

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

Portfolio

Question No. 110

Senator Humphries asked the following question at the hearing on 30 May 2013:

Reviews

For this financial year to date:

- a) How many Reviews are being undertaken?
- b) What reviews have concluded, and for those that are still ongoing, when will those reviews be concluded?
- c) Which of these reviews has been provided to Government?
- d) When will the Government be responding to the respective reviews that have been completed?
- e) Has the Government responded to all reviews within the timeframe? If not, why not?
- f) What is the estimated cost of each of these Reviews?
- g) What reviews are planned?
- h) When will each of these reviews be concluded?

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

For 2012-13 financial year information up to 31 January 2013, please refer to QoN response 140 from the Additional Estimates round.

For the period 1 February 2013 to 31 May 2013 please see below.

Australian Government Solicitor

Australian Government Solicitor (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 does not receive any Budget or other appropriations and its employees are engaged outside of the *Public Service Act 1999*. The question is therefore not applicable to AGS.

National Native Title Tribunal

The National Native Title Tribunal (NNTT) will not be providing a response to this question, as from 1 July 2012 the NNTT is no longer a *Financial Management and Accountability Act 1997* Agency, and is funded to carry out its functions as a sub-program of the Federal Court of Australia's appropriation. On 12 March 2013 the *Courts and Tribunals Legislation Amendment (Administration) Act 2013* came into operation. On that day the Australian Public Service Commissioner signed a determination which transferred all staff employed by the Tribunal to the Federal Court of Australia under s.72 of the *Public Service Act 1999*, but those staff are designated staff assisting the Tribunal under the *Native Title Act 1993*.

a)– f) The following Agencies have not undertaken any reviews in the period 1 February 2013 to 31 May 2013 nor plan to undertake a review for the remainder of the 2012-13 financial year:

Administrative Appeals Tribunal, Australian Crime Commission, Australian Commission for Law Enforcement Integrity, Australian Federal Police, Australian Institute of Criminology, Australian Law Reform Commission, Australian Security Intelligence Organisation, Australian Transaction Reports and Analysis Centre, Commonwealth Director of Public Prosecutions, CrimTrac, Family Court of Australia, Federal Circuit Court of Australia, Federal Court of Australia, High Court of Australia, Insolvency and Trustee Service Australia, Office of the Australian Information Commissioner and Office of Parliamentary Counsel.

See table below for other responses.

a)-f)

Reviews 1 February 2013 – 31 May 2013						
Agency	Review	End date	Status	Has review been provided to Government?	Has Govt responded within the timeframe? If not, why not?	Cost (exclusive of GST)
Attorney-General's Department	Review of Australia's female genital mutilation legal framework.	9 April 2013	Completed.	Yes.	Not applicable. The report does not require a response from the Australian Government.	Nil. Costs met from within existing resources.
Attorney-General's Department	The Government has agreed to the recommendations of the <i>Strategic Review of Small and Medium Agencies in the Attorney-General's portfolio</i> that discretionary functions of the National Native Title Tribunal (NNTT) should be reviewed and consideration be given to the introduction of cost recovery for some or all of these services. Contributing to this review is a cross-department working group consisting of the National Native Title Tribunal NNTT, Federal Court of Australia, and the Department of Families, Housing, Community Services and Indigenous Affairs.	Second half of 2013	In progress	No	N/A	Nil (within existing resources of all departments involved)

Reviews 1 February 2013 – 31 May 2013						
Agency	Review	End date	Status	Has review been provided to Government?	Has Govt responded within the timeframe? If not, why not?	Cost (exclusive of GST)
Attorney-General's Department	Review of the National Partnership on Legal Assistance Services	First half of 2014	In progress	No	N/A	\$765,048.30 (exclusive of GST).
Attorney-General's Department	Evaluation of the Commonwealth's <i>Civil Dispute Resolution Act 2011</i> by Australian Survey Research	August 2013	Report to Minister in progress	No	N/A	\$33,625.00
Attorney-General's Department	Review of Family Support Program family law services	December 2013	Ongoing	N/A	N/A	\$388,730
Australian Customs and Border Protection Service	Review of VIP Passenger Facilitation to Evaluate the Viability of Providing Border Control Services on a Cost-Recovery Basis	No formal end date	In progress	No	No timeframe prescribed	Absorbed by ACBPS
Australian Customs and Border Protection Service	Assessment of search and rescue incident off Christmas Island on 25 March 2013	17 April 2013	Complete	Yes	Not Applicable	Absorbed by ACBPS
Australian Customs and Border Protection Service	Australian Public Service Commission (APSC) Capability Review	2 May 2013	Complete	Yes	Not Applicable	Approximately \$420,000
Australian Customs and Border Protection Service	Development of a Professional Standards Practice Model	12 June 2013	Complete	No	Not Applicable	\$81,706.47
Australian Human Rights Commission	Review into the Treatment of Women at ADFA and in the ADF	No formal end date however,			No time frames given for Review however, all	\$6.7 million provided by Defence to

Reviews 1 February 2013 – 31 May 2013

Agency	Review	End date	Status	Has review been provided to Government?	Has Govt responded within the timeframe? If not, why not?	Cost (exclusive of GST)
		note status ADFA report ADF report ADFA audit report ADF audit report	Completed Completed Completed Commencing end of August 2013	Yes Yes Yes ongoing	reports to date, completed in a timely manner.	conduct the Review and audits. Approximately \$4.1m of this funding has been spent. Any remaining funds will be returned to Defence.

g) – h) The following Agencies are not planning any Reviews as at 30 May 2013:

Administrative Appeals Tribunal, Australian Crime Commission, , Australian Commission for Law Enforcement Integrity, Australian Federal Police, Australian Human Right Commission, Australian Institute of Criminology, Australian Law Reform Commission, Australian Security Intelligence Organisation, Australian Transaction Reports and Analysis Centre, Commonwealth Director of Public Prosecutions, CrimTrac, Family Court of Australia, Federal Circuit Court of Australia, Federal Court of Australia, High Court of Australia, Insolvency and Trustee Service Australia, Office of the Australian Information Commissioner and Office of Parliamentary Counsel.

Other responses are provided in the table below.

Planned Reviews as at 30 May 2013			
Agency	Planned Review	Proposed end date	Status
Attorney-General's Department	Review of the operation of section 47A of the <i>Australian Crime Commission Act 2002</i> and the amendments made by Part 2 of Schedule 1 to the <i>Crimes Legislation Amendment Act 2011</i> .	2013	Not yet commenced.
Australian Customs and Border Protection Service	Assessment of the agency's portfolio, program and project management capability (P3M3 Assessment)	30 August 2013	Currently preparing to commence procurement of external accredited assessor.
Australian Customs and Border Protection Service	Gate 5 (Benefits Realisation) review of Enhanced Passenger Analysis and Clearance (EPAC1) Program undertaken by DoFD Gateway Review Team	25 July 2013	Review scheduled to commence on 22 July 2013.