

Budget Estimates

Senate Legal and Constitutional Affairs Legislation Committee

Opening Statement

Katherine Jones PSM, Secretary, Attorney-General's Department

INTRODUCTION

Thank you, Chair and Committee Members, for the opportunity to provide a brief opening statement.

AGD's purpose is to achieve a just and secure society through the maintenance and improvement of Australia's law, justice, security and integrity frameworks.

We support the Attorney-General, in his capacity as First Law Officer, to ensure the Commonwealth's domestic and international legal work is managed effectively, including through oversight and management of legal risk.

Since its establishment, the Department's functions and the broader portfolio have expanded and changed considerably to include a much wider range of policy responsibilities and statutory agencies covering the federal justice system, criminal law enforcement and policy, integrity and oversight, national security and international relations, legal services, and regulation and reform functions.

SUMMARY OF MACHINERY OF GOVERNMENT CHANGES

I thought it would be helpful to provide the Committee with a brief overview of the Machinery of Government changes that have occurred for AGD.

Outgoing

Workplace relations functions were transferred from AGD to the Department of Employment and Workplace Relations, including the 10 associated portfolio agenciesⁱ.

Responsibility for the National Archives of Australia transferred from AGD to the Department of Infrastructure, Transport, Regional Development and the Arts.

Responsibility for the *National Emergency Declaration Act 2020* transferred to Department of Home Affairs.

Incoming

The National Office for Child Safety and the Open Government Partnership were transferred from the Department of the Prime Minister and Cabinet to AGD.

Responsibility for Copyright Policy transferred from the Department of Infrastructure, Transport, Regional Development and the Arts to AGD.

Functions related to combatting modern slavery, criminal law enforcement and policy, protective security services, and high-risk terrorist offenders were transferred from the Department of Home Affairs to AGD.

Portfolio responsibility for the Australian Federal Police, Australian Transaction Reports and Analysis Centre (AUSTRAC), the Australian Criminal Intelligence Commission, and the Office of the Special Investigator, transferred from the Department of Home Affairs to AGD.

Updated AAO Re Cybercrime

The AAOs were updated on 13 October 2022 to clarify that responsibility for cybercrime had moved to the Attorney-General's portfolio from Department of Home Affairs as part of the machinery of government changes.

A number of criminal justice functions returned to the Attorney-General's portfolio, such as strategy and policy to counter cybercrime and child sexual abuse online.

This aligns responsibility for cybercrime, law enforcement and criminal justice policy in the one portfolio and brings together legislative, policy and operational functions to respond to the growing threat posed by cybercrime.

The Department of Home Affairs continues to have the critical role as Cyber Security Coordinator across government.

Of course the department continues to work extremely closely with other departments and agencies to ensure close coordination on criminal justice, law enforcement and national security matters.

RESTRUCTURE

A departmental restructure took effect on 1 October 2022, to ensure our new functions are fully integrated and balanced across the department and to best support us to deliver for Government. We've provided the revised org chart to the Committee.

COLLABORATION AND REFORMS

We worked in close collaboration with colleagues across government to efficiently facilitate the MoG, and to ensure minimal disruption to business as usual.

I am delighted, and incredibly proud, of how our respective teams have continued to support significant Government reforms throughout this period, such as:

- National Anti-Corruption Commission Legislation
- Legislation to fully implement the outstanding recommendations of the Respect@Work report
- Working with NIAA to progress implementation of the Uluru Statement from the Heart, including a referendum to enshrine a First Nations Voice to Parliament in the Constitution
- Establishing justice reinvestment initiatives to support First Nations communities
- Establishing a Royal Commission into Robodebt.

In addition, we have also continued work to develop our departmental Transformation Strategy, to ensure our organisation is modern, high-performing and committed to improvements that will best equip us to meet our current and future priorities. Thank you - I look forward to answering your questions.

ENDS

WORDS: 764

(NOTE: For comparison, Home Affairs opening statement was about 780 words)

ⁱ Asbestos Safety and Eradication Agency, Australian Building and Construction Commission, Coal Mining Industry (Long Service Leave Funding) Corporation, Comcare, Fair Work Commission, Fair Work Ombudsman, Registered Organisations Commission, Safe Work Australia, Safety, Rehabilitation and Compensation Commission and Seafarers Safety, Rehabilitation and Compensation Authority (Seacare Authority)