Counsellor in Jakarta to provide a focus for liaison with the central government.

As part of developing a cooperative strategy with Indonesia, Australia will also fund a major public information campaign in Indonesia to build a better understanding of the problems that illegal fishing causes for both countries.

The Government will also examine toughening penalties for those convicted of illegal foreign fishing, including custodial sentences for those apprehended in Australian territorial waters.

Minister for Defence Dr Brendan Nelson said, "These initiatives are just further proof that we won't muck about in securing Australia's sovereign waters and protecting the economic interests of the Australian people."

"Apart from the unsustainable impact foreign illegal fishing is having on our fish stocks and marine life, these boats and their crews pose a range of environmental, quarantine, health and security threats to Australia," Senator Ellison said.

"The Government recognises these risks and the concerns of the fishing industry and remote coastal communities, and has developed a strategy which tackles these problems head on, both on the water and in Indonesia."

Minister for Fisheries and Conservation, Senator Eric Abetz said, "Combined with the \$167 million committed in 2005-06, this budget brings the Howard Government's extra commitment to fighting illegal fishing in Australia's northern waters to over half a billion dollars over the next four years."

Media contacts

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Media Release

SENATOR THE HON. CHRISTOPHER ELLISON

Minister for Justice and Customs
Manager of Government Business in the Senate
Senator for Western Australia

EO36/6

11 May 2006

New armed patrol vessel to join Customs fleet

Another armed patrol vessel is to join the Customs fleet in the fight against illegal foreign fishing in northern Australian waters, the Minister for Justice and Customs, Senator Chris Ellison, said today.

The 2006-07 Budget allocated over \$17 million to Customs to charter a vessel to boost Customs capability to respond to the threat posed by increased incursions into the Australian fishing zone.

"This initiative, an important part of the Howard Government's \$389 million plan to deal with illegal fishing, will provide significant support to Customs and Navy patrol boats already engaged in responding to and apprehending illegal vessels," Senator Ellison said.

He said Customs would undertake a process to identify a suitable vessel and contract arrangements.

Senator Ellison said the vessel was capable of adding considerable capacity to multi-agency operations, targeting organised illegal fishing.

"It will also be able to act as a command ship during operations," he said.

"When combined with the allocation of \$14 million to fund the use of other vessels to tow apprehended boats to an Australian port for further investigation, this new armed patrol vessel will be a major addition to Customs capability to deliver effective border protection."

Senator Ellison said the funding would enable the vessel to be chartered for 12 months commencing in January 2007.

"The vessel will have the capability to remain at sea for extended periods and operate independently in waters around Australia," Senator Ellison said.

"The vessel will be crewed by civilian mariners, in a similar arrangement to that used on board the Customs and Fisheries Southern Ocean patrol vessel, *Oceanic Viking*."

"It will also carry highly trained, armed Customs personnel who will be equipped to board, apprehend and secure any vessel operating illegally in our waters."

It is envisaged the vessel will carry similar weapons systems to those on board the *Oceanic Viking*.

Media inquiries: Duncan Bremner (02) 6277 7260 / 0409 003 084

Federal Magistrates Court of Australia

Federal Magistrates as at 25 May 2006

Chief Federal Magistrate John Pascoe	Sydney	14 July 2004
Federal Magistrate Warren Donald	Parramatta	13 June 2000
Federal Magistrate Christine Mead	Adelaide	13 June 2000
Federal Magistrate Judy Ryan	Parramatta	13 June 2000
Federal Magistrate Michael Baumann	Brisbane	19 June 2000
Federal Magistrate Jim Brewster	Canberra	19 June 2000
Federal Magistrate Norah Hartnett	Melbourne	19 June 2000
Federal Magistrate Stephen Scarlett	Sydney	19 June 2000
Federal Magistrate John Coker	Townsville	26 June 2000
Federal Magistrate Murray McInnis	Melbourne	26 June 2000
Federal Magistrate Rolf Driver	Sydney	31 July 2000
Federal Magistrate Kenneth Raphael	Sydney	31 July 2000
Federal Magistrate Stuart Roberts	Hobart/Launceston	4 December 2000
Federal Magistrate Maurice Phipps	Melbourne	18 December 2000
Federal Magistrate Jennifer Rimmer	Brisbane	5 February 2001
Federal Magistrate Michael Connolly	Melbourne	4 June 2001
Federal Magistrate John Walters	Melbourne	29 October 2001
Federal Magistrate Stewart Brown	Darwin	5 November 2001
Federal Magistrate Shenagh Barnes	Sydney	5 November 2001
Federal Magistrate Giles Coakes	Newcastle	12 January 2004
Federal Magistrate Stuart Lindsay	Adelaide	19 January 2004
Federal Magistrate Michael Jarrett	Brisbane	2 February 2004
Federal Magistrate Sylvia Emmett	Sydney	5 July 2004
Federal Magistrate Grant Riethmuller	Melbourne	19 July 2004
Federal Magistrate Michael Lloyd-Jones	Sydney	26 July 2004
Federal Magistrate Daniel O'Dwyer	Melbourne	2 August 2004
Federal Magistrate Matthew Smith	Sydney	2 August 2004
Federal Magistrate Graham Mowbray	Canberra	2 August 2004
Federal Magistrate Nick Nicholls	Sydney	23 August 2004
Federal Magistrate Robyn Sexton	Sydney	27 September 2004
Federal Magistrate Kevin Laphorn	Newcastle	29 August 2005
Federal Magistrate Keith Slack	Brisbane	12 September 2005
Federal Magistrate Louise Henderson	Parramatta	28 November 2005
Federal Magistrate Judith Housego	Sydney	16 January 2006
Federal Magistrate Kate Hughes	Melbourne	30 January 2006

COST OF FINALISING CASES

CALCULATIONS :

The calculation for the average cost of finalising cases is as follows:

<u>Net expenditure less income (excluding fines)</u>				
Cases finalised				
Net expenditure	2003-04 (000's)	2004-05 (000's)	2005-06 (Projected) (Feb 2006)	2005-06 Revised (May 2006)
Salary related				
Judicial		\$13,500		
Long leave (cessation)		\$ 984		
Notional judicial super		\$ 6,524		
Judicial support		\$ 6,487		
Registry		\$12,834		
Other overhead		<u>\$ 2,953</u>		
Total		\$43,282		
Non salary related				
Property related		\$14,925		
Notional rent (Sydney)		\$ 5,147		
Contracts / Consultants		\$ 879		
Information Technology		\$ 3,985		
Reporting / Interpreters		\$ 1,295		
Library		\$ 2,857		
Travel / Accommodation		\$ 2,954		
Depreciation		\$ 1,955		
Security		\$ 788		
Other		<u>\$ 2,060</u>		
Total		\$36,845		
Total (Table 6A.10)	\$77,506	\$80,127	\$79,445	\$75,738
Income		\$9,859		
Less Fines		<u>\$1,646</u>		
Sub Total		\$8,213	\$ 8,716	\$ 8,980
Total (Table 6A.13)	\$70,152	\$71,914	\$70,729	\$66,758
Cases finalised (Table 6A.6)	6,063	4,289	5,791	6,145
Net cost per finalised case	\$11,570	\$16,767	\$12,213	\$10,863
				ie -35%

ISSUES :

See attached table for finalisation figures

**Federal Court of Australia
CASETRACK SYSTEM**

1998-99	1999-2000	2000-01	2001-2	2002-03	2003-04
		4,528	4,846	6,017	
FILINGS BY FINANCIAL YEAR					
					2004-05
					4,500
					April 2006
					5,166
					2005-06 est
					6,199

CASES FINALISED

Action	1998-99	1999-2000	2000-01	2001-2	2002-03	2003-04
ADMINISTRATIVE LAW ACTION	74	281	228	253	248	227
ADMIRALTY AND MARITIME MATTERS	36	74	61	93	68	40
APPEALS AND RELATED ACTION	224	486	435	559	694	834
BANKRUPTCY ACTION	1,777	3,210	1,784	692	525	467
COMPETITION LAW ACTION	18	44	38	35	21	19
CONSUMER PROTECTION ACTION	160	346	310	291	271	254
CORPORATIONS ACTION	367	200	38	242	435	548
HUMAN RIGHTS ACTION	19	27	180	80	38	26
INDUSTRIAL ACTION	157	258	281	227	192	153
INTELLECTUAL PROPERTY ACTION	134	282	263	270	231	234
MIGRATION ACTION	434	918	1,297	1,528	1,499	2,766
MISCELLANEOUS ACTION	56	105	113	88	78	112
NATIVE TITLE ACTION	64	192	108	112	58	60
TAXATION ACTION	129	218	177	225	868	332
Totals as at January in Casetrack	3,649	6,641	5,313	4,695	5,226	6,072
Productivity Commission data						
					2004-05	4,289
					April 2006	5,121
					2005-06 est	6,145

Figures for 2004-05 have been reconciled between Casetrack and the Productivity Commission report.

Combined Registry

- There are 5 key aims of the Combined Registry Program:
 - Reduce confusion for clients through a single point of filing to be called the Family Law Courts Registry and the introduction of a common form.
 - Reduce the number of times clients need to attend court and ensure each event adds value and progresses the case towards a conclusion.
 - Provide earlier access to a judicial officer – generally a federal magistrate in the first instance.
 - Provide a single entry point - it has been agreed by both Courts that the FMC will ultimately provide the single entry point.
 - Provide services that make the process more timely - improve the community perceptions of the two Courts.

There are 16 separate projects that make up the Combined Registry Program - set out below.

Project	Status
Telephony	Completed
Intranet	Stage 1 completed
Internet	Stage 1 completed
Communications	
Single Casetrack	
Streaming Model	
Alignment of Registry Support	
Rules Harmonisation	
Single Application Form	
Letters	
Case Management Manual	
File Transfers	Completed
Single Hard Copy File	Completed
Signage	
Family Report Working Group	Completed
After Hours Service	Completed

ANNEXURE(S):

- Program Status Report on Work in Progress

▪ Program Status Report on Work in Progress

1. TELEPHONY

Purpose

- To improve the Family Law Courts telephone system by creating a free call 1300 number and a Family Law Courts Telephone Enquiry Centre.

Status

- National Enquiry Centre commenced operations on 3 April 2006 at Parramatta Registry.

2. INTRANET

Purpose

- To create a new Family Law Registry Intranet

Completed Work

Stage 1 infrastructure complete and site now online.

Work in Progress

- FMC design finalised
- Preparation of content has begun.
- New search engine being tested
- Establishment of a protocol to sign off on (shared) Family Law Courts content.
- New Shared Parenting legislation causing delays to sign-off and implementation of content.

Indicative completion date

- 30 June 2006

Progress against Schedule

- On schedule.

3. INTERNET

Purpose

- To create a new Family Law Courts web site.

Completed Work

- Stage 1 site now online (www.familylawcourts.gov.au)

Work in Progress

- Content being developed
- New Shared Parenting legislation causing delays to sign-off and implementation of content.

Indicative completion date

- 30 June 2006

Progress against Schedule

- On schedule.

4. COMMUNICATIONS

Purpose

- To create a more client accessible web site structure using a plain English approach
- To develop a range of shared family law publications

Completed Work

- Family Law Courts Design Style Guide – this document outlines the design elements for family law publications and correspondence.
- Family Law Courts name badges, business cards and with compliments slips issued.

Combined Registry

- Marriage, Families, Separation brochure issued in new FLC colours.
- Family Law Courts Writing Style Manual. This manual provides guidance and advice to court staff in the preparation of court publications.
- Communications Team trained in "plain English writing" approach.

Work in Progress

- Converting existing content to new format and terminology

Indicative completion date

- 30 June 2006

Progress against Schedule

- On schedule.

5. SINGLE CASETRACK

Purpose

- To enable clients to use a single file number when interacting with the courts and to enable users from FCoA and FMC to work with a single file view.

Completed Work

- Requirements Specification signed off April 30

Work in Progress

- Scheduling of resources under way
- Changes to metadata being scoped

Indicative completion date

- 31 December 2006

Progress against Schedule

- On schedule.

6. STREAMING MODEL

Purpose

- To improve the efficiency of dealing with Family Law matters by implementing a new streaming model.

Completed Work

- Transitional Streaming Model developed

Work in Progress

- Several pilots involving use of registrars to support FMs have now been approved by the Steering Committee for implementation in June 2006 at Brisbane, Melbourne, Parramatta and Canberra registries.

Indicative completion date

- Pilots to start in June 2006.

Progress against Schedule

- On schedule

7. ALIGNMENT OF REGISTRY SUPPORT TO NEW MODEL

Purpose

- To ensure that registry client services support in the form of staff, procedures and structures are aligned to the new Model. This includes mapping of all current processes and then mapping the changes brought about by the new Model.

Completed Work

- Client Services process mapping of current processes completed.

Work in Progress

- Workshop to be held in Brisbane in early May to complete assessment of changes to client services processes

Indicative completion date

- End 2006

Progress against Schedule

- On schedule

8. RULES HARMONISATION

Purpose

- To ensure a consistent approach to procedures and processes within the two sets of Rules.

Work in Progress

- FCoA/FMC Joint Rules Committee will not commence this work until July 1 2006 after changes to allow for introduction of new legislation have been completed.

Issues affecting Progress

- Impact of Shared Parental Responsibility legislation

Indicative completion date

- Not known

Progress against Schedule

- About to commence 1 July 2006.

9. SINGLE APPLICATION FORM/CONSISTENT FORMS

Purpose

- To produce a new single application form for all Family Law Registry matters.

Work in Progress

- FMC Rules Committee has been developing a new common application form. This project being treated as urgent.

Indicative completion date

- TBA

10. LETTERS

Purpose

- To standardise, where appropriate, the 200 plus letters used by registries under the Family Law Registry banner.

Completed Work

- Audit of existing letters completed
- Business owners for all letters identified

Work in Progress

- Workshop in early May to finalise this work

Indicative completion date

- 30 June 2006

Progress against Schedule

- On schedule

11. CASE MANAGEMENT (PROCEDURES) MANUAL

Purpose

- To update the Procedures Manual in line with the changes created by the Combined Registry Program and the creation of the Family Law Courts National Enquiry Centre.

Completed Work

- Infrastructure ready for current content to be uploaded

Work in Progress

- New/updated content will be added as it becomes available.
- FLIS staff will train content providers as to the new templates to be used once the design has been finalized.

Indicative completion date

Combined Registry

- 30 November 2006
- Progress against Schedule**
- Ahead of schedule

12. FILE TRANSFERS

Purpose

- To develop a nationally consistent approach for registries to handle transfers between FMC and FCoA, FCoA and FMC and between State Courts and FCoA and FMC. This includes establishing guidelines for FMs and State magistrates to transfer matters to specific events in the Family Court rather than to a Duty List.

Completed Work

- Report completed and signed off by steering committee – recommendations to be implemented.

Indicative Completion Date

- Completed.

13. SINGLE HARD COPY FILE

Purpose

- To integrate the FCoA and FMC hard copy files into one Family Law Registry file cover.

Completed Work

- Report completed - proposed new file cover to be in use from 1 January 2007.

Indicative Completion Date

- Completed.

14. SIGNAGE

Purpose

- To provide a consistent signage to identify the Family Law Registries at each location.

Completed Work

- 6 registries completed.

Work in Progress

- Remainder have either quotes requested and/or work in progress.

Indicative completion date

- 30 June 2006

Progress against Schedule

- On schedule.

15. FAMILY REPORT WORKING GROUP

Completed Work

- Report completed and signed off by FLCB. Pilot programs commenced based on report recommendations.

Indicative Completion Date

- Completed.

16. AFTER HOURS SERVICE

Completed Work

- Report completed. Registrars now provide the same level of after hours support to federal magistrates as they do for judges.

Combined Registry

Indicative Completion Date

- Completed.

NATIONAL WORKLOAD AND PERFORMANCE

- All divorces have been filed in the FMC since November 2003.
- The number of applications filed is projected to be down over the current financial year by **49%** for final orders and **50%** for interim orders - since introduction of FMC.
- Transfers between FCoA and FMC are reducing. It is projected that, during 2005-06, FCoA will transfer 1150 matters to FMC, and FMC will transfer 800 matters to FCoA (i.e. FCoA will be responsible for **59%** of files transferred between the Courts by the end of 2005/2006).
- **Mediated Agreement:** During 2004-05, **59%** of matters were resolved by mediated agreement. Similarly, during the first nine months of this FY, **60%** of matters were resolved by mediated agreement.
- **Overall Delay:** During 2004-05, 75% of Final Orders applications were disposed within **17 months** of being filed. Similarly, during the first nine months of this FY, 75% of Final Orders applications were disposed within **17 months** of being filed.
- **Time elapsed to disposition in Determination Phase:** During 2004-05, 75% of matters in the determination phase were disposed within **23 months** of being filed, compared to 21 months in 2003-04 and 21 months in 2002-03. During the first nine months of this FY, 75% of matters in the determination phase were disposed within **25 months** of being filed.
- **Interim Orders:** During 2004-05, **66%** of Interim Order applications were finalised within 3 months. During the first nine months of this FY, **67%** of Interim Order applications were finalised within 3 months.

ANNEXURES:

- *FCoA Initiating Workload*
- *Performance Indicators*

NATIONAL WORKLOAD AND PERFORMANCE OVERVIEW

Annexure A

(rounded to the nearest 100)

Financial Years	NATIONAL			ADELAIDE			BRISBANE			MELBOURNE			PARRAMATTA			SYDNEY		
	FCoA	% change from last year	% change base year	AD	% change from last year	% change base year	BR	% change from last year	% change base year	ML	% change from last year	% change base year	PA	% change from last year	% change base year	SY	% change from last year	% change base year
Divorces	99/00	48500	-1%	4300	-1%	-44%	9700	1%	0%	9300	0%	-60%	5500	-7%	-64%	7000	-1%	-53%
	00/01	22800	-53%	2400	-44%	-51%	5400	-44%	-60%	3700	-60%	-64%	2000	-64%	-64%	3300	-53%	-53%
	01/02	18700	-18%	2100	-13%	-58%	4100	-24%	-10%	3100	-10%	-67%	2400	-20%	-56%	2500	-24%	-64%
	02/03	16400	-28%	1900	-21%	-66%	3100	-43%	-14%	3200	-14%	-66%	2100	5%	-62%	2200	-33%	-69%
	03/04	2300	-86%	300	-84%	-95%	500	-84%	-81%	600	-81%	-94%	300	-86%	-95%	100	-95%	-99%
	04/05	200	-91%	0	-100%	-100%	0	-100%	-83%	100	-83%	-99%	0	-100%	-100%	0	-100%	-100%
	05/06 Proj*	100	-50%	0	0%	-100%	0	0%	-100%	0	-100%	-100%	0	0%	-100%	0	0%	-100%
Final Orders	99/00	21900	3%	2700	-2%	-19%	3500	-1%	4%	4500	4%	-4%	2500	-2%	-16%	2700	3%	4%
	00/01	19800	-10%	2700	0%	-7%	2900	-19%	-4%	4300	-4%	-24%	2100	-16%	-16%	2800	-4%	0%
	01/02	17900	-10%	2500	-7%	-24%	3000	3%	-21%	3400	-21%	-24%	2100	0%	-32%	2700	-4%	0%
	02/03	16700	-16%	2300	-15%	-30%	2600	-10%	-23%	3300	-23%	-27%	1700	-19%	-44%	2600	0%	4%
	03/04	14700	-12%	1900	-17%	-30%	3000	15%	-17%	2900	-12%	-36%	1400	-18%	-44%	2400	-14%	-11%
	04/05	11800	-20%	1300	-32%	-52%	2100	-30%	-42%	2400	-17%	-47%	1300	-7%	-48%	2300	-4%	-15%
	05/06 Proj*	11200	-5%	1400	8%	-48%	2100	0%	-13%	2100	-13%	-53%	1100	-15%	-56%	2200	-4%	-19%
Interim Orders	99/00	23600	5%	3600	4%	-6%	4100	6%	7%	5500	7%	-16%	2000	-5%	-30%	2500	7%	-4%
	00/01	19500	-17%	3400	-6%	-8%	3200	-22%	-16%	4600	-16%	-33%	1400	-30%	-25%	2400	-4%	-12%
	01/02	18200	-7%	3300	-3%	-14%	3200	0%	-22%	3700	-20%	-31%	1500	7%	-45%	2200	-8%	4%
	02/03	16800	-14%	3100	-9%	-28%	2600	-19%	-37%	3800	-17%	-42%	1100	-21%	-60%	2600	8%	4%
	03/04	14500	-14%	2600	-16%	-41%	2700	4%	-34%	3200	-16%	-42%	800	-27%	-53%	2200	-15%	-12%
	04/05	12600	-13%	2100	-19%	-42%	2400	-11%	-41%	2600	-19%	-53%	900	13%	-55%	2200	0%	-12%
	05/06 Proj*	11800	-6%	1900	-10%	-47%	2200	-8%	-46%	2400	-8%	-56%	800	-11%	-60%	2300	5%	-8%
Transfers	00/01	2500	250	205	17	92%	334	8	98%	610	65	90%	343	36	91%	8	0	100%
	01/02	2100	450	275	34	89%	644	20	97%	303	113	73%	197	87	69%	50	7	88%
	02/03	1350	650	71	27	72%	336	68	83%	227	193	54%	164	153	52%	127	20	86%
	03/04	1050	600	130	44	75%	345	84	80%	135	120	53%	78	142	35%	70	9	89%
	04/05	850	650	86	49	64%	333	80	81%	91	141	39%	43	187	19%	82	0	100%
	05/06 Proj*	1150	800	13	64	17%	363	133	73%	105	217	33%	72	109	40%	221	5	98%

* - 05/06 projections based on Jul 2005-Mar 2006 figures.
 New Rules have increased the type of matters considered as Interim File Transfers

(National rounded to the nearest 50)

NATIONAL WORKLOAD AND PERFORMANCE OVERVIEW

Annexure C

PERFORMANCE INDICATORS - DRAFT ONLY (Casetrack Data)
 against Standards in Case Management Directions
 For 2004/05 Year to Date ending 31 March 2005 & 2005/06 Year to Date ending 31 March 2006

Standards (Ch 11 - Time Standards, CMOs)	FINAL ORDERS													
	AD	ER	CA	DG	DN	HB	ML	NC	PA	SY	TV	FCA		
OVERALL TIME STANDARDS (overall clock)	04.05	05.06	04.05	05.06	04.05	05.06	04.05	05.06	04.05	05.06	04.05	05.06		
25% of Applications for Final Orders finalised	5.4	4.4	3.0	2.6	3.7	2.8	2.4	2.1	1.7	0.6	2.9	2.5		
50% of Applications for Final Orders finalised (Std 6 months)	11.8	9.4	7.4	6.3	10.5	6.6	6.6	6.2	6.0	3.9	6.6	6.0		
75% of Applications for Final Orders finalised (Std 12 months)	18.2	18.3	15.0	17.0	19.2	16.1	15.9	13.1	13.5	8.0	13.7	14.9		
90% of Applications for Final Orders finalised	26.0	25.7	23.0	26.4	30.7	26.5	21.6	23.3	16.8	10.7	23.6	26.3		
95% of Applications for Final Orders finalised (Std 18 months)	32.1	34.3	30.6	33.1	37.9	34.3	27.3	27.9	17.2	11.5	32.6	33.7		

Standards (Ch 11 - Time Standards, CMOs)	RESOLUTION													
	AD	ER	CA	DG	DN	HB	ML	NC	PA	SY	TV	FCA		
Filing to First Return Date (Std 8 - 12 weeks) - 75th Percentile	5.3	6.3	5.9	5.3	5.1	5.1	4.6	5.1	6.0	5.6	6.0	6.0		
First Return Date to Mediation (Std 4 weeks) - 75th Percentile	13.0	8.3	9.3	9.3	13.3	6.1	7.7	6.9	13.4	10.4	16.1	13.4		
First Return Date to Conciliation Conference (Std 12 weeks) - 75th Percentile	18.4	15.1	16.6	14.6	14.0	11.9	12.3	10.1	18.0	9.0	16.3	20.0		

Standards (Ch 11 - Time Standards, CMOs)	DETERMINATION													
	AD	ER	CA	DG	DN	HB	ML	NC	PA	SY	TV	FCA		
Total Notice to Pre Trial Conference (Std 14 - 16 weeks) - 75th Percentile	18.4	18.0	16.3	16.4	16.6	11.7	16.9	15.0	17.0	13.4	17.0	21.1		
Pre Trial Conference to Trial (Std 4 - 8 weeks) - 75th Percentile	8.6	15.1	15.6	14.6	8.1	10.1	5.7	13.0	8.9	3.3	5.9	18.9		
Trial Notice to Finalised (Std 18 - 24 weeks) - 75th Percentile	35.1	42.1	39.9	41.0	36.6	38.1	38.1	36.9	26.3	23.9	34.0	45.1		
Trial Notice/To Pool to Finalised (months) - 75th Percentile	12.6	18.2	10.1	16.7	18.0	16.6	15.0	15.9	7.8	5.7	14.3	15.0		
% of Final orders applications with Trial Notices* to Finalised within 6 months (Std 75%)	60	42	52	47	56	65	27	57	63	100	61	36		
Filing to finalisation when dispensed in Determination Phase (months) - 75th Percentile	22.1	23.1	20.4	24.3	24.9	23.7	21.6	21.2	16.5	9.4	25.3	25.9		

Standards (Ch 11 - Time Standards, CMOs)	MEDIATED AGREEMENTS													
	AD	ER	CA	DG	DN	HB	ML	NC	PA	SY	TV	FCA		
% of cases resolved through mediated agreement	62	56	61	57	40	52	72	78	52	61	56	78		
90th percentile of months from filing to resolution of cases resolved through mediated agreements (Std - 6 months)	18.4	17.5	12.3	9.7	13.4	10.6	16.8	15.2	6.0	7.3	16.7	16.5		
% of cases resolved through mediated agreements within 6 months (Std - 30.%)	42	61	71	79	74	91	64	66	85	90	61	69		

Standards (Ch 11 - Time Standards, CMOs)	CONSENT ORDERS													
	AD	ER	CA	DG	DN	HB	ML	NC	PA	SY	TV	FCA		
80th percentile of months from filing to finalisation of consent orders applications (Std - 1 month)	2.5	1.6	1.0	0.6	2.5	0.9	1.0	1.3	1.4	1.7	1.5	1.1		
% of consent orders applications finalised within 1 month (Std - 80%)	75	85	90	94	60	92	91	85	86	61	61	65		

Standards (Ch 11 - Time Standards, CMOs)	INTERIM APPLICATIONS													
	AD	ER	CA	DG	DN	HB	ML	NC	PA	SY	TV	FCA		
30th percentile of months from filing to determination for applications for interim orders (Std - 3 months)	7.4	7.3	7.4	7.0	8.0	11.7	9.3	8.7	13.4	6.9	7.0	6.9		
% of interim orders applications finalised within 3 months (Std - 50%)	64	63	65	69	74	64	52	59	64	65	79	74		

Note: * indicates that the figure cannot be determined. 'n/a' indicates that the data is not available due to migrated data severely affecting the validity of the figure.
 *** Since November 2003 all Divorce applications are filed with FMC. Therefore the finalisation figures for Divorces will be based on a very small number of applications and variable results can be expected. Extremely high values are as a result of 'old' applications being re-initiated for 'granted' rather than having clients re-file a divorce application.

SENATE LEGAL AND CONSTITUTIONAL COMMITTEE - ADDITIONAL ESTIMATES - MAY 2006

ADMINISTRATIVE APPEALS TRIBUNAL WORKLOAD INFORMATION

Explanatory Note

The following tables and charts provide information on the Tribunal's workload and performance in relation to the period from 1 July 2005 to 31 March 2006. Information is provided in relation to lodgements, finalisations and applications current as at 31 March 2006. Information is also provided in relation to the time taken to finalise applications and the proportion of applications finalised with and without a hearing.

Information relating to lodgements, finalisations and applications on hand is set out in Sections 1 to 4. Overall figures are set out in Section 1. Sections 2, 3 and 4 provide more detailed information relating to lodgements, finalisations and current applications in the Tribunal's major jurisdictions.

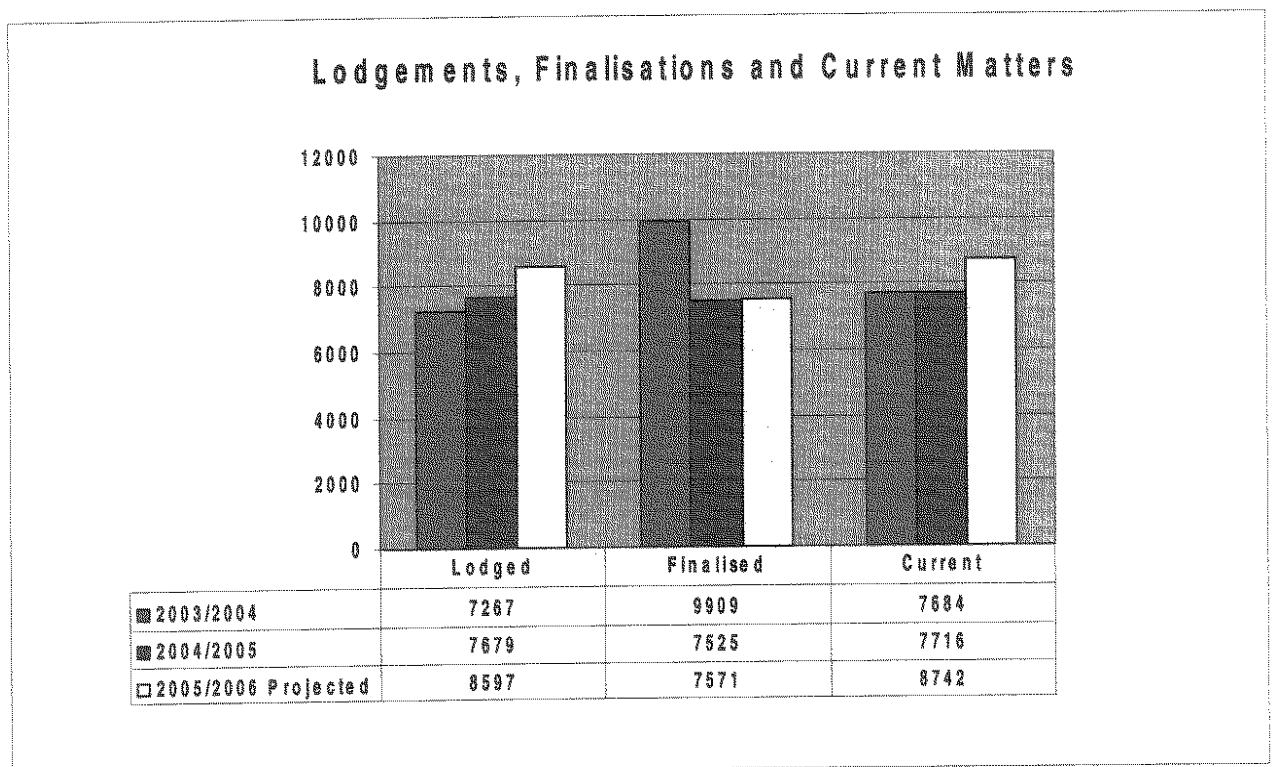
To demonstrate trends in relation to lodgements, finalisations and current applications, the Tribunal has provided information for the 2003/04 and 2004/05 financial years together with a projection for the current financial year based on actual figures for the period from 1 July 2005 to 31 March 2006.

Information relating to the time taken to finalise applications is set out in Section 5. The tables set out the percentage of applications in the Tribunal's major jurisdictions that were finalised within the Tribunal's time standards in the 2003/04 and 2004/05 financial years and in the 12 month period ending 31 December 2005.

Section 6 provides information in relation to the way in which applications have been finalised. Figures are given for the proportion of applications finalised by way of a Tribunal decision following a hearing and the proportion of applications finalised in other ways. Comparative information is provided for the 2003/04 and 2004/05 financial years and for the 12 month period ending 31 December 2005.

1. Applications lodged, finalised and current

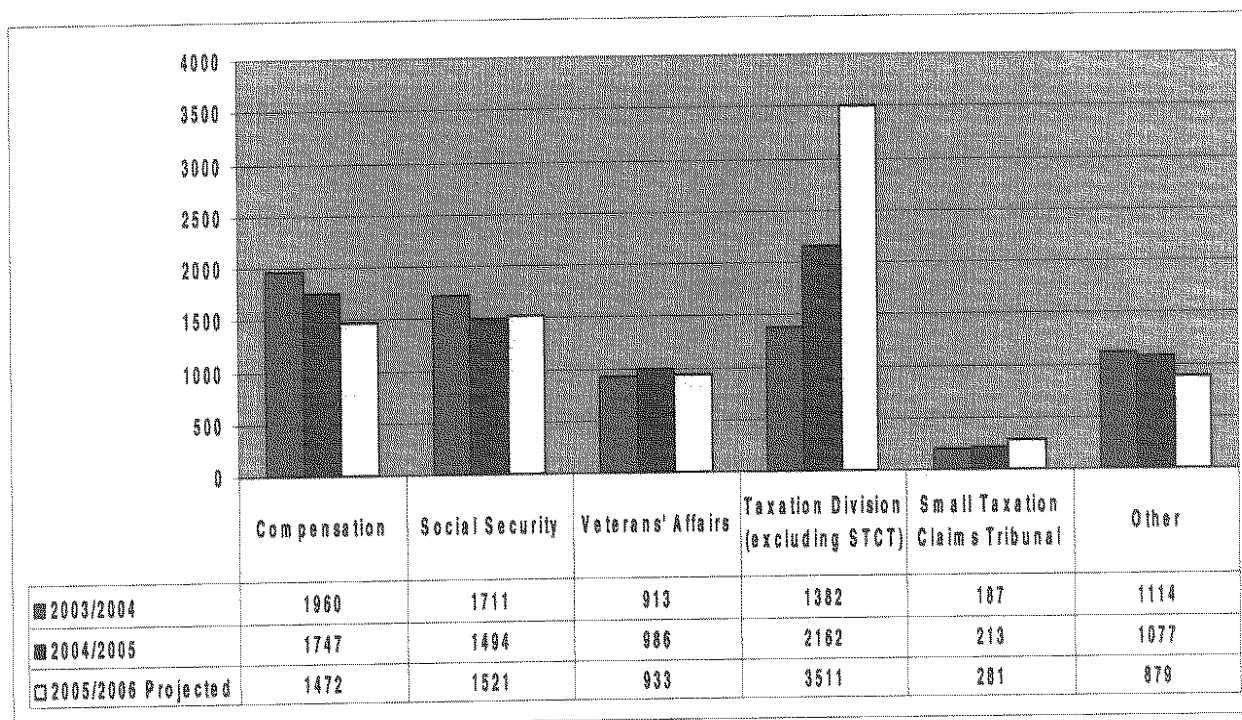
	2003/04	2004/05	% change from 2003/04 (no.)	9 months ending 31/03/06	Projection 2005/06 ¹	% change from 2004/05 (no.)
Lodged	7267	7679	+ 5.7% (412)	6448	8597	+ 12.0% (918)
Finalised	9909	7526	- 24.0% (- 2383)	5678	7571	+ 0.6% (45)
Current	7684	7716	+ 0.4% (32)	8473	8742	+ 13.3% (1026)



¹ The "Lodged and "Finalised" projections for the 2005-6 year in this document have been calculated as follows: (9 month figure/3) x 4 = projection. "Current" projection for 05/06 = ("Current" for 04/05) + ("Lodged" projection for 05/06) – ("Finalised" projection for 05/06)

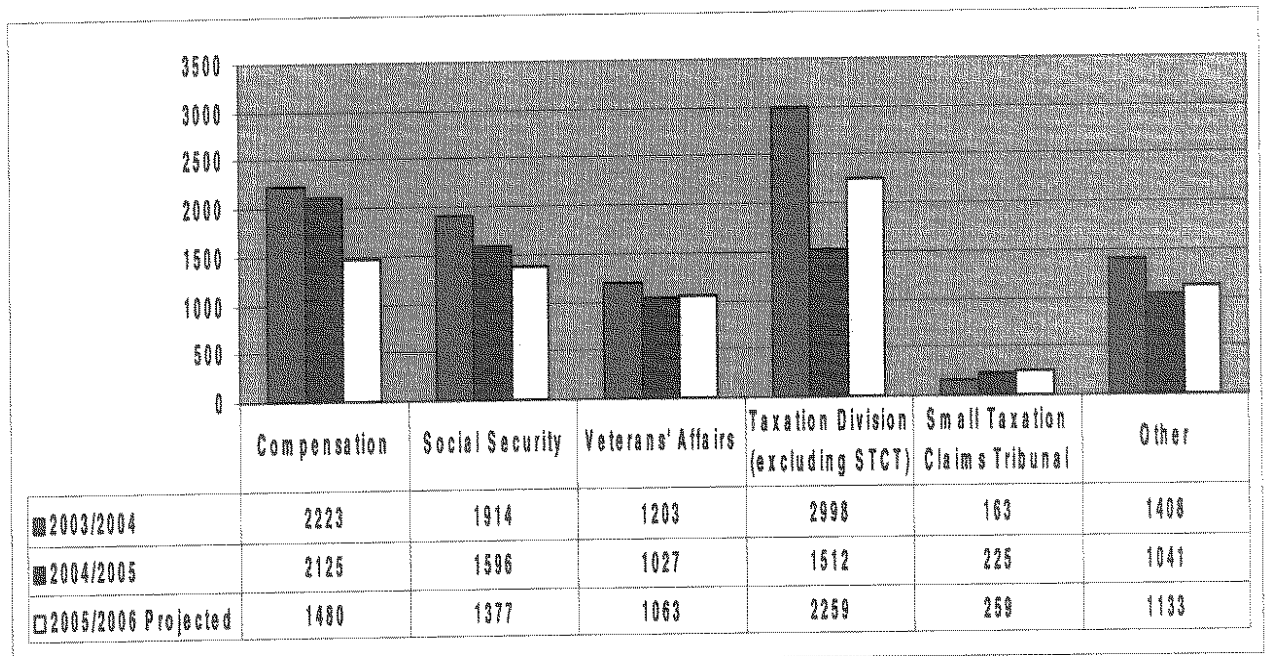
2. Lodgements by jurisdiction

Jurisdiction	2003/04	2004/05	% change from 2003/04 (no.)	9 months ending 31/03/06	Projection 2005/06	% change from 2004/05 (no.)
Compensation	1960	1747	- 10.9% (- 213)	1104	1472	- 15.7% (- 275)
Social Security	1711	1494	- 12.7% (- 217)	1141	1521	+ 1.8% (27)
Veterans' Affairs	913	986	+ 8.0% (73)	700	933	- 5.4% (- 53)
Taxation Division (excluding STCT)	1382	2162	+ 56.4% (780)	2633	3511	+ 62.4% (1349)
Small Taxation Claims Tribunal	187	213	+ 13.9% (26)	211	281	+ 31.9% (68)
Other	1114	1077	- 3.3% (37)	659	879	- 18.4% (- 198)



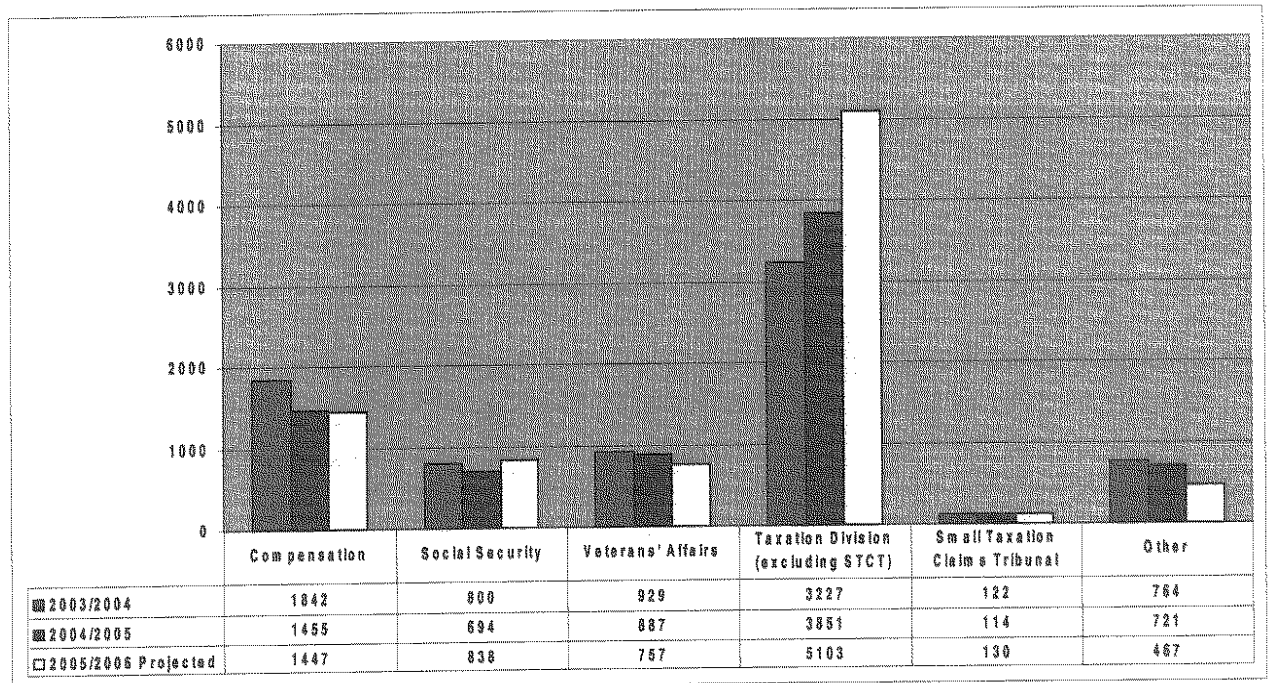
3. Finalisations by jurisdiction

Jurisdiction	2003/04	2004/05	% change from 2003/04 (no.)	9 months ending 31/03/06	Projection 2005/06	% change from 2004/05 (no.)
Compensation	2223	2125	- 4.4% (- 98)	1110	1480	- 30.4% (- 645)
Social Security	1914	1596	- 16.6% (- 318)	1033	1377	- 13.7% (- 219)
Veterans' Affairs	1203	1027	- 14.6% (- 176)	797	1063	+ 3.5% (36)
Taxation Division (excluding STCT)	2998	1512	- 49.6% (- 1486)	1694	2259	+ 49.4% (747)
Small Taxation Claims Tribunal	163	225	+ 38.0% (62)	194	259	+ 15.1% (34)
Other	1408	1041	- 26.1% (367)	850	1133	+ 8.8% (92)



4. Current by jurisdiction²

Jurisdiction	2003/04	2004/05	% change from 2003/04 (no.)	9 months ending 31/03/06	Projection 2005/06	% change from 2004/05 (no.)
Compensation	1842	1455	- 21.0% (- 387)	1438	1447	- 0.5% (- 8)
Social Security	800	694	- 13.3% (- 106)	793	838	+ 20.7% (144)
Veterans' Affairs	929	887	- 4.5% (- 42)	788	757	- 14.7% (- 130)
Taxation Division (excluding STCT)	3227	3851	+ 19.3% (624)	4795	5103	+ 32.5% (1252)
Small Taxation Claims Tribunal	122	108	- 11.5% (- 14)	131	130	+ 20.4% (22)
Other	764	721	- 5.6% (- 43)	528	467	- 35.2% (- 254)



² "Current" projection for 05/06 = ("Current" for 04/05) + ("Lodged" projection for 05/06) – ("Finalised" projection for 05/06)

5. Time standards – percentage finalised within 365 days

Jurisdiction (target % rate for finalisation within 365 days)	2003/04	2004/05	12 months ending 31/03/06	% change from 2004/05
Compensation (75% target)	62%	64%	62%	- 2%
Social Security (90% target)	90%	91%	90%	- 1%
Veterans' Affairs (80% target)	56%	59%	67%	+ 8%
Taxation Division (excluding STCT) (75% target)	13%	35%	40%	+ 5%

Time standards – STCT - percentage finalised within 84 days

	2003/04	2004/05	12 months ending 31/03/06	% change from 2004/05
Small Taxation Claims Tribunal	49%	37%	40%	+ 3%

6. Finalisations - percentages of applications finalised with and without hearing³

Type of finalisation	2003/04	2004/05	12 months ending 31/03/06	% change from 2004/05
Finalisation without a hearing	81%	78%	79%	+ 1%
By Tribunal decision after a hearing	19%	22%	21%	- 1%

³ Applications finalised without a hearing include all applications that were finalised otherwise than by a Tribunal decision following a hearing on the merits. For example, applications finalised by consent pursuant to section 34D or 42C of the AAT Act or withdrawn by the applicant under section 42A(1A) of the AAT Act are included in this category.

1 July 2005 to 12 May 2006

Compliance	
Telephone Enquiries	16 776 received (extrapolated full year figure = 19394) 8 939 calls about NPPs (53.28%)
Written Enquiries Letters, faxes and e-mail	2 018 received (extrapolated full year figure = 2332) 1 251 enquiries about NPPs (61.4%) of total written enquiries)
Complaints	1038 complaints received (extrapolated full year figure = 1200) 663 complaints about NPPs (62.43% of total complaints) [Note that the total number of complaints by jurisdiction is greater than the complaints received because some complaints involve more than one jurisdiction] 416 queued (note this figure is at 22 May 06) (NPPs = 66.6%) 1008 complaints closed (extrapolated to full year figure =1165)
Investigations under section 40(2) - Own Motion Investigations (OMIs)	74 OMIs received 53 about NPP issues (NPPs = 67.1 %) 17 open
Audits	4 audits commenced
Opted-in under Section 6EA	12 opted in
Policy	
Code Approval	4 code applications are under consideration *[includes a variation application] No new codes lodged 1 code revoked (effective date of revocation was 30 April 2006)
Determinations	5 Determinations made
Policy Advice	Approximately 135 advices* on significant policy issues have been provided *[includes letters and emails to government agencies and private sector organisations on particular matters, submissions to public consultation processes and Senate Inquiries, advice for guidance material published by the Commissioner and advice for inclusion in other reports and published documents]
CaPA	
Media	128 media interviews or requests for information issuing 10 media announcement/releases
Web site www.privacy.gov.au	5,181,984 page views (number of pages people looked at) 1,136,716 sessions (number of times the site was visited)
Network	Privacy Connections email group – membership of – 705 Privacy media email group – a membership of – 1100
Speeches	16 speeches.

1 July 2004 to 30 June 2005

Compliance	
Telephone Enquiries	21 108 received 11 571 calls about NPPs (54.8%)
Written Enquiries Letters, faxes and e-mail	2094 received 1275 enquiries about NPPs (60.8%) of total written enquiries)
Complaints	1275 complaints received 856 complaints about NPPs (67.37% of total complaints) [Not that the total number of complaints by jurisdiction is greater than the complaints received because some complaints involve more than one jurisdiction] 343 queued (NPPs = 67.63%) 1144 complaints closed
Investigations under section 40(2) - Own Motion Investigations (OMIs)	82 OMIs commenced 53 about NPP issues (NPPs = 75.6%)
Audits	4 audits commenced
Opted-in under Section 6EA	17 opted in
Policy	
Code Approval	3 codes were under consideration at 1 July 2004 No new codes lodged No codes approved or withdrawn
Policy Advice	Approximately 141 advices* on significant policy issues have been provided *[includes letters and emails to government agencies and private sector organisations on particular matters, submissions to public consultation processes and Senate Inquiries, advice for guidance material published by the Commissioner and advice for inclusion in other reports and published documents]
CaPA	
Media	234 media interviews or requests for information issuing 17 media announcement/releases
Web site www.privacy.gov.au	4,561,982 page views (number of pages people looked at) 1,072,361 sessions (number of times the site was visited)
Network	Privacy Connections email group – membership of – 1219 Privacy media email group – a membership of – 1792
Speeches	18 speeches.

1 July 2003 to 30 June 2004

Compliance	
Telephone Enquiries	20207 received 12545 calls about private sector (NPPs = 62% of total calls)
Written Enquiries Letters, faxes and e-mail	2206 received 1374 enquiries about private sector (NPPs = 62% of total written enquiries)
Complaints	1276 complaints received 857 complaints about private sector (NPPs = 67% of total complaints) 208 queued (137 NPP = 66%) 1297 complaints closed
Investigations under section 40(2) - Own Motion Investigations (OMIs)	69 OMIs commenced 56 about NPP issues (NPPs =82%)
Audits	2 audits commenced
Opted-in under Section 6EA	17 opted in
Policy	
Code Approval	3 codes were under consideration at 1 July 2004 1 new code lodged 1 code approved
Policy Advice	Approximately 176 advices on significant policy issues have been provided.
CaPA	
Media	338 media interviews or requests for information issuing 22 media statements/ releases
Web site www.privacy.gov.au	3.89 million page views (number of pages people looked at) 827,391 sessions (number of times the site was visited)
Network	Privacy Connections Network – membership of over 1660 Privacy media email group – a membership of 1642
Conference	Website www.privacyconference2003.org from 1/11/2003 to 30/06/2004 – 25,053 page views (number of pages people looked at) – 63,380 visits (number of times the site was visited) Resolutions – 4 resolutions passed at the Conference (most of any Conference) Attendance – Over 400 delegates, speakers and media attended the Conference

1 July 2002 to 30 June 2003

Compliance	
Telephone Enquiries	21,290 calls 14,517 calls about private sector/ NPPs (68% of total calls)
Written Enquiries Letters, faxes and e-mail	2,382 received 1662 NPPs = 70%
Complaints	1090 complaints received 741 NPP = 68% Currently 247 queued (159 NPP = 64%) 995 complaints closed
Own Motion Investigations (OMIs)	30 OMIs commenced 20 about NPP issues
Opted-in under Section 6EA	41 opted in
Policy	
Code Approval	4 codes were under consideration at 1 July 2002 (carried over from previous year) 1 new code lodged 1 code approved 1 code withdrawn
Policy Advice	Approximately 200 advices on significant policy issues have been provided.
CaPA	
The Office has brought the issue of privacy to over 7m Australians this financial year through:	
Media	365 media questions/interviews issuing 33 media statements/ releases
Web site Privacy.gov.au	high levels of web usage with 3.2 million page views (number of pages people looked at) 681,645 sessions (number of times the site was visited)
Network	Privacy Connections Network - membership of over 1800
Publications	disseminating over : 5,000 copies of the general privacy brochure; 25,000 sets of the three small business publications to over 300 information sources for small business
Meetings	205 meetings with about 500 people;
Speeches	64 speeches/presentations to over 5100 people
Advertorial	An advertorial was published in SA, WA, NT, NSW, ACT, Tas, and Vic to reach an estimated audience of 5.3m

1 July 2001 to 30 June 2002

Compliance	
Telephone Enquiries	21,033 enquiries (8,177 in previous financial year) From 21 December 2001 to 30 June 2002 there were 14,089 , of which 9604 (68%) were NPP related. Average number of calls received between 21 December 2001 and 30 June 2002 extrapolated to a full year equals 27,000 calls. The full year effect of this represents approximately 3.3 times the calls received in 2000-01.
Written Enquiries Letters, faxes and e-mail	2,700 enquiries (884 in total in previous financial year) From 21 December 2001 to 30 June 2002 there were 1,800 of which 1,350 (75%) were NPP related. Average number of written enquiries received between 21 December 2001 and 30 Jun 2002 extrapolated to a full year equals 3,440 enquiries. The full year effect of this represents approximately 4.0 times the enquiries received in 2000-01.
Complaints	632 complaints received (194 previous financial year) 477 received between 21 December 2001 - 30 June 2002, 314 (66%) are NPP related complaints. Average number of complaints received between 21 December 2001 and 30 June 2002 extrapolated to a full year, represents 960 complaints for the year. The full year effect of this represents approximately 4.9 times the complaints received in 2000-01.
Own Motion Investigations (OMIs)	48 OMIs (10 in total in previous financial year) From 21 December 2001 to 30 June 2002, 43 OMI, of which 25 (58%) are about NPP issues. Average number of Own Motion investigations commenced between 21 December 2001 and 30 June 2002 extrapolated to a full year equals 82 own-motion investigations . The full year effect of this represents 8.2 times the number conducted in 2000-01.
Opted-in under Section 6EA	From 21 December 2001 to 30 June 2002, 62 organisations "opted-in" . The majority were small credit unions
Policy	
Code Approval	From 21 December 2001 to 30 June 2002 the Office received 8 codes for approval , 1 was approved , 3 were withdrawn . Only 1 proposal nominated an alternative code adjudicator to the Privacy Commissioner
Policy Advice	Approximately 150 complex requests for advice and interpretation from agencies and organisations.
CaPA	
Media	402 media questions/interviews
Web site Privacy.gov.au	634,472 sessions (number of times the site was visited) 2,699,685 page views (number of pages people looked at)
Network	Privacy Connections Network - 1,808 members
Publications	disseminating over : 100,000 copies of the guidelines via hard copy and the web site 50,000 copies of the general privacy brochure
Meetings	263 meetings with about 500 people
Speeches	126 speeches/presentations to about 10,000 people



Hotline Enquiries By Financial Year



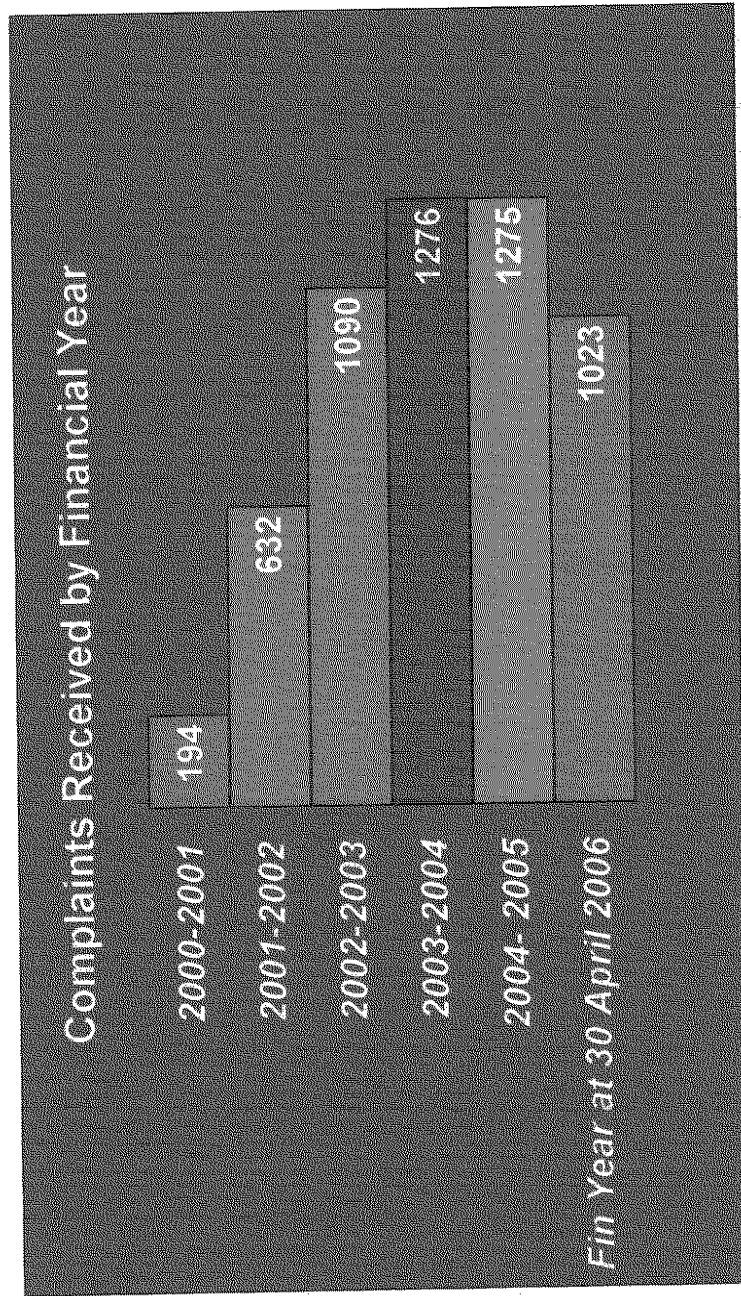


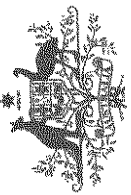
Written Enquiries by Financial Year





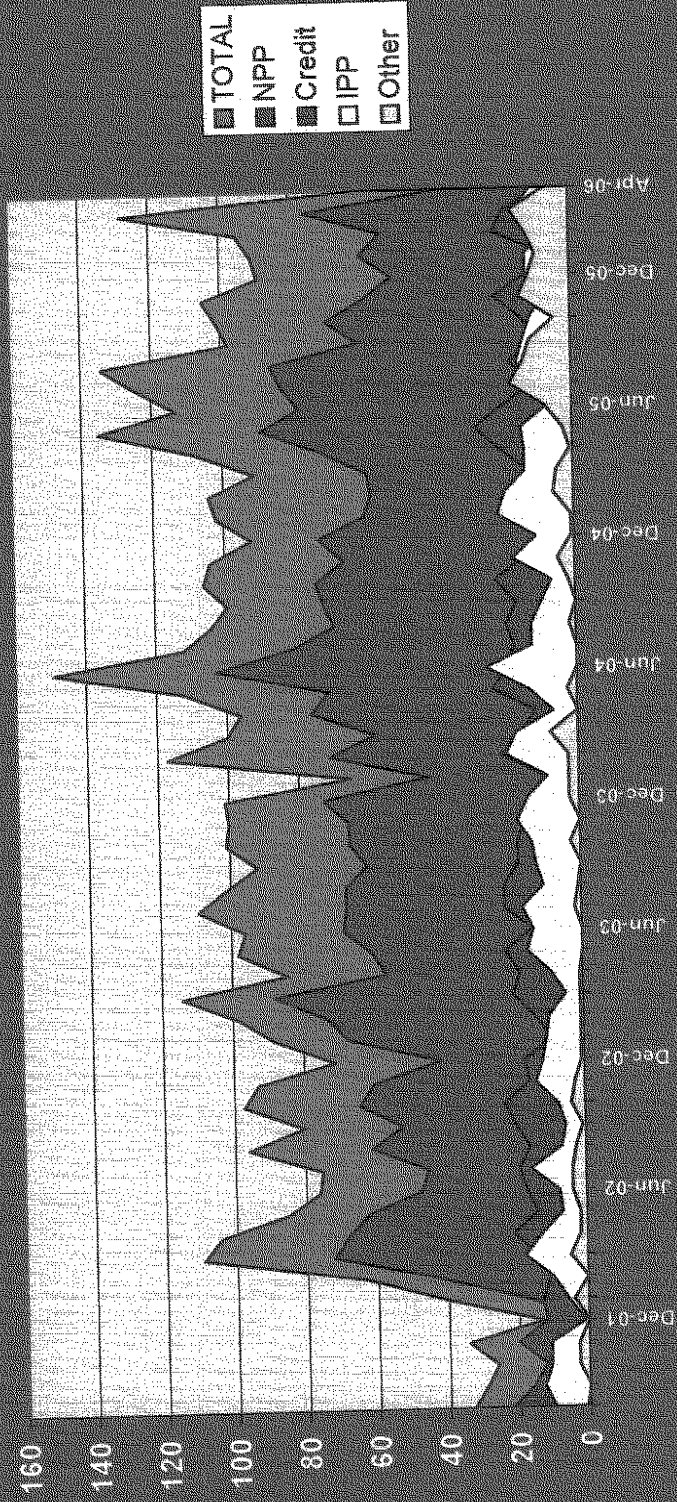
Australian Government
Office of the Privacy Commissioner





Australian Government
Office of the Privacy Commissioner

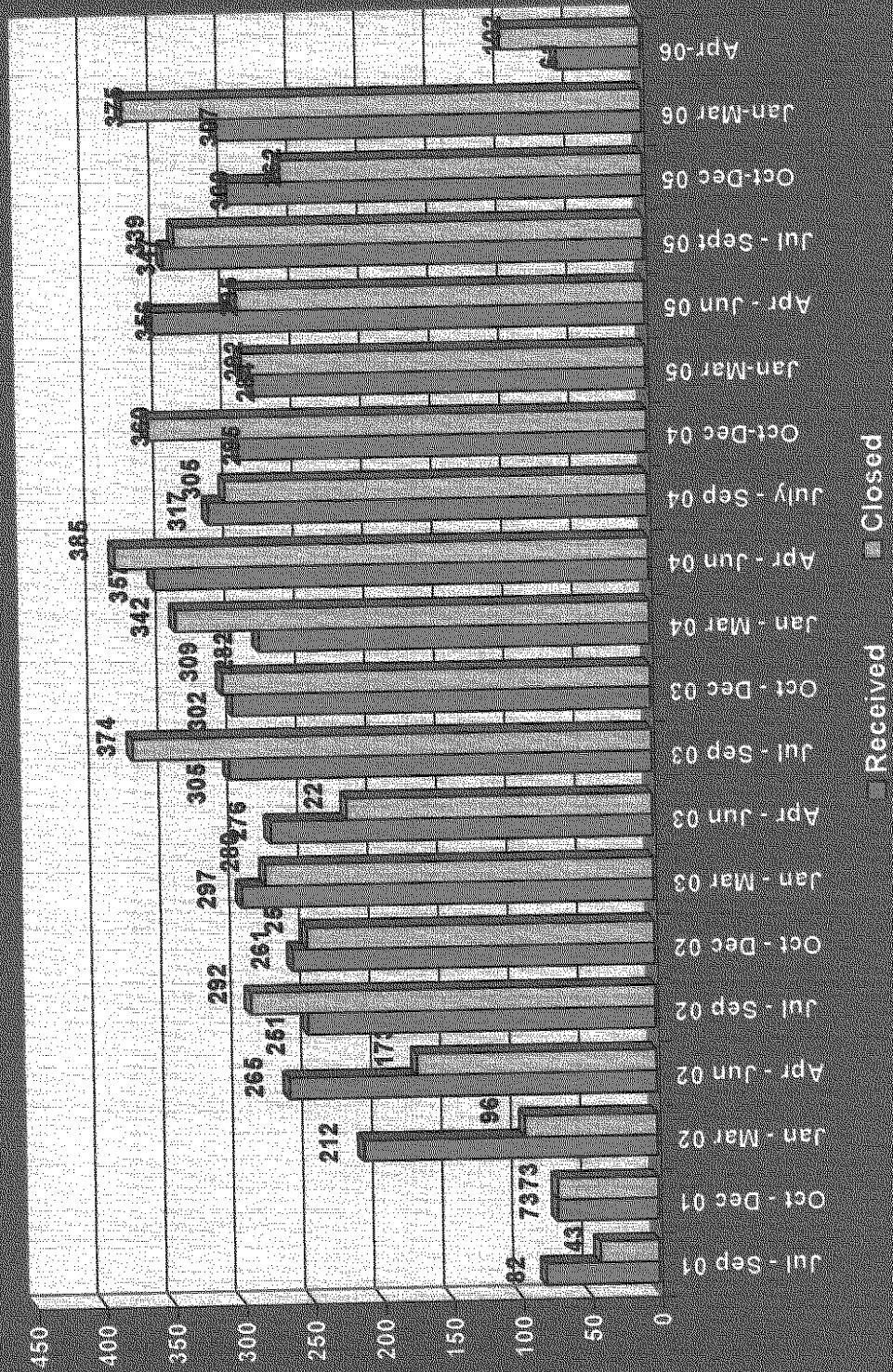
Complaints Received - By Jurisdictional Area to 30 April 2006





Australian Government
Office of the Privacy Commissioner

Complaints - Received and Closed to 30 April 2006



ADMINISTRATIVE REVIEW COUNCIL

CURRENT MEMBERSHIP

State	Appointee	Date of Term Expiry	Term	Occupation
NSW	Ms Jillian Segal AM	14 September 2008	1 st	Director, National Australia Bank Ltd & Australian Stock Exchange Ltd
NSW	Justice Garry Downes AM	(ex-officio)	N/A	President of AAT, Federal Court Judge
NSW	Professor David Weisbrot	(ex-officio)	N/A	President, Australian Law Reform Commission
ACT	Professor John McMillan	(ex-officio)	N/A	Commonwealth Ombudsman
Victoria	Mr Peter Anderson	10 July 2008	1 st	Director, Workplace Policy, Australian Chamber of Commerce and Industry
ACT	Ms Barbara Belcher	16 March 2009	1 st	First Assistant Secretary, Government Division, Department of the Prime Minister and Cabinet
ACT	Mr Ian Carnell	10 July 2007	1 st	Inspector-General of Intelligence and Security
ACT	Mr Robert Cornall AO	24 June 2006	2 nd	Secretary, Attorney- General's Department
ACT	Professor Robin Creyke	14 February 2009	3 rd	Professor of Law, Australian National University
NSW	Mr Richard Humphry AO	23 June 2007	1 st	Former Managing Director, Australian Stock Exchange Ltd
ACT	Mr Andrew Metcalf	16 July 2006	1 st	Secretary, Department of Immigration and Multicultural and Indigenous Affairs
NSW	Dr Melissa Perry QC	12 April 2009	1 st	Barrister
ACT	Major-General Paul Stevens (rt) AO	23 June 2007	1 st	Former Repatriation Commissioner
South Australia	Ms Sue Vardon AO	12 April 2009	2 nd	Chief Executive, Department for Families and Communities, South Australia