

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

Program 1.1

Question No. 8

Senator Ludlam asked the following question at the hearing on 18 October 2010:

What is the number of free eligible document submissions made by States and Territories for the past five years. Please approach the States and Territories to get further information about matters they have undertaken through the process where they have the capacity to agree with a defendant what the classification of that material is. Please provide any additional information about the work going on in the South Australian unit.

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

Applications from State and Territory law enforcement agencies 2005/06 to 2009/10 financial years as reported in the Classification Board's Annual Reports are as follows:

Enforcement Agency	Number of Applications				
	2005/06	2006/07	2007/08	2008/09	2009/10
ACT Office of Fair Trading	18	6	5	14	9
NSW Police	62	167	59	161	79
NT Police	9	18	50	0	1
Vic Police	37	37	21	25	90
QLD Police & QLD Office of Fair Trading	55	12	41	8	0
SA Police	3	2	24	0	5
Tasmania Police	0	0	0	0	0
WA Police	0	37	2	1	2

Up until July 2010, enforcement agencies were, in effect, granted up to a total of 100 "free" applications for classification and applications for classification certificates per calendar year. This often meant that to progress one classification matter, a law enforcement agency had to "use" two of their "free" quota.

Since July 2010, a law enforcement agency can make an application for classification and receive a classification certificate, through the use of only one of their "free" quota. This in effect has doubled the quota available to law enforcement.

The Department has written to the State and Territory law enforcement agencies seeking the additional information requested by the Senator in relation to “classification by consent” and the work being undertaken by the South Australian Police. This information will be provided to the Committee in due course.