

QoN No.	Division/Outcome/Agency	Senator	Subject	Question	Hearing date and Proof Hansard Page or Written
SBE15/001	International Law and Human Rights Division Outcome 1 (Other Agency) Australian Human Rights Commission	Collins	Political engagements	<p><b>Senator JACINTA COLLINS:</b> What engagement has that contact generated?</p> <p><b>Mr Wilson:</b> I have gone and spoken to a number of political parties. I do not have the exact dates in front of me, but I spoke to the South Australian Greens, the Liberal Democratic Party and the Liberal Party of Australia in some states. I understand the Country Liberal Party has asked if I can go and speak to them at some point in the future. I understand the same is true of the Western Australian National Party. There may be others.</p> <p><b>Senator JACINTA COLLINS:</b> You mentioned earlier that you sent invitations at the outset. Whom were they sent to?</p> <p><b>Mr Wilson:</b> I have copies of them right here—every single major political party in the country, going through each state division of the Australian Greens, the Australian Labor Party, the Liberal Party of Australia, the National Party, the Liberal Democratic Party and I am sure there are others. Each one of them has been given the same opportunity and the same capacity to host a forum or some sort of meeting to discuss these issues. I have met with different state Labor MPs in some states. I have met with state Green members of parliament in other states. It just depends on how that political party has chosen to engage.</p> <p><b>Senator JACINTA COLLINS:</b> On the forms of engagement, how many of those engagements have been fundraisers?</p> <p><b>Mr Wilson:</b> My understanding is none of them have been fundraisers. One of the things we do when we organise is send out a letter making it clear that parties are welcome to host a forum; that if any travel costs are incurred, they have to incur them; and that they are not to be fundraisers, although people are entitled to charge an appropriate fee for room hire costs or any catering costs.</p> <p><b>Senator JACINTA COLLINS:</b> Can you provide me with a copy of that advice, please?</p> <p><b>Mr Wilson:</b> Sure. I will take it on notice and provide it to you, but it is also in all the letters we have sent through to the various political parties.</p>	20 October 2015 L&CA 8
SBE15/002	International Law and Human Rights Division Outcome 1 (Other Agency) Australian Human Rights Commission	Collins	Membership – Australian Labour Party	<p><b>CHAIR:</b> Just before I pass to Senator Lindgren, who I understand has some questions, I know and have the highest regard for both Mr Wilson and Ms Ryan. I have heard Mr Wilson has resigned from the Liberal Party. Does anyone know whether Ms Ryan has resigned as a member of the Labor Party, having been a minister in the Labor government at some time?</p> <p><b>Prof. Triggs:</b> I believe she has, but I would need to take that on notice to be absolutely certain. I am reasonably confident that she has, consistent with exactly the policy I have been describing to Senator Collins.</p>	20 October 2015 L&CA 10
SBE15/003	International Law and Human Rights Division Outcome 1 (Other Agency) Australian Human Rights Commission	Lindgren	Progress of <i>Willing to Work</i> Inquiry	<p><b>Senator LINDGREN:</b> Professor Triggs, Commissioner Ryan is well placed in her dual role as an age and disability discrimination commissioner to drive the important work to protect the rights of people with disabilities and older persons. Could you please update me on the progress of the <i>Willing to Work</i> inquiry?</p> <p>I understand that you are embarking on a national consultation process as well. If you could have a chat about those, please, that would be fabulous.</p> <p><b>Prof. Triggs:</b> If I may, because I am really pleased that you have asked this question, perhaps if I could take an element of your question on notice to make sure we get the information to you. Commissioner Ryan is well underway with this inquiry; as you may know, it was requested by the attorney. We had already been well advanced through Commissioner Ryan's work on age-and-employment discrimination, just trying to map and understand the prevalence of discrimination on the basis of age. They have been, at least at the preliminary level, rather disturbing prevalence statistics.</p> <p>At the request of the attorney we are now conducting a fuller inquiry, which includes</p>	20 October 2015 L&CA 10

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				<p>employment discrimination in relation to the disabled, where employment statistics are quite poor. One reason Commissioner Ryan is not here today is that she is conducting a focus-and-community-group meeting, and she is doing that across the country. She has an advisory group. She is conducting quantitative research as well so that we have proper survey and statistical data that we can use along with the softer qualitative material through the focus groups. She is also receiving submissions.</p> <p>Commissioner Ryan intends to report by about June next year when she completes her joint appointment on both of those portfolios. What I can say is that this is really, in a sense, hitting an important issue for the public. People are coming forward to talk about their experiences of age discrimination and discrimination on the basis of disability. Any further detail, if I may, I would like to provide to you on notice.</p>	
SBE15/004	International Law and Human Rights Division Outcome 1 (Other Agency) Australian Human Rights Commission	Xenophon	Report on <i>The Review into the treatment of women in the Australian Defence Force Academy</i>	<p><b>Senator XENOPHON:</b> Professor Triggs, in the absence of a sex discrimination commissioner, I think it is appropriate that I ask you these questions that go to the AHRC's report in August 2012 entitled <i>Report on the review into the treatment of women in the Australian Defence Force Academy</i>, and the phase 2 report of the Sex Discrimination Commissioner Broderick at recommendation 19, where she recommended:</p> <p>As a matter of urgency, the ADF should investigate mechanisms to allow members to make confidential (restricted) reports of sexual harassment, sex discrimination and sexual abuse complaints through SeMPRO— that is the Sexual Misconduct Prevention and Response Office. If I may put some questions to you, and I appreciate that it may be more appropriate for you to provide me answers on notice, but it is a matter that is of great interest to me, particularly with constituents who have approached me in respect of this.</p> <p>The body of the report at 7.5, and I will not ask you to look to it, explained that there was a major problem that many incidences of sexual misconduct in the ADF go completely unreported. The report explained that by 'restricted reporting' it meant an approach similar to what is used in the US and Israeli forces, and it goes into the details of how that works and appears to have worked quite successfully. The report referred to arguments which have been put by the Inspector-General of the ADF, opposing restricted reporting because of his concern about lack of accountability and possible vicarious liability under the Sex Discrimination Act if reports of sexual assault were accepted on a confidential basis. Commissioner Broderick rejected those arguments in very clear and forceful terms at page 272, and I am happy to put some of these on notice to save time. Commissioner Broderick said in part: ... the review is concerned that to date, the ADF has failed to adopt an approach that appropriately and sensitively focusses on the needs and wishes of a complainant.</p> <p>She went on to say:</p> <p>... offenders cannot be tracked, repeat offenders cannot be identified, outcomes cannot be measured and the level of risk to other ADF members cannot be determined and addressed.</p> <p>She also said:</p> <p>A situation should not endure whereby incidents of sexual harassment, sex discrimination and sexual abuse continue to go unreported and complainants remain without support. Indeed it is incumbent upon any first class employer to take a complainant focussed approach.</p> <p>And she summarised the intent behind recommendation 19. The Vice Chief of the Defence Force has told this committee that defence had put the limitation on SeMPRO accepting confidential reports to</p>	20 October 2015 L&CA 25&26

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				<p>meet defence's legal obligations. It told this committee in September last year that in its first 12 months of operation SeMPRO had not had a single report within 72 hours of an incident and these are including very serious incidents of sexual assault, and that is of course critical for that time of collection for forensic evidence.</p> <p>The commissioner recommended the ADF, through SeMPRO, must investigate as a matter of urgency mechanisms to allow for confidential restricted reporting of sexual harassment, sex discrimination and sexual offence complaints. The recommendation was to investigate how to bring in restricted reporting, not to investigate whether to bring in restricted reporting. My first question is: has the Human Rights Commission had any discussions with Defence about why Defence did not introduce genuine restricted reporting; and what was the outcome of those discussions, if those discussions took place?</p> <p><b>Prof. Triggs:</b> Thank you, Senator Xenophon. I will provide you with a fuller answer to that question when I have the documents in front of me. I am of course familiar with that report and I have, subsequent to that and since Ms Broderick completed her term, been taking a supervisory role in relation to that work and met with members of the team in Canberra to look at how the work is progressing for the future, because we have a relationship over the next three years on this matter.</p> <p><b>Senator XENOPHON:</b> Given the very serious matters raised back in August 2012—just over three years ago—in respect of the lack of redress for victims of sexual assault within Defence and of course issues of harassment and discrimination, and I am particularly concerned about the allegations of rape not being dealt with appropriately, have there been discussions with Defence at least in respect of those most serious allegations of sexual assault? Can you tell us at this point whether there have been those discussions between the Human Rights Commission and Defence.</p> <p><b>Prof. Triggs:</b> I can say that I know discussions have taken place but, what the outcomes have been, I do not know except that, when I have been to meetings, there has been a very clear commitment by the senior officers that they are required to report, investigate and, ultimately, seek redress for the victims. I will respond much more fully to you, if I may—</p> <p><b>Senator XENOPHON:</b> Sure. You can understand the sense of urgency for some of the victims who have approached me—</p> <p><b>Prof. Triggs:</b> We will get back to you very quickly indeed.</p> <p><b>Senator XENOPHON:</b> And also the dates, the outcomes and whether there are further meetings planned in respect of this. Secondly, has Defence told the Human Rights Commission what the outcome was of SeMPRO's research into how to allow for confidential reporting of sexual harassment, sex discrimination and sexual offence complaints—is it appropriate that you take that on notice?</p> <p><b>Prof. Triggs:</b> I will take it on notice and get back to you.</p>	
SBE15/005	International Law and Human Rights Division Outcome 1 (Other Agency) Australian Human Rights Commission	Lindgren	Recognition of Indigenous Australians in the Constitution	<p><b>Senator LINDGREN:</b> Professor Triggs, I believe this one is for you. Would the potential recognition of Indigenous Australians in the Constitution create a separate class of citizen while section 51(xxvi), the so-called race power, still exists or would the removal of section 51(xxvi) along with constitutional recognition in the preamble—something like a statement of historical fact—give Indigenous people any constitutional advantage?</p> <p><b>Prof. Triggs:</b> I would very much like to take that question on notice, if I may. My colleague Mick Gooda has been working on this, along with a legal team, looking at the various options. We very much support the recognition of Aboriginal and Torres Strait Islanders in the Constitution. That is a clear position that we have taken in the commission. But exactly how one does it—whether a discrimination power is included, whether the race power is taken out—is a matter for discussion.</p>	20 October 2015 L&CA 29

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				I understand that your question is really a core question: were those kinds of proposals to go forward would that give Indigenous Australians a preferred position, which may or may not be acceptable to the Australian people? I know this is a very important question and you ask it in good faith, but if I may I would like to answer it in a considered way as a matter of notice. We certainly take the view, at minimum, that constitutional recognition of our First Nation's peoples is very important and should be supported—but exactly what model and how? I think most people agree that the capacity to legislate on the grounds of race or to prevent voting on the grounds of race are anathemas and should be out of the Constitution. But the more complex question is: 'What will be the consequence of a non-discrimination clause?' and that is a matter for public debate.	
<b>SBE15/006</b>	Civil Law Division Outcome 1 (Other Agency) Office of the Australian Information Commissioner	Rhiannon	Freedom of Information Regulation	<p><b>Senator Brandis:</b> It is in the hands of the Senate. I accept that. But your broader point, if I understand you correctly, that there is some variance between the principle as expressed by Mr Dowd and the way that these arrangements have been made by the Commonwealth I do not accept at all. What Mr Dowd says is not a description of the arrangements that the government has put in place for this body in the period between the current budget and its expected statutory repeal.</p> <p><b>Senator RHIANNON:</b> It would be good to go on to pin down the details here. Remaining in that paragraph at the top of page 2, in the letter from Mr O'Sullivan, it talks about FOI regulation. What is that referring to, please?</p> <p><b>Senator Brandis:</b> What the paragraph says, so that we may understand it in full, is this: As the Bill is still before the Parliament, the OAIC remains responsible for privacy and FOI regulation and the Government is ensuring that arrangements are in place for the continued exercise of the Information Commissioner functions. By the way, that is a complete refutation of the assertion made by Mr Dowd: In July 2015 Mr Timothy Pilgrim PSM was appointed as the acting Information Commissioner for a three-month period—and that has now been renewed, as you have heard—while the Government considers options for the future of the Information Commissioner position. Mr Pilgrim is performing the functions and exercising the Commissioner powers under the Privacy Act 1988, Freedom of Information Act 1982, and the Australian Information Commissioner Act 2010. That is the position. What is your question?</p> <p><b>Senator RHIANNON:</b> My question is: what is FOI regulation referring to at that point?</p> <p><b>Senator Brandis:</b> It is referring to the FOI functions provided for by the act.</p> <p><b>Senator RHIANNON:</b> So, it refers to all aspects of the act. Thank you. Then it says in the last sentence in that same paragraph: Mr Pilgrim is performing the functions ... What are the Information Commissioner functions referred to in that passage? I am interested in whether they differ in any way—and, if they do, in what way—from the OAIC responsibilities for FOI regulation. Could you clarify, please?</p> <p><b>Senator Brandis:</b> I think the paragraph speaks for itself but, given that you suspect there may be something that is not apparent from the face of what I have quoted to you, I will consult Mr O'Sullivan, who is the author of the letter, to inquire of him whether or not what you are putting to me is correct. So I will take that question on notice.</p>	20 October 2015 L&CA 42
<b>SBE15/007</b>	Civil Law Division Outcome 1 (Other Agency) Office of the Australian Information Commissioner	Collins	Changes in OAIC practices	<p><b>Ms Toohey:</b> I note that, in last year's statistics, the first half of the year were also in light of the fact that we were expecting to close in December.</p> <p><b>Senator JACINTA COLLINS:</b> I recall past discussions, I think, where that process has been described as a means of managing the quota.</p> <p><b>Ms Toohey:</b> It was also a case of potentially adding months on to someone's application when</p>	20 October 2015 L&CA 46

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				<p>they were going to end up in the AAT anyway. You will see certainly from more recent stats that the number has stabilised around 12 to 14 per cent. As the commissioner has just mentioned, it is generally matters where we think the matter will not be finalised by our process where the parties are interested in litigating the matter. They are the matters that we generally refer to the AAT, after consulting with both parties.</p> <p><b>Senator JACINTA COLLINS:</b> So, prior to the current government's policy decision, what was the percentage rate?</p> <p><b>Ms Toohey:</b> I have not got it in front of me. It was smaller; I certainly can affirm that.</p> <p><b>Senator JACINTA COLLINS:</b> Could you take that on notice for me, please. When you say 'it stabilised to between 12 and 14 per cent', how high did it get?</p> <p><b>Ms Toohey:</b> They would have been the highest stats we have had.</p> <p><b>Senator JACINTA COLLINS:</b> So it has not swung back?</p> <p><b>Ms Toohey:</b> No. Essentially it has been around the 12 per cent mark since we started looking at matters on the basis of their complexity—how large they were, whether they were going to be resolved and dealt with by the process that we provided.</p>	
<b>SBE15/008</b>	Civil Law Division Outcome 1 Legal Services Policy Branch	Rhiannon	Letter from Mr Paul O'Sullivan	<p><b>Senator RHIANNON:</b> Thank you for taking it on notice—so just to elaborate on what would be useful to take on notice and gain a response, I repeat: there are three functions identified in those last two paragraphs on the first page—the external merits review of FOI decisions; investigation of complaints about FOI processing for agencies; and the issuing of FOI guidelines and annual reporting on FOI statistics. Looking at the OAIC website, it also lists the independent monitor of FOI matters and responsibility for regulating and providing advice on the operation of the Freedom of Information Act 1983. Could you take it on notice if those five points are what is covered when the word 'functions' is used.</p> <p><b>Senator Brandis:</b> I will ask Mr O'Sullivan what he was referring to when he used the word 'functions', but it is not for me to speculate on what the author of a letter may have meant by the use of the words he chose to use.</p> <p><b>Senator RHIANNON:</b> So you are agreeing to take it on notice?</p> <p><b>Senator Brandis:</b> I have said I would take it on notice.</p>	20 October 2015 L&CA 48&49
<b>SBE15/009</b>	Civil Law Division Outcome 1 Legal Services Policy Branch	Rhiannon	Determination of Freedom of Information Workload	<p><b>Senator RHIANNON:</b> I would like to move on to clarifying some information that was supplied in questions on notice from earlier this year—this is question number AE15/078. In response to a question at an earlier estimates—this is December 2013—I noted in my question that we had heard that the FOI workload was increasing by 10 to 15 per cent per year. I asked in February-March this year: was there anticipation that the workload would decrease? The answer that I received was:</p> <p>Yes. It is anticipated that the number of applications to the Administrative Appeals Tribunal (AAT) will be less than the number of applications for external review received by the Office of the Australian Information Commissioner.</p> <p>It goes on to say:</p> <p>This is due to two major reasons— and this is where my question goes to— (1) the requirement for internal review will improve the quality of decision making ...</p> <p>What evidence do you base that response on? I will say it again: the requirement for internal review will improve the quality of decision making ...</p> <p>How did you determine that that would occur before it had happened?</p> <p><b>Senator Brandis:</b> To whom is your question directed, Senator?</p>	20 October 2015 L&CA 49&50

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				<p><b>Senator RHIANNON:</b> As you often come in, Attorney-General, and take over the questioning, I thought that you would be very capable of giving direction on this matter and assisting the committee.</p> <p><b>Senator Brandis:</b> I think the conclusion is made on a judgement about the best governance arrangements.</p> <p><b>Senator RHIANNON:</b> Surely, Attorney-General, even for you that is not an answer. An assumption has been made there. It is implied that there is evidence.</p> <p><b>Senator Brandis:</b> No, it is not.</p> <p><b>Senator RHIANNON:</b> It says: ... the requirement for internal review will improve the quality of decision making ...</p> <p><b>Senator Brandis:</b> That is a judgement.</p> <p><b>Senator RHIANNON:</b> Yes, and I am asking what the judgement is based on. That is quite a straightforward question.</p> <p><b>Senator Brandis:</b> I will take that on notice, because that judgement was, no doubt, contributed to by the thinking of a number of people, which, I venture to imagine, was based on their experience of governance arrangements.</p> <p><b>Senator RHIANNON:</b> There were two major reasons stating why the assumption is made that there will be a decrease. The second one is: 'The application fee for external merits—</p> <p><b>Senator Brandis:</b> It is not an assumption; it is a prediction, or an expectation.</p> <p><b>Senator RHIANNON:</b> The English language is very delightful, Senator Brandis.</p> <p><b>Senator Brandis:</b> No, it is a very important difference. That was not an input into the decision. That was an expectation of the outcome of the decision.</p> <p><b>Senator RHIANNON:</b> If you dispute that this is an assumption, I will look forward to hearing your answer. The second reason given is: ... the application fee for external merits review is an appropriate mechanism to ensure that genuine applications are able to be pursued. What is the evidence for coming to that assumption?</p> <p><b>Senator Brandis:</b> It is not an assumption and nor does it say there is evidence. I would characterise the proposition stated in the sentence you have read aloud as a judgement.</p> <p><b>Senator RHIANNON:</b> But what is it based on?</p> <p><b>Senator Brandis:</b> I will take it on notice, but I dare say it is based on the experience of governance of those who contributed to the decision.</p> <p><b>Senator RHIANNON:</b> And what is that experience? Has this been done before? Are they drawing on something practical?</p> <p><b>Senator Brandis:</b> I am advised by very experienced senior public servants. I am advised by very experienced and skilful policy advisers, as is any minister, and decisions about governance arrangements that are made are invariably informed by the views that emerge from those sources, as well as the judgement of ministers.</p> <p><b>Senator RHIANNON:</b> So you will take it on notice to—</p> <p><b>Senator Brandis:</b> I will, out of courtesy to you. I cannot imagine that I will be elaborating beyond that. When you say 'evidence', to me, as a lawyer, I think of evidence as empirical data of some description. But it is not only empirical data that informs policy choices. Often it is judgement, experience, intuition, values or the various other factors that go into ultimate policy choices.</p>	

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SBE15/010	Civil Law Division Outcome 1 Legal Services Policy Branch	Rhiannon	AAT application fees	<p><b>Senator RHIANNON:</b> But if fewer people are able to interact with the system that is something that should be explored. I now refer to question No. AE15/068 and the answer to 1a. The English is not fantastic, but I think we can get the meaning of it: The Attorney-General's Department notes that AAT application fees may be reduced fee to \$100 in cases of hardship ... Could I ask for figures here, please. How many reduced fees have been issued? What was the total number, and what was the percentage overall?</p> <p><b>Senator Brandis:</b> I will take that on notice, and I apologise for the evident absence of an indefinite article somewhere in that sentence.</p> <p><b>Senator RHIANNON:</b> Please also take on notice how many applications were successful overall and how many were knocked back. Could that be in numbers and percentages, please.</p> <p><b>Senator Brandis:</b> Yes.</p>	20 October 2015 L&CA 50
SBE15/011	Civil Law Division Outcome 1 Legal Services Policy Branch	Rhiannon	Number of Freedom of Information requests during 2014	<p><b>Senator RHIANNON:</b> Finally, there is question No. AE15/077. This was about gaining some data on the number of FOI requests for 2014. The last quarter, from 1 October to the end of the year, was 3,042. But it was noted that some agencies had not reported their figures for this quarter, so I was just after the total figure for that year, if that could also be taken on notice, please.</p> <p><b>Senator Brandis:</b> Yes.</p> <p><b>Senator RHIANNON:</b> Thank you.</p>	20 October 2015 L&CA 51
SBE15/012	Civil Law Division Outcome 1 (Other Agency) Office of the Australian Information Commissioner	Collins	Freedom of Information: non-official communication and own motion investigations	<p><b>Senator JACINTA COLLINS:</b> Can I ask Mr Pilgrim some questions around FOI and ministers using—I want to use the right word here—non-official means of communication. Are you aware of the advice that was tabled in the Senate Finance and Public Administration Committee yesterday by Mr Allan McKinnon with respect to non-official communication systems?</p> <p><b>Mr Pilgrim:</b> No Senator, I am not aware of that advice.</p> <p><b>Senator JACINTA COLLINS:</b> Mr Pilgrim, this has been an issue, as I understand it, in the UK and in the United States. Have you addressed this issue at all?</p> <p><b>Mr Pilgrim:</b> No, I have not considered that issue at this point.</p> <p><b>Senator JACINTA COLLINS:</b> Would you see it as a concern if the use of non-official means of communication, which involves the destruction of documents, were being used to the effect that future searches under the FOI Act would not be possible?</p> <p><b>Mr Pilgrim:</b> I think there are couple of overlapping issues there, and one would be relating to the Archives Act for which I do not have responsibility.</p> <p><b>Senator JACINTA COLLINS:</b> You don't?</p> <p><b>Mr Pilgrim:</b> Not for the Archives Act, no.</p> <p><b>Senator JACINTA COLLINS:</b> Who does?</p> <p><b>Mr Pilgrim:</b> The National Archives office has responsibility for the Archives Act. To try to not prolong the conversation, it is not a matter that I have actually turned my mind to at this point in time, so I do not know that I would be in a position to be able to answer your question directly at this stage.</p> <p><b>Senator JACINTA COLLINS:</b> Have you got a copy of that advice yet?</p> <p><b>Mr Pilgrim:</b> It has just been provided to me, yes.</p> <p><b>Senator JACINTA COLLINS:</b> It might be easier for me to ask you on notice to consider that advice with respect to FOI matters. I will ask my following question on notice as well, which is: will you consider conducting an own motion investigation into this issue?</p> <p><b>Mr Pilgrim:</b> I will certainly look at the advice and see what response we can provide. In terms of an own motion investigation, I will take that on notice and have a look at the advice in the first</p>	20 October 2015 L&CA 51&52

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				<p>instance.</p> <p><b>Senator Brandis:</b> You should point out, Senator Collins, that the advice you have given was tabled by me last night in the Finance and Public Administration Estimates Committee, without having been requested to do so, because the government believe in open government. We, of our own motion, put this material before the parliament so that the parliament can know the advice the Prime Minister got.</p> <p><b>Senator JACINTA COLLINS:</b> We certainly have that piece of advice, but that piece of advice is but one part of that story. You will recall that Mr McKinnon referred us—</p> <p><b>Senator Brandis:</b> The questions are about the advice. This is the advice.</p> <p><b>Senator JACINTA COLLINS:</b> to the Australian Signals Directorate. I have questions well beyond just the advice, Senator Brandis, as indeed did the opposition last night.</p> <p><b>Senator Brandis:</b> Please do not try to muddy the waters here, Senator. This is the advice. The Prime Minister sought advice on this issue that you have raised. This is the advice that he received.</p> <p><b>Senator JACINTA COLLINS:</b> Senator Brandis, I am not muddying any waters, with respect. If anything, I suspect your attempt to narrow it down to this one piece of advice is—</p> <p><b>Senator Brandis:</b> This is all it is, Senator. This is the advice.</p> <p><b>Senator JACINTA COLLINS:</b> Yes, this is the advice that the Prime Minister received with respect to a particular issue. It is not the only relevant issue with respect to the matter.</p> <p><b>Senator Brandis:</b> I am just making it plain that this is the only advice the Prime Minister has received.</p> <p><b>Senator JACINTA COLLINS:</b> I have not even asked that question. Mr McKinnon referred us to the ASD last night. I think it is also an issue pertinent the Office of the Information Commissioner in relation to FOI, thus I am asking questions.</p> <p><b>Senator Brandis:</b> You are entitled to your opinions, Senator Collins. I am merely pointing out that this is the only advice the Prime Minister received. It was put on the public record by the government last night, not at the urging of the opposition, but in order to avoid the very thing you are trying to do now and suggest that there is some other dimension to this other than the mere fact of this advice.</p> <p><b>Senator JACINTA COLLINS:</b> There are many other dimensions to it.</p> <p><b>Senator Brandis:</b> The go again, Senator Collins.</p> <p><b>Senator JACINTA COLLINS:</b> I am not going anywhere. I have asked a question. Mr Pilgrim, have you taken a question on notice?</p> <p><b>Mr Pilgrim:</b> I will take that on notice, Senator.</p>	
SBE15/013	People Strategy Branch Outcome 1 People Strategy Branch	Collins	AGD organisational chart	<p><b>Senator JACINTA COLLINS:</b> I would like to understand the impact on the operations of the department of the amendments to the administrative arrangements. Most of them seem to make sense to me—with respect to the announced changes regarding censorship, copyright and the arts. One that I would like you to explain to me—you may be able to do so fairly easily—is the Circuit Layouts Act 1989. What does that relate to?</p> <p><b>Senator Brandis:</b> I think that that is an intellectual property statute. Consistently with the Prime Minister's view that intellectual property issues lie more naturally with the communications department, that act will have been transferred to that department for that reason.</p> <p><b>Senator JACINTA COLLINS:</b> So it is part of the set which goes with copyright, censorship—those issues.</p> <p><b>Senator Brandis:</b> Not censorship, because censorship is not an intellectual property issue. But</p>	20 October 2015 L&CA 53



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				<p>copyright certainly is.</p> <p><b>Senator JACINTA COLLINS:</b> But censorship went to Communications, didn't it?</p> <p><b>Mr Moraitis:</b> That is right. The branch went to Communications.</p> <p><b>Senator JACINTA COLLINS:</b> Do you have a new organisational structure?</p> <p><b>Mr Moraitis:</b> Not yet. We are just working through it. We are just finalising the MOG process now—machinery-of-government changes. Once that is bedded down, hopefully this week, we will proceed to an organisational chart that spells it out. But it is pretty straightforward. You take out the arts, which is a division; the Classification Branch; and some elements of copyright, which is essentially a section of a branch. So if you had the old organisational chart you could just cross those out.</p> <p><b>Senator JACINTA COLLINS:</b> Is that in the old annual report?</p> <p><b>Mr Moraitis:</b> It should be.</p> <p><b>Senator JACINTA COLLINS:</b> It sounds strange to call it the old one; we got it less than a week ago.</p> <p><b>Mr Moraitis:</b> It is the new one.</p> <p><b>Senator JACINTA COLLINS:</b> Page 8 perhaps?</p> <p><b>Mr Moraitis:</b> That is more about programs rather than an org chart as such, but it gives you an idea of it. For example, under Civil Justice and Legal Services Group, which used to be David Fredericks's, you would take out Ministry for the Arts—that has moved out. Under the Civil Law Division, in the first box, one of the branches would be the Classification Branch, which is based in Sydney; that has moved. So inside that Civil Law Division headed by Matt Minogue there were a couple of branches; one of those—classification—has gone. Copyright was a section of a branch in the Civil Law Division as well. So a branch and a section from the first box, Civil Law Division, have gone to Communications; and the whole Ministry of the Arts, which is the fifth box, has moved to Communications as well. That is essentially the organisational changes. And there could be some consequential changes to do with corporate support staff which are incidental to that. I do not think we would be across that.</p> <p><b>Senator JACINTA COLLINS:</b> Could I have, on notice, a copy of the organisational chart once you finalise it.</p> <p><b>Mr Moraitis:</b> Yes, of course.</p>	
SBE15/014	Strategy and Delivery Division Outcome 1 Strategy and Delivery Division	Collins	AGD protocol for official searches for, and extraction, of documents	<p><b>Mr Fredericks:</b> Correct—so much so that we referred that report to our own executive board on 23 September. We wanted to have some high-level consideration of that report and those recommendations. As a department we have been working our way through those recommendations to see what we can properly implement over various time frames.</p> <p>The important one that you are aware of, and that the secretary was referring to, is the protocol which the department has introduced in order to provide authority of advice to ourselves, in effect, about how we should go about searching for documents in the sort of circumstances that we were presented with in the Monis case. As the secretary said, we produced the first version of that protocol—I think it was back in about late July—very soon after the events that you are describing. In many ways that was our immediate reaction to that. But the secretary took the view that one of the benefits of consolidation with AGS was that AGS would be available to provide further advice on that. Ironically, in the end, it was a recommendation of the Senate that we should do that.</p> <p>For those two reasons, we had the AGS take a thorough look at our first version of the protocol. As result of that we produced what I think is a further and better version of that protocol. It was officially launched within the department on 30 September. In accordance with the advice of the recommendation of the Senate, we have used a number of means by which to bring that protocol to the attention of our staff and ingrain it in the culture of the department. As the secretary has said, he</p>	20 October 2015 L&CA 56

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				<p>has, in an all-staff address, emphasised the importance of that protocol to staff. I, as the chief operating officer, have, both in an email and in a monthly newsletter that I put out, reiterated the importance of that protocol for the department, and we have discussed it at both our executive board and our meeting of the senior management committee, which is effectively our next level of management structure. So yes.</p> <p><b>Senator JACINTA COLLINS:</b> Is that available, by the way?</p> <p><b>Mr Fredericks:</b> It is on our intranet, and it is certainly something that we could provide.</p> <p><b>Mr Moraitis:</b> We could provide that.</p>	
<b>SBE15/015</b>	Civil Law Division Outcome 1 Royal Commission into Trade Union Governance and Corruption	Bilyk	Electronic devices	<p><b>Senator BILYK:</b> As my dad said, 'Education certainly is not the only thing that makes you wise and it certainly does not mean you've got manners', Minister. Why does Mr Heydon need an internet smartphone if he does not use the internet or send and receive emails? When did he give it back?</p> <p><b>Mr Innes-Brown:</b> Some months ago. He has never used it, and it was just sitting in his office, so we redirected that to another—</p> <p><b>Senator BILYK:</b> Can I get a date for when it was given back?</p> <p><b>Mr Innes-Brown:</b> Sorry?</p> <p><b>Senator BILYK:</b> In a previous round of estimates, on a question on notice, I was told he had that phone, so I would like to know the date he returned it.</p> <p><b>Mr Innes-Brown:</b> I would have to take that on notice.</p> <p><b>Senator BRANDIS:</b> We will take that on notice.</p>	20 October 2015 L&CA 61
<b>SBE15/016</b>	Civil Law Division Outcome 1 Royal Commission into Trade Union Governance and Corruption	Collins	Cross-jurisdictional matters	<p><b>Senator JACINTA COLLINS:</b> Maybe I misunderstood the structure here, but the task force's role is to coordinate the various jurisdictions into who should look at or follow through what, and assist in cross- jurisdictional matters?</p> <p><b>Cmdr Ney:</b> Correct. Where there are matters that traverse the jurisdictional boundaries, obviously there is a part for me to play in coordinating that activity across the states. But predominantly, the investigations that have been undertaken in a particular jurisdiction are handled by that task force. So in Queensland the matters are dealt with by the Queensland task force, and police officers make their determination based on their oath of office as to whether they should exercise their powers or not.</p> <p><b>Senator JACINTA COLLINS:</b> Do you have any cross-jurisdictional matters?</p> <p><b>Cmdr Ney:</b> There are matters that have traversed the various jurisdictions— correct.</p> <p><b>Senator JACINTA COLLINS:</b> How many are there of those?</p> <p><b>Cmdr Ney:</b> I would have to take that on notice. But I would say that more of the matters are pretty much state based, based on the activity that has been identified.</p>	20 October 2015 L&CA 64
<b>SBE15/017</b>	Defence Abuse Response Taskforce Outcome 1 Defence Abuse Response Taskforce	Xenophon	Still-serving alleged abusers	<p><b>Senator XENOPHON:</b> At page 15 of the November 2015 report it states that the task force is aware of at least 13 individuals allegedly responsible for perpetrating sexual abuse at ADFA in the 1990s still serving in the permanent forces or active reserves, and an additional three individuals who have transferred to the inactive standby reserves. Is that statement still accurate, in terms of those who are still serving?</p> <p><b>Ms Windeyer:</b> The figure we have as of 30 September is that the task force has referred 25 still-serving alleged abusers to the CDF.</p> <p><b>Senator XENOPHON:</b> How many of those are still serving in the permanent forces or active reserves? I am happy to put that on notice if that is more appropriate.</p> <p><b>Ms Windeyer:</b> I would like to take that on notice, thank you.</p>	20 October 2015 L&CA 66

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SBE15/018	Defence Abuse Response Taskforce Outcome 1 Defence Abuse Response Taskforce	Xenophon	Time limit for complaints	<p><b>Senator XENOPHON:</b> There is an issue of time limits. You may remind me, Mr Hall. There is an issue relating to the time limits. I do not have that in front of me. There was a cut-off date for complaints whereby that cannot be considered for compensation?</p> <p><b>Mr Hall:</b> The cut-off date for the conduct that arose regarding a complaint was 11 April 2011. The cut-off for bringing a complaint to the task force was 31 May 2013.</p> <p><b>Senator XENOPHON:</b> That is right. Thank you for reminding me of that. Since that time, from that cut-off date in May 2013, how many complaints have been made to the DART in respect of matters whereby if there was not that cut-off date they would have been able to bring in a claim?</p> <p><b>Mr Hall:</b> I am not sure if we have that information.</p> <p><b>Ms Windeyer:</b> We have. As at 30 September, 425 people had tried to register post the cut-off date, so they were unable to be registered.</p> <p><b>Senator XENOPHON:</b> It is a fairly significant number of people, 435. Presumably a number of them were quite serious allegations.</p> <p><b>Ms Windeyer:</b> Four hundred and twenty five, sorry. We know the nature of the allegations only for some of them. Some people chose to give us quite a lot of information and some people simply rang up.</p> <p><b>Senator XENOPHON:</b> Has the DART given any advice to government as to what their view is about whether that cut-off date should be extended beyond May 2013?</p> <p><b>Mr Hall:</b> The terms of reference do not enable the DART to look at that particular issue. It has advised the government about the figures and about the information that has come forward but considers it a matter for the government.</p> <p><b>Senator XENOPHON:</b> Perhaps I could put that to the Attorney and see whether he wants to take it on notice and get appropriate advice, given that there are 425 cases after that cut-off period and that there was a fairly robust process initiated by DART for those cases prior to that time. I will put some other questions on notice. I think it is appropriate that I pause at this time.</p>	20 October 2015 L&CA 67
SBE15/019	Civil Law Division Outcome 1 Royal Commission into Trade Union Governance and Corruption	Collins	Funding for Police Taskforces	<p><b>Mr Lutze:</b> The amount we estimated as actual when we did the budget back in April-May this year was that they would spend \$23.1 million; they actually spent \$23.3 million. And the amount that was set aside for the royal commission, including the task force, would be \$17.813 million for this financial year.</p> <p><b>Senator JACINTA COLLINS:</b> Right.</p> <p><b>Mr Moraitis:</b> It is not separate; it is aggregated.</p> <p><b>Mr Lutze:</b> It is included.</p> <p><b>Mr Moraitis:</b> It is included there.</p> <p><b>Mr Lutze:</b> Yes.</p> <p><b>Mr Moraitis:</b> It is just one figure.</p> <p><b>Senator JACINTA COLLINS:</b> Are you telling me that the \$17.813 million figure includes the offset amounts directed towards the task force?</p> <p><b>Mr Lutze:</b> Yes.</p> <p><b>Senator JACINTA COLLINS:</b> Okay, but it does not explain that anywhere, does it?</p> <p><b>Mr Lutze:</b> No.</p> <p><b>Senator JACINTA COLLINS:</b> Does that figure include offsets from departmental funds in any other respect?</p> <p><b>Mr Lutze:</b> No. The amount that was actually provided to the royal commission in respect of the additional year that followed the \$17 million was actually made up of a reprofile from underspends</p>	20 October 2015 L&CA 70&71

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				<p>in previous years.</p> <p><b>Senator JACINTA COLLINS:</b> So we have reprofiles of underspends—</p> <p><b>Mr Moraitis:</b> For the commission itself.</p> <p><b>Senator JACINTA COLLINS:</b> For the commission itself, and we have offsets from department funds—</p> <p><b>Mr Moraitis:</b> Of about \$2 million.</p> <p><b>Senator JACINTA COLLINS:</b> for the task force—</p> <p><b>Mr Moraitis:</b> Police task force.</p> <p><b>Mr Lutze:</b> Yes.</p> <p><b>Senator JACINTA COLLINS:</b> and no other offsets for departmental funds.</p> <p><b>Mr Moraitis:</b> Not for that purpose.</p> <p><b>Mr Lutze:</b> No.</p> <p><b>Senator JACINTA COLLINS:</b> Okay.</p> <p><b>Mr Lutze:</b> Yes.</p> <p><b>Mr Moraitis:</b> State jurisdictions and Federal Police—we do not have visibility on either of those. <b>Senator JACINTA COLLINS:</b> Well, I thought that I was told by Commander Ney earlier that—</p> <p><b>Mr Moraitis:</b> I am sorry. We did not have visibility; just the AFP do.</p> <p><b>Senator JACINTA COLLINS:</b> So, for the AFP, did you tell me an amount earlier, Ms Innes-Brown?</p> <p><b>Cmdr Ney:</b> No; I did not</p> <p><b>Senator JACINTA COLLINS:</b> You have taken that on notice.</p> <p><b>Cmdr Ney:</b> Yes. The AFP is on later this evening.</p> <p><b>Senator JACINTA COLLINS:</b> Fine; I can ask them. In case we do not get to the AFP, we will put it on notice via the secretariat. Did I misunderstand the information you provided earlier, which was that the state contribution to the task force was fully funded at the Commonwealth level, or are there further contributions from the states?</p> <p><b>Cmdr Ney:</b> Those dollars that were just discussed is the pure ongoing effort of the police that are currently there at the moment.</p> <p><b>Senator JACINTA COLLINS:</b> Okay.</p> <p><b>Cmdr Ney:</b> That budget and that expenditure goes directly to offset the costs associated with the state police contribution to the task force.</p> <p><b>Senator JACINTA COLLINS:</b> So the offset from the A-G's Department offsets the costs for the state contributions to the task force?</p> <p><b>Cmdr Ney:</b> Correct.</p> <p><b>Senator JACINTA COLLINS:</b> Is that described anywhere? Did the announcement itself describe it? When the task force was established was there—</p> <p><b>Cmdr Ney:</b> Task forces were announced on 31 October last year, and detail around the funding and the numbers was worked on over the next couple of months, prior to stand-up date on 1 January 2015—well, in fact 2 January 2015.</p> <p><b>Senator JACINTA COLLINS:</b> Okay. I am sorry; the head-nodding will not be captured by Hansard. Did I correctly identify, and know, there is not some other description of how these funds have been</p>	

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				<p>allocated?</p> <p><b>Mr Moraitis:</b> I am not aware of any specific description of how that was done, no.</p> <p><b>Mr Lutze:</b> No. The method of funding is usually a budget process rather than a presentation issue for the budget statements. We do it normally.</p> <p><b>Senator JACINTA COLLINS:</b> Yes, Mr Lutze, I am approaching this from the accountability end. I could ask Mr Moraitis, for instance, 'When did you learn you were going to need to offset \$2.275 million out of the department?'</p> <p><b>Mr Moraitis:</b> When was I aware? Around October-November last year, I think.</p> <p><b>Senator JACINTA COLLINS:</b> So after the announcement but ahead of 2 January? <b>Mr Moraitis:</b> I was well aware of the need to find some resourcing.</p> <p><b>Senator JACINTA COLLINS:</b> Were you aware when it was announced that there would be no contribution from the states?</p> <p><b>Mr Moraitis:</b> I would have to take that on notice—my exact recollection of whether I knew that that is how it would work. But I knew there would have to be a contribution, certainly from offsets from the department, to somehow assist the setting up of the task force. I cannot remember the details. I would have to check.</p> <p><b>Senator JACINTA COLLINS:</b> Is that standard for a royal commission?</p> <p><b>Mr Moraitis:</b> I am not that experienced on royal commission.</p> <p><b>Senator JACINTA COLLINS:</b> No, I am not necessarily either—that they include this next layer.</p> <p><b>Senator Brandis:</b> I think I can help, Senator Collins. I do not know if it is standard for royal commission. In fact, I suspect it is not. But it is certainly one of the budget rules of this government that new outlays require offsets. When the trade union royal commission was established then, obviously, there was an estimate of its cost. Mr Abbott's cabinet took a decision that the cost of the outlays on the royal commission would be offset from other government spending—some of it, but not all of it, from within the Attorney-General's portfolio.</p> <p><b>Senator JACINTA COLLINS:</b> When the costs were estimated, did that include the costs that we are now talking about—that the states would not make a contribution?</p> <p><b>Senator Brandis:</b> I am not sure. I will take that on notice.</p>	
SBE15/020	Civil Law Division Outcome 1 Royal Commission into Trade Union Governance and Corruption	Collins	Police Taskforces investigations	<p><b>Senator JACINTA COLLINS:</b> Does the task force pursue investigations at its own initiative?</p> <p><b>Cmdr Ney:</b> Yes, it does.</p> <p><b>Senator JACINTA COLLINS:</b> Is that separate from becoming aware of something as a consequence of one matter being investigated? Is there some other basis for you determining matters that you will investigate of your own initiative?</p> <p><b>Cmdr Ney:</b> There have been a number of different investigations created, or commenced, that have come from outside the royal commission. Where individuals from the public or concerned citizens or other agencies have identified what they believe is misbehaviour that falls largely within the terms of reference, they will spend some time with us and see whether it fits into our assistance to the royal commission, and if so then we will pick it up and run with it until such time as we can determine whether there is a criminal matter there to be investigated or whether this is material that should be going to the royal commission, or in fact whether these things should be terminated and concluded without further investigation.</p> <p><b>Senator JACINTA COLLINS:</b> So then at your own initiative, perhaps by virtue of matters being brought to your attention, media reports—</p> <p><b>Ms Innes-Brown:</b> We get a lot of correspondence that comes through our email inboxes, and that is reviewed. If it is from members of the public and organisations that have had issues in the past, it is</p>	20 October 2015 L&CA 74

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				<p>often referred to the police task force for their investigation or referred to the solicitors assisting.</p> <p><b>Senator JACINTA COLLINS:</b> I want to go through the particular example of Mr John Lomax to understand what the process was in that case. Again I do not want to compromise any ongoing investigation so please let me know if there are matters that relate to that. Can you walk me through the process that occurred leading up to the charges being laid against Mr Lomax.</p> <p><b>Cmdr Ney:</b> That matter came from an individual who was working in the building industry here in Canberra.</p> <p><b>Senator JACINTA COLLINS:</b> Was that before or after the ACT task force was established?</p> <p><b>Cmdr Ney:</b> I probably need to take that on notice because I cannot remember whether that information had been received prior to the establishment or post the establishment. In any event the individual came forward and made a complaint about how he was treated and the manner in which an EBA was negotiated. The police conducted their investigation and following their investigation they proceeded to arrest Mr Lomax and take it before the court.</p> <p><b>Senator JACINTA COLLINS:</b> That was the AFP?</p> <p><b>Cmdr Ney:</b> The ACT police.</p> <p><b>Senator JACINTA COLLINS:</b> So that did not come via the trade union royal commission at all?</p> <p><b>Cmdr Ney:</b> I would have to take it on notice because I am not entirely sure whether it came out of the royal commission or whether it was a bundle of information that we received very early after the start of the task force.</p>	
<b>SBE15/021</b>	Civil Law Division Outcome 1 Royal Commission into Trade Union Governance and Corruption	Collins	Execution of CFMEU ACT search warrant	<p><b>Senator JACINTA COLLINS:</b> Did the process for the execution of the CFMEU ACT warrant differ from that adopted in relation to, for instance, the Jackson-Lawler warrant in any material way?</p> <p><b>Cmdr Ney:</b> There are two very different pieces of legislation. I have to be very cautious in terms of how I describe either of those given that, first of all, the Jackson matter is obviously a continuing and ongoing investigation, and the CFMEU ACT search warrant is actually the subject of hearings that commenced yesterday and are ongoing today in the ACT Supreme Court. Given that those matters are before the court at the moment, I am just wondering whether we might be able to take those kinds of questions on notice.</p>	20 October 2015 L&CA 75
<b>SBE15/022</b>	Civil Law Division Outcome 1 Commonwealth Representation Royal Commissions	Macdonald	Criminal charges - Royal Commission into the Home Insulation Programme	<p><b>CHAIR:</b> No, I do. Can I just ask about the Royal Commission into the Home Insulation Program. Is that now finalised?</p> <p><b>Senator Brandis:</b> The royal commission is, yes.</p> <p><b>CHAIR:</b> Have there been any charges laid as a result of the royal commission?</p> <p><b>Mr Minogue:</b> Not that I am specifically aware of, but there were originally some state prosecutions or coronial processes in relation to the deaths, in particular, of the four young men who died. In relation to other workplace health and safety or other regulatory action, we are not necessarily aware of those. I could take it on notice, but even then it might be beyond our capacity to answer. In terms of the Commonwealth government's response to the Commonwealth royal commission, I think the Minister for the Environment is leading that. That has set up a number of elements, one of which was some work being done under the Prime Minister's portfolio in relation to the activities of public servants and frank and fearless advice. Other aspects were the industry program that is administered by the department of industry in relation to pre-existing home insulation businesses.</p>	20 October 2015 L&CA 75
<b>SBE15/023</b>	Civil Law Division Outcome 1 Commonwealth Representation Royal	Macdonald	Compensation - Royal Commission into the Home Insulation	<p><b>Senator Brandis:</b> Were compensation issues checked?</p> <p><b>Mr Minogue:</b> Indeed, through that process.</p> <p><b>Senator Brandis:</b> To add to what Mr Minogue has told you, Mr Chairman, probably the most tangible outcome in terms of the victims was that there was a structure set up to negotiate</p>	20 October 2015 L&CA 75&76

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	Commissions		Programme	<p>compensation. Where that is at the moment I am not in a position to tell. I can take in on notice if you like, but it seems to me that there were two really important outcomes, above all others, from that. One was to shine a light on what happened, which was itself very important to the families of the four young men who were killed; and secondly, as I said a moment ago, to create a structure for the negotiation of compensation.</p> <p><b>Senator Brandis:</b> I do not think I am at liberty to say the Commonwealth accepts liability. The Commonwealth has indicated a willingness to be generous to those who suffered without admission of liability.</p> <p><b>CHAIR:</b> I understand the 'without admission of liability', but clearly this whole program resulted from a decision—a very poorly thought through decision—of a federal government.</p> <p><b>Senator Brandis:</b> I think the whole program was a catastrophe, and I do not think anybody who is sensible disputes that these days, including the minister who was lumped with the blame for it, Mr Garrett—although the more we learn about its genesis, the more it seems to me that Mr Garrett was perhaps the scapegoat of decisions made by more senior ministers in that government.</p> <p><b>CHAIR:</b> But I would assume the laws of the states would apply. What is the Commonwealth's connection in a compensatory way?</p> <p><b>Senator Brandis:</b> That is something that, because it involves certain legal judgements, I really do think I should take on notice. But of course, as you know, this program was a Commonwealth-established and Commonwealth-administered program, and no doubt those who are dealing with compensation aspects will be addressing the issue of the causality between the program as established by the Commonwealth and the circumvention or failure to observe various state laws—in particular, workplace health and safety practices.</p>	
SBE15/024	Civil Law Division Outcome 1 Royal Commission into Trade Union Governance and Corruption	Collins	Media and Communications	<p><b>Senator JACINTA COLLINS:</b> Then they can go. Okay. Fine. I have finished with the task force, so I do not think anything else that I cover there relates to you. I am interested in how many people are employed in the media and communications area for the trade union royal commission.</p> <p><b>Ms Innes-Brown:</b> We have one director—</p> <p><b>Senator JACINTA COLLINS:</b> In the task force?</p> <p><b>Ms Innes-Brown:</b> No—</p> <p><b>Senator JACINTA COLLINS:</b> In the commission as a whole?</p> <p><b>Ms Innes-Brown:</b> in the whole commission.</p> <p><b>Senator JACINTA COLLINS:</b> I am sorry. You are CEO for the commission as a whole?</p> <p><b>Ms Innes-Brown:</b> Yes.</p> <p><b>Senator JACINTA COLLINS:</b> Fine. Sorry, I thought that you were forward representing the task force. So it was one?</p> <p><b>Ms Innes-Brown:</b> That is correct—a director of media and communications.</p> <p><b>Senator JACINTA COLLINS:</b> At what Public Service classification are they employed?</p> <p><b>Ms Innes-Brown:</b> EL2.</p> <p><b>Senator JACINTA COLLINS:</b> Do you have an organisational chart for the trade union royal commission?</p> <p><b>Ms Innes-Brown:</b> I would have to take that on notice. We do have one.</p> <p><b>Senator JACINTA COLLINS:</b> Could you provide that to us, please?</p> <p><b>Ms Innes-Brown:</b> Yes.</p> <p><b>Senator JACINTA COLLINS:</b> What is the total annual cost of the salaries for this area of the trade</p>	20 October 2015 L&CA 78

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				<p>union royal commission? That is the media area that I am asking about.</p> <p><b>Ms Innes-Brown:</b> It would be the salary of the one person at an EL2 level.</p> <p><b>Senator JACINTA COLLINS:</b> Okay. Does the royal commission have a media-handling procedure manual or internal guidelines?</p> <p><b>Ms Innes-Brown:</b> Yes, they do.</p> <p><b>Senator JACINTA COLLINS:</b> Could you provide those to the committee, please?</p> <p><b>Ms Innes-Brown:</b> Yes.</p>	
SBE15/025	Access to Justice Division Outcome 1 Legal Assistance Branch	McKim	Establishment of TACLS Offices	<p><b>Ms Quinn:</b> We are working with the National Association of Community Legal Centres for them to develop an alternative. We have given them a pretty significant funding agreement for this financial year for them to work on a solution with the sector. They are also working with states and territories, because they now administer the hands-on funding for almost every CLC. The status of that, from the national association's perspective, is they have started work on that project. They have given us a copy of their initial scoping study. Under their grant agreement, it is important for me to point out that the report remains their intellectual property; it is not actually ours. The scoping study was conducted in July and August to identify the business needs and the work that was going to be required to deliver an effective replacement of that database. The scoping study has now been completed, and the organisation—the national association—have recently issued a request for a proposal. They are in the process for selecting a suitable solution and a suitable provider.</p> <p><b>Senator MCKIM:</b> The obvious point needs to be made that this was previously something that CLCs or their national association did not have to pay for. I accept that you have given them a grant to have a look at alternatives. What was the value of the grant, by the way?</p> <p><b>Ms Quinn:</b> It was \$1.3 million.</p> <p><b>Senator MCKIM:</b> But that is only to examine alternatives and potentially come up with a new model for managing that database—</p> <p><b>Ms Quinn:</b> That is correct.</p> <p><b>Senator MCKIM:</b> or the functions that were done and are still done by that database?</p> <p><b>Ms Quinn:</b> Yes.</p> <p><b>Senator MCKIM:</b> But, ultimately, someone is going to have to pay for it, aren't they, either by buying a service in from an external service provider or by doing the work themselves—or a combination of both. So it is another cost shift, is it not, onto CLCs, many of which are already struggling with funding decreases?</p> <p><b>Ms Quinn:</b> Yes, we did do that. But we have actually taken, from the end of this current financial year, the money that we used to spend on maintaining CLSIS—and it is a very, very old and cumbersome system; nobody wants to keep it, I can assure you—into the national partnership agreement. That is why the national association is trying to get the engagement of states and territories. We are not going to leave them high and dry, and we are certainly looking at options for what we might need to do if the transition period needed to extend any longer, but we are also working very hard to make that not happen.</p> <p><b>Mr Manning:</b> One of the other changes worth noting on this point is that the information that the Commonwealth is requiring from the sector has been substantially reduced as a result of the new national partnership. So the information that they are obliged to provide to the Commonwealth has been reduced, all of which is part of the same aim which all of these measures are for—is to maximise the amount of the available funds that are spent on front-line services as compared to administration of the system. So what is actually required under the CLSIS replacement will be less than what has been the case in the past in relation to information.</p>	20 October 2015 L&CA 81



QoN No.	Division/Outcome/Agency	Senator	Subject	Question	Hearing date and Proof Hansard Page or Written
				<p><b>Senator McKIM:</b> Yes, I understand that. Have you ruled out the department continuing to manage a central data system that would allow for whatever reporting the department thinks it needs from the sector as well as the practice management issues that have been identified?</p> <p><b>Ms Quinn:</b> Yes.</p> <p><b>Senator McKIM:</b> You have ruled that out?</p> <p><b>Ms Quinn:</b> Yes, we have. Our transactional arrangement is now between the Commonwealth Treasury and state and territory treasuries. As Mr Manning said, the level of reporting that we, as the Commonwealth, require is now consolidated, quite minimal and at an entire state level. I should also add that a number of CLCs do not actually use CLSIS for the purpose you are talking about, because there are a range of off-the-shelf products available. That is one of the options that the national association is having a look at.</p> <p><b>Senator McKIM:</b> Minister Cash, you told the Senate last week, and I am paraphrasing here, that you acknowledge that funding to CLCs through the budget out-years had not been restored and that that was under consideration in the lead up to the midyear—</p> <p><b>Senator Cash:</b> It would be considered as part of the normal budget process.</p> <p><b>Senator McKIM:</b> I think you said MYEFO?</p> <p><b>Senator Cash:</b> MYEFO and/or the normal budget processes.</p> <p><b>Senator McKIM:</b> Is it being considered as part of the midyear financial process, or is it being considered as part of the budget?</p> <p><b>Senator Cash:</b> That is a decision for the cabinet.</p> <p><b>Senator McKIM:</b> You are not going to talk about that now?</p> <p><b>Senator Cash:</b> No.</p> <p><b>Senator McKIM:</b> Can I ask—it may be the same answer, but you cannot blame a man for trying—does that include Environmental Defenders Offices?</p> <p><b>Senator Cash:</b> I need to take that on notice, and you would need to direct that to the Attorney-General because that sits squarely within his portfolio.</p>	
SBE15/026	Access to Justice Division Outcome 1 Legal Assistance Branch	McKim	Environmental Defenders Offices - Datasets	<p><b>Senator McKIM:</b> I will put that on notice in that case, and perhaps you can come back to us on that when you are able. To tie off this issue, does the department—and this relates specifically to Environmental Defenders Offices—have data about what kind of advice is most often given by EDOs to members of the public? If you read the Productivity Commission report it is pretty clear that often advice is given for people not to proceed with action that they were contemplating at the time. Does the department keep any data at all along those lines?</p> <p><b>Mr Manning:</b> Noting that the Environmental Defenders Offices have not been funded for some time now, we will have to take that on notice to see whether or not the databases that we do have are able to provide information in relation to the categories of work.</p> <p><b>Ms Quinn:</b> I suspect it will not go to the level of detail you are looking for, but we can have a look at what there is there. I think it will be more at a count—</p> <p><b>Mr Manning:</b> That is right.</p> <p><b>Ms Quinn:</b> and magnitude of cases. I am quite confident the outcomes will not be there, but I think we should look.</p> <p><b>Mr Manning:</b> We can tell you what we do have.</p> <p><b>Senator McKIM:</b> Can I put a question on notice, then, for some advice, in broad terms, about what datasets you have kept, and also whether it is possible to answer the question I asked, given the data that you hold?</p> <p><b>Ms Quinn:</b> Sure.</p>	20 October 2015 L&CA 81-82

QoN No.	Division/Outcome/Agency	Senator	Subject	Question	Hearing date and Proof Hansard Page or Written
SBE15/027	Access to Justice Division Outcome 1 Legal Assistance Branch	Bilyk	Legal aid, community legal centres, and Indigenous legal assistance	<p><b>Senator BILYK:</b> How much funding has been allocated to TACLS?</p> <p><b>Ms Quinn:</b> So the total value of their five-year funding agreement is \$11.78 million.</p> <p><b>Senator BILYK:</b> Is that million or billion?</p> <p><b>Ms Quinn:</b> Million.</p> <p><b>Senator BILYK:</b> Sorry, I do have a hearing problem and I just thought I had better clarify that. So that is over five years, is it?</p> <p><b>Ms Quinn:</b> Yes. So their funding for this financial year is \$2 million—do you want me to give you the full amount? It is \$2,371,774.</p> <p><b>Mr Manning:</b> I just make the point that there is no difference in the funding provided to them because they are a new provider.</p> <p><b>Ms Quinn:</b> That is correct. So the funding amount was set in advance of appointing which provider it was.</p> <p><b>Mr Manning:</b> That is the money that was available in Tasmania. There were funds available for that service provider in Tasmania. It did not change according to who the service provider was.</p> <p><b>Senator BILYK:</b> So there wasn't any difference to funding in previous years, if we do a comparison?</p> <p><b>Mr Manning:</b> There was some difference—some changes.</p> <p><b>Ms Quinn:</b> When we rolled out the new funding arrangements across all three legal assistance providers— legal aid, community legal centres and Indigenous legal assistance—we did new funding allocation models. The bottom line amount is set in the forward estimates, in the budget papers, for each appropriation. We did an assessment of the comparative need as to which states should get which percentage. Tasmania did get an increase as a result of our looking at that; but Mr Manning's point is that, irrespective of which provider had been appointed, that was the amount of money that had been assessed as being required by Tasmania.</p> <p><b>Senator BILYK:</b> We talked about the three offices that have been set up. How many staff are in each of those offices?</p> <p><b>Ms Quinn:</b> Wayne Muir, whom we mentioned earlier, remains the CEO of VALS; and, because the new organisation operates under the auspices of VALS, there is not a CEO as such but there is a principal lawyer. Could I take on notice the per-office element?</p> <p><b>Senator BILYK:</b> Sure. You might also want to take some of these on notice if you cannot answer them. When were the offices officially up and running?</p> <p><b>Ms Quinn:</b> I will take that one on notice as well, just to be sure I get the exact dates correct.</p> <p><b>Senator BILYK:</b> Yes. With regard to the staff, how many lawyers and how many administration staff are there? Are they employed on a fly in, fly out basis or are they permanent part-time or casual staff?</p> <p><b>Ms Quinn:</b> The employees are Tasmanian employees.</p> <p><b>Senator BILYK:</b> Full time?</p> <p><b>Ms Quinn:</b> I will take that on notice.</p> <p><b>Senator BILYK:</b> Thanks. Do we know if all the cases that were handled by the previous service were handed over to the new service?</p> <p><b>Ms Quinn:</b> No, I know that they all were not. There were some issues in communication with the previous provider and in getting files handed over. There were some definite challenges there.</p> <p><b>Senator BILYK:</b> What is the outcome of those challenges? Have you been able to resolve them?</p> <p><b>Ms Quinn:</b> They should have been, and they were required to have been. It was one of many challenges we had with the former provider.</p> <p><b>Senator BILYK:</b> Has it been sorted out now?</p>	20 October 2015 L&CA 84-85

QoN No.	Division/Outcome/Agency	Senator	Subject	Question	Hearing date and Proof Hansard Page or Written
				<p><b>Ms Quinn:</b> Many people have had their cases transferred, yes.</p> <p><b>Senator BILYK:</b> Are you able to tell me how many?</p> <p><b>Ms Quinn:</b> No, I would have to take that on notice, the exact number. It changes every week.</p> <p><b>Senator BILYK:</b> How many were and how many were not, if people were not?</p> <p><b>Mr Manning:</b> We will take the details on notice, Senator, but certainly the new provider was very mindful to generate knowledge of its services amongst the community to try to overcome any transfer problems and to ensure that people got the full level of service leading up to court dates and whatnot. Again we can take on notice those arrangements.</p> <p><b>Senator BILYK:</b> Thank you. Ms Quinn, you mentioned the phone advisory service. Do you know what hours that is available?</p> <p><b>Ms Quinn:</b> There is a 24-hour telephone assistance line.</p> <p><b>Senator BILYK:</b> Have there been any complaints about the phone service?</p> <p><b>Ms Quinn:</b> Only from the previous provider.</p> <p><b>Senator BILYK:</b> Can you tell me what the nature of the complaint was?</p> <p><b>Ms Quinn:</b> We had some accusations that the phone was not being answered that we were unable to substantiate. We did have one instance where one police station had not received notice of the new phone number and was trying the old phone number, which was not manned. Other than that the only complaints were from the old provider.</p> <p><b>Senator BILYK:</b> I am not sure if I asked about what date all the offices were established—</p> <p><b>Mr Manning:</b> We took that on notice.</p>	
<b>SBE15/028</b>	Access to Justice Division Outcome 1 Legal Assistance Branch	Macdonald	Community Legal Centre funding for front-line services	<p><b>Ms Quinn:</b> This year and from 1 July this year, community legal centre funding, with very few exceptions, is provided through the national partnership agreement, so bound by exactly the same clauses we were talking about before with Senator McKim.</p> <p><b>CHAIR:</b> Okay, but what I am asking you is how you can be assured that community legal centres are not spending Commonwealth money meant for front-line legal defences or representation on things that the Commonwealth does not want them to spend it on.</p> <p><b>Ms Quinn:</b> We will be getting reports periodically under the national partnership agreement on, at a state consolidated level, how many services community legal centres have provided—I think it will be divided into the law types. I might have to take on notice what the specifics are so that I can get you a full answer on that, but I can certainly say that in our relationship with states and territories, part of our responsibility is making sure that all the clauses in the national agreement are upheld. We certainly instances where they have asked us for our opinion on a particular activity.</p>	20 October 2015 L&CA 88
<b>SBE15/029</b>	Access to Justice Division Outcome 1 Legal Assistance Branch	Macdonald	Community Legal Centre funding	<p><b>CHAIR:</b> So in a centre that is funded, say, fifty-fifty by state and federal, all of the state money could go to advocacy in a state where that is allowed. Are there any states where that is not allowed?</p> <p><b>Ms Quinn:</b> I would have to take that on notice.</p>	20 October 2015 L&CA 89
<b>SBE15/030</b>	Access to Justice Division Outcome 1 Legal Assistance Branch	Collins	Community Legal Centre funding	<p><b>Senator JACINTA COLLINS:</b> I was not going to go here, but since Minister Cash is here I thought I might ask if she could direct me to the 'false and misleading campaign' that she referred to in question time last week, because I have been following this for a while and I have only seen reasonably accurate descriptions of what we just went through in terms of the out years. Has someone that has not come to my attention from the community legal centre been claiming that these are immediate cuts?</p> <p><b>Senator Cash:</b> No. As I said, it was not in relation to the CLCs. What I said was in relation to the campaign that had been run by members of the Labor Party and the Greens, from the last budget.</p>	20 October 2015 L&CA 91

QoN No.	Division/Outcome/Agency	Senator	Subject	Question	Hearing date and Proof Hansard Page or Written
				<p><b>Senator JACINTA COLLINS:</b> Okay. Could you direct me to who in the Labor Party has been inaccurate in describing this situation.</p> <p><b>Senator Cash:</b> A number of allegations have been made in relation to cuts, but in particular, from the Greens, it was Senator Larissa Waters who had alleged that we had cut funding from the national action plan, and we have been very clear that we have not cut any funding at all from the national action plan, and we took her through that at estimates. But there have been a number of allegations. I cannot point to specifics now; I do not have them with me. But certainly there was a campaign alleging that we had cut funding immediately, and we had not.</p> <p><b>Senator JACINTA COLLINS:</b> I represent the shadow Attorney in the Senate, and I have been asking questions in estimates in this space for some time now. I am not aware of an inaccurate campaign from any of my Labor colleagues, so could I ask you to take on notice which Labor members and/or senators you believe were inaccurately describing these cuts.</p> <p><b>Senator Cash:</b> Yes.</p>	
SBE15/031	Access to Justice Division Outcome 1 Legal Assistance Branch	Collins	Aboriginal Family Violence Prevention Legal Services	<p><b>Ms Quinn:</b> That would not have, and that is not the reason that no family violence prevention legal service was recommended to government as the nominated provider. It was because we decided to recommend providers that could service the entire region, and, in the areas where there is a family violence prevention legal service, we have directed the nominated provider to ensure that they are working with the AFVPLS in their region. AFVPLSs do not operate everywhere; they only operate in rural and remote areas, and not in every jurisdiction. The ones that spring to mind are in the Kimberley, Alice Springs and Townsville. There may well be one in the Dubbo region too. But we are working really closely with them to make sure that the entire sector and the entire community benefits from the funding.</p> <p><b>Senator JACINTA COLLINS:</b> Okay, but what you are essentially describing here is the tension between one provider providing broad services and specialist organisations that provide services to meet the needs of, in particular, Indigenous women. Now, the women's safety package, to my understanding, includes roughly \$21 million of Indigenous initiatives, so that is quite apart from what you are describing as well—</p> <p><b>Ms Quinn:</b> Yes.</p> <p><b>Senator JACINTA COLLINS:</b> and the criticism here is that that has almost exclusively gone into policing in remote communities—again, not towards organisations that already exist and specialise in providing support for Aboriginal Family Violence Prevention Legal Services. I understand what you are saying in relation to the CLCs, but I still find it difficult to understand what consideration, if any, was provided to specialist family violence prevention legal services within the Indigenous element of the Women's Safety Package.</p> <p><b>Ms Quinn:</b> I obviously cannot comment on how PM&amp;C is allocating its component.</p> <p><b>Senator Cash:</b> We would need to take that on notice or alternatively put it to Mr Scullion on Friday at the PM&amp;C Indigenous estimates.</p> <p><b>Ms Quinn:</b> The commitment we have made is to work with the providers we have nominated to receive the funding to maximise the benefit to all providers. This is not about saying, to use Alice Springs as an example, that in that region FVPLS was seeing none of the benefit of that funding. It is saying that we are not entering into multiple funding agreements but are actively requiring the Central Australian Women's Legal Service to partner with all of the other providers, including the existing Territory government funded domestic violence specialist units, the FVPLS, the Central Australian Aboriginal legal service that we fund, and legal aid.</p> <p><b>Senator JACINTA COLLINS:</b> The other questions I have here might also be for Friday. I</p>	20 October 2015 L&CA 92

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				<p>understand you cannot give us the current figures for the Aboriginal Family Violence Prevention Legal Services. Are you able to tell me, from the period when they were within the Attorney-General's Department, roughly what funding they attracted?</p> <p><b>Ms Quinn:</b> I am sorry, but I have not brought those figures with me. I can take on notice what the funding level was when they were transferred, but I do not have the figures with me.</p>	
<b>SBE15/032</b>	Civil Law Division Outcome 1 Native Title Unit	Canavan	Federal Court of Australia and the National Native Title Tribunal Claims	<p><b>Senator CANAVAN:</b> I think you mentioned the aspects which are about trying to unlock the economic potential; presumably that will help resolve matters too—if there is an incentive to see these matters resolved. Is this the \$10.6 million?</p> <p><b>Mr Minogue:</b> I would have to take on notice the figure. But that is essentially administered by Department of the Prime Minister and Cabinet, so there is probably a limit to how far up—</p> <p><b>Senator CANAVAN:</b> Just to be clear, this is the recommendation: \$10.6 million to support pilot reforms that broaden economic activity on land and demonstrate the benefits of reform to investors, Indigenous Australians and other stakeholders. That is in the Prime Minister and Cabinet portfolio?</p> <p><b>Mr Minogue:</b> I think that is right, yes.</p> <p><b>Senator CANAVAN:</b> We can leave that. There is also: \$20.4 million to better support native title holders engage with potential investors. Is that your area?</p> <p><b>Mr Minogue:</b> I would have to confess that I am not across that level of detail, so I would have to take that on notice. But I think that is actually in the Prime Minister's portfolio.</p>	20 October 2015 L&CA 94
<b>SBE15/033</b>	Civil Law Division Outcome 1 Native Title Unit	Canavan	Freehold or 99-year leases for Indigenous communities	<p><b>Senator CANAVAN:</b> Finally, the \$17 million to support freehold or 99-year leases for willing Indigenous communities?</p> <p><b>Mr Minogue:</b> Again, the Prime Minister's portfolio.</p> <p><b>Senator CANAVAN:</b> That would be the Prime Minister and Cabinet. Presumably you are responsible for the Native Title Act itself though?</p> <p><b>Mr Minogue:</b> That is right. The Attorney administers that.</p> <p><b>Senator CANAVAN:</b> Have you yourself looked at this issue, which certainly received substantial commentary in the white paper, around the restrictive aspect of native title and the inability of native title holders to take their rights to the bank, so to speak? Because it cannot be sold or transferred, banks will not take native title as security, and therefore it limits their potential for investment and economic opportunity. Is that something you have looked at, or was it looked at through this process?</p> <p><b>Mr Minogue:</b> Through this process as well as the Council of Australian Governments current investigation into Indigenous land administration and use—and that is still an ongoing process that has not yet been resolved.</p> <p><b>Senator CANAVAN:</b> Presumably some of these aspects overlap with state and territory legislation?</p> <p><b>Mr Minogue:</b> They certainly overlap with state and territory interests. The Attorney maintains or hosts a national native title ministers meeting, and that has been held at various times over the last several years. That is essentially a working forum where jurisdictions put forward their views about aspects of the act that they feel could be improved—either aspects of administration or aspects of their legislation. It is informed by not only the Commonwealth's interest as a participant and party to litigation but also the states and territories, which have a greater exposure to native title administration and indeed support for Indigenous people on land, because it happens more often that states are more directly involved in that than the Commonwealth is.</p>	20 October 2015 L&CA 95

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				<p><b>Senator CANAVAN:</b> The white paper mentions that Queensland has recently reformed its laws to allow conversion of Indigenous land to ordinary freehold and remove restrictions on commercial leasing. Are you aware of those particular changes?</p> <p><b>Mr Minogue:</b> Yes, that would be not necessarily a native title property right but some other property right under state legislation.</p> <p><b>Senator CANAVAN:</b> Sorry?</p> <p><b>Mr Minogue:</b> That would not necessarily be a native title right but some other property right under legislation.</p> <p><b>Senator CANAVAN:</b> Certainly there were many reforms to freehold and leasehold in Queensland—pastoral leases in particular in Queensland recently. So they could not do that because that would be still under the Native Title Act? It would have to be done—</p> <p><b>Mr Minogue:</b> No, the native title regime affects the rights of native title claimants to the extent that they have a native title property right. It is not always directly analogous to a common-law property right, if you like.</p> <p><b>Senator CANAVAN:</b> Let me put it more directly. If we want to get to a situation where native title holders can choose to put some kind of 99-year lease or lien over their property so that there is some transferable right that they can take to the bank, do there need to be any changes at the Commonwealth level to allow that to happen, or can that be done just through state and territory law?</p> <p><b>Mr Minogue:</b> There would, but I probably should not go—that would be a question to ask the government.</p> <p><b>Senator CANAVAN:</b> I am not asking you whether you would support such a change, just to be clear. I am asking—and certainly that was the suggestion in the white paper—what would need to change to allow that to happen? Would there need to be changes to the federal Native Title Act?</p> <p><b>Mr Minogue:</b> There would certainly need to be some in terms of the process and the detail of the amendments that would need to be gone through should a government be interested in progressing that. I would have to take that on notice.</p>	
<b>SBE15/034</b>	Civil Law Division Outcome 1 Native Title Unit	Canavan	White Paper - Funding	<p><b>CHAIR:</b> I thank Senator Canavan for raising those issues. What funds have you got, following the white paper, for addressing these issues? You said that \$24 million is with PM&amp;C, \$17 million is with PM&amp;C and \$10.6 million is with PM&amp;C. What funding have you got to do whatever you are going to do?</p> <p><b>Mr Minogue:</b> In terms of the funding for the portfolio, the main funding goes to the Federal Court and the National Native Title Tribunal—as I say, being the framework for resolution. To the extent the Commonwealth is a party in relation to particular pieces of native title litigation, the department has funding to discharge those responsibilities. Of course, the department in its general sense is funded to support the Attorney in his administration of the act as the responsible minister.</p> <p><b>Mr Manning:</b> There is one other stream of funding. One of the aims that was spoken about earlier is in relation to assisting the resolution of claims, and the department administers, as part of its financial assistance schemes, native title respondent funding, which is \$1.597 million this year, and indexed every year. That scheme provides legal financial assistance for legal representation disbursement costs for respondents to claim, whose interests in the claim may be impacted by native title. By providing that, you are helping to ensure all of the relevant parties to a claim are at the table and able to be represented, and thus facilitate the resolution of the claim. There is also what is called the Native Title Officer Funding Scheme, which is about \$200,000 per year, which provides assistance to peak industry bodies and other organisations that represent native title respondent</p>	20 October 2015 L&CA 96&97

QoN No.	Division/Outcome/Agency	Senator	Subject	Question	Hearing date and Proof Hansard Page or Written
				<p>groups to employ native title officers—again, to co-ordinate their participation in a native title case and thus help facilitate speedier resolution of those claims, and there are the anthropologists as well.</p> <p><b>Mr Minogue:</b> Exactly. In addition to that, there is the Native Title Anthropologist Grants Program. The purpose of that program is to support anthropologists who will give expert evidence in relation to native title litigation about the connection of a claimant group to the country over which the native title is claimed.</p> <p><b>CHAIR:</b> Senator Canavan got your agreement on the \$24 million to help, which went to PM&amp;C; \$17 million for—</p> <p><b>Senator CANAVAN:</b> \$20.4, I think it was.</p> <p><b>CHAIR:</b> \$20.4 to help; \$17 million for something else—</p> <p><b>Senator CANAVAN:</b> I would have to re-look at it, but that was for leasehold.</p> <p><b>CHAIR:</b> And \$10.6 for something else went to PM&amp;C, but nothing specific went to your department.</p> <p><b>Mr Manning:</b> No, we just have those pre-existing amounts, which are designed to facilitate resolution of claims. We did not get additional funds as a result of that work that is being discussed here.</p> <p><b>CHAIR:</b> The white paper suggests that you are a bit slow in doing whatever you are supposed to be doing with that.</p> <p><b>Mr Manning:</b> In relation to the three schemes we have just outlined, they are all schemes that organisations or individuals apply for. It is not something which the Attorney-General's Department drives. Through a combination of those and the measures that Mr Minogue outlined earlier in relation to the courts that had that priority listing scheme et cetera, I think those rates of clearance as outlined earlier would show that that is not strictly true—that in fact we have been contributing to those clearance rates.</p> <p><b>Senator CANAVAN:</b> To clarify, so we can close the loop here, and you may have to take this on notice: with those schemes and that existing funding that has not changed, I presume that is that \$110 million a year that the white paper refers to. Is all of that in your department?</p> <p><b>Mr Manning:</b> No. We will take it on notice for the detail, but for the numbers of those three small schemes I mentioned, we are talking \$1.6 million a year.</p> <p><b>Senator CANAVAN:</b> I think this might include court. I am talking broadly in the department, not just this area.</p> <p><b>Mr Manning:</b> We will have to take it on notice to see whether we can disaggregate what the courts contribute to it from their overall appropriation. I am not sure we can, but we will take it on notice.</p>	
<b>SBE15/035</b>	International Law and Human Rights Division Outcome 1 International Law, Trade and Security Branch	Bilyk	Terms of settlement - Australia and Timor-Leste	<p><b>Senator BILYK:</b> What were the terms of settlement between Australia and Timor-Leste? You have just said it is not confidential.</p> <p><b>Senator Brandis:</b> We will provide you with a copy, Senator.</p> <p><b>Senator BILYK:</b> You will provide me with a copy?</p> <p><b>Senator Brandis:</b> Yes.</p> <p><b>Senator BILYK:</b> When might that be?</p> <p><b>Senator Brandis:</b> We will take the question on notice so that, rather than paraphrasing a legal instrument, you will have the actual terms for your own private study.</p>	20 October 2015 L&CA 101
<b>SBE15/036</b>	International Law and Human Rights Division Outcome 1	Bilyk	Cost of litigation - Australia and Timor-Leste	<p><b>Senator BILYK:</b> I want to ask some questions about the cost of the implications for Australia of this litigation. In a previous round of estimates, I think it was Senator Collins who asked some questions and received the response that Australia had taken a team of 11 people to The Hague for</p>	20 October 2015 L&CA 102&103

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	International Law, Trade and Security Branch			<p>the case, all of whom flew to the Netherlands in business class at a cost of almost \$90,000. Over \$18,000 was spent on accommodation and \$16,500 was spent on meals and other incidentals. That tallies to over \$120,000. I am wondering what the total costs are now that the case has been settled. Can you tell me the total amount spent on lawyers for this case?</p> <p><b>Senator Brandis:</b> Yes. We will take it on notice and get you that.</p> <p><b>Senator BILYK:</b> How many lawyers travelled to The Hague to represent Australia at the ICJ?</p> <p><b>Senator Brandis:</b> We will take that on notice and give you the answer.</p> <p><b>Senator BILYK:</b> You do not know?</p> <p><b>Senator Brandis:</b> Not off the top of my head.</p> <p><b>Senator BILYK:</b> How many public servants?</p> <p><b>Senator Brandis:</b> Again, we will take it on notice and give you that information.</p> <p><b>Senator BILYK:</b> Do you know if they all flew in business class?</p> <p><b>Senator Brandis:</b> I do not.</p> <p><b>Senator BILYK:</b> Sorry, was that another take on notice?</p> <p><b>Senator Brandis:</b> I said that I do not know whether they all flew in business class.</p> <p><b>Senator BILYK:</b> Will you take that on notice too?</p> <p><b>Senator Brandis:</b> I will take on notice what class they flew—yes.</p> <p><b>Senator BILYK:</b> I am presuming you do not know the total cost of flights either?</p> <p><b>Senator Brandis:</b> I do not.</p> <p><b>Senator BILYK:</b> Can you take that on notice?</p> <p><b>Senator Brandis:</b> I will.</p> <p><b>Senator BILYK:</b> What was the total cost of the ground transport?</p> <p><b>Senator Brandis:</b> I will take that on notice.</p> <p><b>Senator BILYK:</b> What were the costs of meals and other incidentals?</p> <p><b>Senator Brandis:</b> Yes, we will take that on notice.</p> <p><b>Senator BILYK:</b> You will take it on notice?</p> <p><b>Senator Brandis:</b> Yes.</p> <p><b>Senator BILYK:</b> What was the total cost to Australia for this litigation?</p> <p><b>Senator Brandis:</b> I think you have already asked that and I have already said that we would take that on notice</p> <p><b>Senator BILYK:</b> No, I asked for the total amount spent on lawyers, but now I want to know what the total cost to Australia was.</p> <p><b>Senator Brandis:</b> I think you have already asked that but, in any event, we will take that on notice.</p> <p><b>Senator BILYK:</b> Thank you, obviously I am not going to get any answers here.</p> <p><b>Senator Brandis:</b> No. You will get all of the answers but they will be taken on notice because you have asked for particular figures and you have asked for—</p> <p><b>Senator BILYK:</b> And nobody at the table could give me those figures? You are so unprepared.</p> <p><b>Senator Brandis:</b> I have taken the questions on notice so that you can be provided with the information after its accuracy has been verified.</p>	
<b>SBE15/037</b>	National Security Law and Policy Division Outcome 1 Data Retention Taskforce	Bilyk	ISPs applied for an extension of time for compliance	<p><b>Senator BILYK:</b> How many ISPs have applied for an extension of time for compliance?</p> <p><b>Ms Chard:</b> I would have to take that on notice. The applications that we have received come from a range of providers that include carriers, carriage service providers and internet service providers.</p>	20 October 2015 L&CA 106



QoN No.	Division/Outcome/Agency	Senator	Subject	Question	Hearing date and Proof Hansard Page or Written
SBE15/038	National Security Law and Policy Division Outcome 1 Data Retention Taskforce	Bilyk	Grant payments to ISPs	<p><b>Senator BILYK:</b> What will determine when that last grant is paid to the ISP?</p> <p><b>Ms Chard:</b> The will be determined on the key activities and milestones that grant applicants put in their grant application and are related to their implementation plans.</p> <p><b>Senator BILYK:</b> Can I get a breakdown of how that \$2.9 million is going to be used? Is it for staffing and that sort of thing as well?</p> <p><b>Ms K Jones:</b> It will be a combination of staffing and systems.</p> <p><b>Senator BILYK:</b> Can I get a breakdown of—</p> <p><b>Mr Moraitis:</b> We can take it on notice.</p>	20 October 2015 L&CA 108
SBE15/039	National Security Law and Policy Division Outcome 1 Data Retention Taskforce	Bilyk	Industry Hotline	<p><b>Senator BILYK:</b> Has the Attorney-General or the government consulted with the telecommunications industry regarding compliance with the new regime?</p> <p><b>Ms Chard:</b> Yes, extensively.</p> <p><b>Senator BILYK:</b> Extensively? How was that done?</p> <p><b>Ms Chard:</b> The department has engaged through the industry implementation working group, the IWG, which is a senior implementation industry group consisting of representatives from the department and from law enforcement and national security agencies as well as the telecommunications industry. The department has also attended a wide range of industry stakeholder forums. There has been quite substantial guidance material prepared that has been distributed to industry and published on the department's website. There have been emails that have gone out from the Communications Access Coordinator to industry groups, predominantly through the Telecommunications Industry Ombudsman. And we also have been managing a hotline where we have been fielding any inquiries from industry.</p> <p><b>Senator BILYK:</b> Is that hotline staffed from nine to five?</p> <p><b>Ms Chard:</b> It is staffed during normal business hours, yes.</p> <p><b>Senator BILYK:</b> How many calls have you had to it?</p> <p><b>Ms Chard:</b> I would have to take on notice the actual number of calls.</p> <p><b>Senator BILYK:</b> While you are doing that, maybe you could just take on notice where those consultations were held—</p> <p><b>Ms Chard:</b> Sure.</p> <p><b>Senator BILYK:</b> you said public consultations and things like that were held—as well as when the industry working group met and where?</p> <p><b>Ms Chard:</b> Yes.</p>	20 October 2015 L&CA 109
SBE15/040	Criminal Justice Division Outcome 1 Crime and Justice Policy Branch	McKenzie	National Firearms Agreement - Submissions	<p><b>Senator McKENZIE:</b> I have some questions around the review of the national firearms agreement. I understand that the department has received over 500 submissions from stakeholders with respect to the review of the NFA. Those submissions closed on 13 August. Can you tell me what stage of the process we are up to at the moment and whether you are still receiving submissions?</p> <p><b>Mr Anderson:</b> That is not correct. We asked for submissions from 31 specific stakeholder groups. We have received, I believe, 20 as at about 22 September.</p> <p><b>Senator McKENZIE:</b> Is that 20 out of the 31 you requested as of the—</p> <p><b>Mr Anderson:</b> I think it was about 20 September.</p> <p><b>Senator McKENZIE:</b> So there was no public avenue for comment around the review of the NFA?</p> <p><b>Mr Anderson:</b> We have certainly received a wide range of emails, but there was no public call for submissions as such, no.</p> <p><b>Senator McKENZIE:</b> How many emails have you received from the public on this issue?</p> <p><b>Mr Anderson:</b> I would have to take that on notice.</p>	20 October 2015 L&CA 109&110

QoN No.	Division/Outcome/Agency	Senator	Subject	Question	Hearing date and Proof Hansard Page or Written
				<p><b>Senator MckENZIE:</b> When you take that on notice, could you also summarise the issues raised.</p> <p><b>Mr Anderson:</b> I am not sure that that is actually going to be possible. There are quite a wide range of views in the community on email. Some of the emails are fairly pithy and not necessarily well expressed in terms of English and grammar. Some of them are quite threatening. Some of them are more comprehensively argued. To try to summarise all of that range of views would take quite a lot of resources.</p> <p><b>Senator MckENZIE:</b> Are we talking tens of emails, hundreds or thousands?</p> <p><b>Mr Anderson:</b> We are talking hundreds of emails.</p> <p><b>Senator MckENZIE:</b> So, for the hundreds of Australians who have taken time to contact the department on both sides of the NFA review argument, you are not bothering to actually consider those views?</p> <p><b>Mr Anderson:</b> We have looked at the emails to see what sorts of views were expressed.</p> <p><b>Senator MckENZIE:</b> Good.</p> <p><b>Mr Anderson:</b> Some expressed views that involved threats to my staff, so we certainly had regard to those.</p> <p><b>Senator MckENZIE:</b> No, I appreciate what you are saying, Mr Anderson, but I am sure that hundreds of the emails would not have been threatening your staff. I assume that you have read—looked at, as you say—hundreds of these emails and that you or your staff would have some rounded view of some of the issues, the top five issues, raised within those emails.</p> <p><b>Mr Anderson:</b> We could come up with the top five issues.</p> <p><b>Senator MckENZIE:</b> Could you give me the top five and the number of emails you received?</p> <p><b>Mr Anderson:</b> Certainly.</p>	
SBE15/041	Criminal Justice Division Outcome 1 Crime and Justice Policy Branch	McKenzie	Firearms and Weapons Policy Working Group	<p><b>Ms Smith:</b> Essentially, after the Martin Place review, there was a recommendation relevant to the review of the national firearms agreement. As a result of that, there is a group called the Firearms and Weapons Policy Working Group, of which I am the chair. We have coordinated a number of meetings just of the group to begin with to—</p> <p><b>Senator MckENZIE:</b> Who is on that group—sorry, Ms Smith—while we are at it?</p> <p><b>Ms Smith:</b> On that group are representatives from Queensland police and New South Wales Police as well as the New South Wales police ministry. We have Victoria Police. We also have the Victorian Department of Justice and Regulation. We have Tasmania Police. We have South Australia Police. We have Western Australia Police, Northern Territory police—</p> <p><b>Senator MckENZIE:</b> Excellent! You don't want to leave them out.</p> <p><b>Ms Smith:</b> ACT police and the Australian Federal Police. We have the Australian Crime Commission. We have CrimTrac, and we have the Attorney-General's Department.</p> <p><b>Senator MckENZIE:</b> Right! A lot of justice and a lot of police officers.</p> <p><b>Ms Smith:</b> Indeed. The group met on a number of occasions to work through the Martin Place recommendations, of which there were four relating to firearms, not just to do with the national firearms agreement. We then determined that it was appropriate to consult with a broad range of people who were associated with firearms associations as well as groups who were associated with gun control lobbies or law councils and suchlike, so we have had a series of meetings with those groups to talk about the kinds of issues where they see that there would be a benefit in arguably amending the NFA for technical elements of it, not the fundamentals of the agreement, and also any concerns that have been raised by their associations. Generally, the people who have come to those consultations represent many, many thousands of members, so they are bringing quite—</p>	20 October 2015 L&CA 110

QoN No.	Division/Outcome/Agency	Senator	Subject	Question	Hearing date and Proof Hansard Page or Written
				<p><b>Senator MCKENZIE:</b> Hundreds of thousands—800,000 law-abiding firearm owners.</p> <p><b>Ms Smith:</b> We had many different associations attending.</p> <p><b>Senator MCKENZIE:</b> And the gun control lobby.</p> <p><b>Ms Smith:</b> Each has different representation.</p> <p><b>Senator MCKENZIE:</b> Just on notice, if you could outline the meetings—not minutes or anything but just who, when and where—that would be great. Are there recommendations that you are taking to your policy working group at any point? Around the review of the NFA, are there a set of recommendations? How does that all work?</p>	
SBE15/042	Criminal Justice Division Outcome 1 Crime and Justice Policy Branch	McKenzie	Consideration of recommendations around any amendments to the national firearms agreement - COAG	<p><b>Senator MCKENZIE:</b> When are we going to COAG?</p> <p><b>Ms K Jones:</b> At this stage it would be our expectation that it will be the first COAG meeting in 2016 for consideration of recommendations around any amendments to the national firearms agreement.</p> <p><b>Senator MCKENZIE:</b> So, for any recommendations put forward to COAG, is that a unanimous position or is it a majority position of COAG before they are implemented or the NFA is changed?</p> <p><b>Ms K Jones:</b> I will have to take that on notice. I think COAG generally operates by agreement, and the Law, Crime and Community Safety Council, I think, generally does as well. But I would need to specifically take that on notice.</p> <p><b>Senator MCKENZIE:</b> Yes, if you could. For the final decision on recommendations coming out of that group and that group heading off to COAG, could you take on notice whether it is by consensus or there is a deliberative sort of process. I would appreciate that. I would also like, on notice, how many staff you have working on this particular review and what level and fraction of appointment they are. Import permits for firearms and firearm parts for Australian police and military, on my advice, are taking an average of two to three months to process. Given the increased national security footing, does the department foresee shortening these processing times to better support our law enforcement and defence forces?</p> <p><b>Ms Smith:</b> Certainly. We get quite a lot of applications for permits, not just from law enforcement and the Defence Force, and there is quite a long process involved in considering them. It is not a matter of a rubber stamp or anything like that; we have to seek advice.</p> <p><b>Senator MCKENZIE:</b> Hardly, on my advice.</p> <p><b>Ms Smith:</b> As a result of the resources taken, it does take time, but certainly I have put priorities in my branch to move those through a lot quicker. I am actually being a decision maker on a number of them to assist the other decision maker that we have in the branch to try to move those quicker.</p> <p><b>Senator MCKENZIE:</b> What are your aims, Ms Smith? What do you want to get it down to?</p> <p><b>Ms Smith:</b> I do not have a particular aim. I would like to get rid of any backlog we have, and I would like to be satisfied that consideration of anything is done in appropriate time to allow proper consideration.</p> <p><b>Senator MCKENZIE:</b> What is the backlog at the moment?</p> <p><b>Ms Smith:</b> I would have to take that on notice.</p> <p><b>Senator MCKENZIE:</b> If you could take on notice the backlog and what your goal is over what time frame, that would be great.</p> <p>One of the issues we heard about in the Senate inquiry into illicit firearms was how different jurisdictions had incredibly unique and sometimes uncoordinated ways of talking with each other. So, if I wanted to go duck shooting in New South Wales, for instance, or drive over the Nullarbor with my gun in the back to go shooting in WA, I could not actually be assured that I would be a law-abiding citizen all the way. We have some jurisdictions that are using paper based systems, that are</p>	20 October 2015 L&CA 111&112

QoN No.	Division/Outcome/Agency	Senator	Subject	Question	Hearing date and Proof Hansard Page or Written
				<p>losing pieces of paper. We can have absolutely no confidence in the data we are collecting. That was one of the main recommendations out of the inquiry. Ms Jones, you are nodding your head to that. I was astonished and astounded. That NFA has been around for a while and we still do not have a system where jurisdictions are talking to each other and where we can have any confidence about firearms ownership and transfer and the integrity of the system. Do you have any comment to make about that and about some changes you might be looking at as part of the process to fix that?</p> <p><b>Ms K Jones:</b> I have participated in several of the meetings of the working group that Ms Smith has referenced. That is certainly one of the issues that has been raised by firearms association stakeholders that have attended those meetings. Certainly, in the course of ongoing discussion in the working group, we have raised that. We have raised issues around mutual recognition of permits and licences. I would say there are no easy solutions to that. It is one of the challenges of the Federation that each jurisdiction will commit different levels of resources in particular areas. It has certainly been a subject that we have looked at quite closely.</p> <p><b>Senator McKENZIE:</b> Is there a willingness by some jurisdictions to even admit that there might be an issue, that they need to move into the 21st century with record keeping?</p> <p><b>Ms Smith:</b> It might be worth noting that there are two other recommendations relevant to this very subject.</p> <p><b>Senator McKENZIE:</b> But this is the one I am interested in.</p> <p><b>Ms Smith:</b> Yes, and that is the prioritisation of the introduction of the National Firearms Interface and also conducting an urgent audit of firearms data holding. So there is no doubt that all of the states and territories have committed to those recommendations and are working towards how—you are quite correct that they all have very different holdings and they all talk about the need to have systems that talk to each other. So it has certainly been identified by all jurisdictions as a priority, and we are working together on those two recommendations.</p> <p><b>Senator McKENZIE:</b> Do we have a time line for an outcome?</p> <p><b>Ms Smith:</b> There is a time line, and I would prefer to take that on notice to make sure I do not get it wrong, especially as other agencies are involved.</p>	
SBE15/043	Criminal Justice Division Outcome 1 Crime Prevention and People Smuggling Unit	Bilyk	Safer Streets Programme Guidelines – ANAO Report	<p><b>Senator BILYK:</b> Would issues around whether the project was in a crime hotspot have been part of the guidelines?</p> <p><b>Mr Anderson:</b> I do not think we actually used words such as 'crime hotspot'; I think we simply called for evidence to support the application. Sorry, it has been pointed out that we did actually talk about the program needing to ensure that local infrastructure could be rolled out in crime hotspots. But, when we actually talked about what we were asking people to provide we talked about needing to detail the crime prevention benefits. It really came down to the fact that it is actually very hard for people to provide detailed statistics and evidence of the extent of crime and antisocial behaviour in small locations when they are wanting to put up a CCTV in a particular street corner and that sort of thing.</p> <p><b>Senator BILYK:</b> This project only involves CCTV, doesn't it?</p> <p><b>Mr Anderson:</b> Primarily CCTV. It also involves some other forms of security infrastructure, such as lighting, for example.</p> <p><b>Senator BILYK:</b> What percentage would be lighting?</p> <p><b>Mr Anderson:</b> I would have to take that on notice.</p> <p><b>Senator BILYK:</b> Can you just give me a breakdown of what is CCTV, what is lighting and what is whatever else that may be included?</p>	20 October 2015 L&CA 114

QoN No.	Division/Outcome/Agency	Senator	Subject	Question	Hearing date and Proof Hansard Page or Written
				<p><b>Mr Anderson:</b> Yes. Certainly it is predominantly CCTV. I can save the time by saying that it is almost all CCTV. But, if you want us to take it on notice, I can do that.</p> <p><b>Senator BILYK:</b> Did the guidelines ask about the ability of projects to reduce crime rates?</p> <p><b>Mr Anderson:</b> The guidelines noted that the department would be seeking to determine the impact the project would have, including on the criminal or antisocial behaviour that had led to the application being made. But we are also partly talking about perceptions of crime.</p> <p><b>Senator BILYK:</b> How many applications did the ANAO investigation find did not meet the program requirements as stated in the guidelines?</p> <p><b>Mr Anderson:</b> I would have to take that on notice.</p>	
SBE15/044	National Security Law and Policy Division Outcome 1 Cyber and Identity Security Policy	Ludlam	National Biometric Facial Capability	<p><b>Senator LUDLAM:</b> Sorry for the musical chairs. I have a couple more questions on biometric capability and then I might get one or two in on data retention. I do not know whether it was you who got cut off midsentence, or me—</p> <p><b>Mr Rice:</b> I was just going to say: do you want me to continue my answer?</p> <p><b>Senator LUDLAM:</b> Yes. Could you just reboot from where you were.</p> <p><b>Mr Rice:</b> Sure. I was talking about generic use cases that we have explored with potential users of the system at the Commonwealth and state level—</p> <p><b>Senator LUDLAM:</b> In the interests of time, could you table some documentation that sets out those generic use cases for us, so that I can ask some other specific stuff. I suspect I am going to find it is useful, and I suspect that it is going to eat up the whole 15 minutes to do it well.</p> <p><b>Mr Rice:</b> We can take that on notice.</p> <p><b>Senator LUDLAM:</b> If you could, thanks—just your reference cases. I am particularly interested in the push and pull. I might come back to that and just get through a couple of questions very quickly. What categories of offences will this tool be used to investigate, and will there be any gravity-of-conduct thresholds like those we debated extensively in data retention? Will you be able to chase down a litterer, for example?</p>	20 October 2015 L&CA 124
SBE15/045	National Security Law and Policy Division Outcome 1 Countering Violent Extremism Branch	McKim/Siewert	Directory of Countering Violent Extremism Intervention Services	<p><b>Senator McKIM:</b> Can you tell us how many service providers are currently on the directory and how many times the directory has been used?</p> <p><b>Ms C Jones:</b> We are really still in the middle of mapping right now—</p> <p><b>CHAIR:</b> Before you answer that, I will stop the clock. Senator Whish-Wilson has agreed to put his questions to AUSTRAC on notice.</p> <p><b>Senator WHISH-WILSON:</b> If I could ask for a quick turnaround, that would be appreciated. Thank you.</p> <p><b>CHAIR:</b> No conditions! So thanks to the AUSTRAC people for coming along and staying, but you can have an hour earlier than the rest of us.</p> <p><b>Senator McKIM:</b> I understand it is a work in progress and thank you for your overview, but how many are currently listed on the directory and how many times has it been used?</p> <p><b>Ms C Jones:</b> I will have to take that on notice. As I said, the process of developing the directory is still a work in progress and we are midway through mapping, so I do not have a set number yet.</p> <p><b>Senator McKENZIE:</b> Okay. I will put all the questions I asked at the start of this exchange on notice. I might offer Senator Siewert an opportunity with the brief moments that we have left.</p> <p><b>Senator SIEWERT:</b> Thank you. I want to ask some questions about preventing violent extremism and radicalisation in Australia. Did the minister's office sign off on the final version of that publication before it was published?</p>	20 October 2015 L&CA 126

QoN No.	Division/Outcome/Agency	Senator	Subject	Question	Hearing date and Proof Hansard Page or Written
				<p><b>Ms K Jones:</b> I think it was finalised prior to Ms Jones coming into that role, so I just need to take it on notice in terms of what the approval process was for that.</p> <p><b>Senator SIEWERT:</b> Could you take on notice the approvals process in terms of approving the final version and whether the minister eyeballed it before it was published?</p> <p><b>Ms K Jones:</b> We will take that on notice.</p> <p><b>Senator SIEWERT:</b> I am particularly interested in the example of the process that you used, the shark photo, how you made that decision and when you made the decision to take that photo off.</p> <p><b>Ms C Jones:</b> The purpose of the booklet is to provide some clear information to people about what radicalisation is and what it is not. The page that that photo appeared on was about making some clear statements that peaceful protest is a legitimate form of expression. The photo was intended to demonstrate exactly that. There is some text highlighted on that page which makes that statement really clearly.</p> <p><b>Senator SIEWERT:</b> But the heading under it is, 'What is radicalisation?' and you have got the photo of the shark protest.</p> <p><b>Ms C Jones:</b> Yes, and then the first paragraph below that heading talks about what are legitimate, reasonable forms of expression. We took it down when we had the reaction. That document had been out in circulation for some months, but, obviously in response to the more recent concern about the photo and misinterpretation about what its intention was, we took it down so as to avoid any further confusion.</p> <p><b>Senator SIEWERT:</b> What date was that?</p> <p><b>Ms C Jones:</b> I will take that on notice, but I believe it was on the Friday. It was soon after the media.</p>	
SBE15/046	National Security Law and Policy Division Outcome 1 Countering Violent Extremism Branch	Collins	Countering Violent Extremism Programme – Diversion from use of violence	<p><b>Senator JACINTA COLLINS:</b> Has the UK program been evaluated?</p> <p><b>Ms C Jones:</b> It has been place for a number of years now and has demonstrated success.</p> <p><b>Senator JACINTA COLLINS:</b> You mentioned success in a single-case sense. I am curious about the success in a broader sense.</p> <p><b>Ms C Jones:</b> In terms of individuals being considered to be successfully diverted from being prepared to use violence to support their ideology?</p> <p><b>Senator JACINTA COLLINS:</b> Yes.</p> <p><b>Ms K Jones:</b> In terms of an assessment as to whether this has reduced the number of people who have been radicalised or whether it is reducing the number of people who are on the path to radicalisation, there have been some evaluations. I would like to take it on notice to come back to you in relation to the Channel program and the specific evaluations that have been done there. We are looking closely at the UK experience but also at some European experience in countries like Denmark, the Netherlands and Germany. It has been our experience, from observing international partners or other countries, that no single model has been applied that other people are picking up. The approaches are very varied. Sometimes they are tailored very locally around cities. In the United States, for example, they have three cities—Minneapolis, Los Angeles and Boston—where they are trialling some CVE programs but it is quite different in each of those cities. So in relation of evaluation, which—as I think I mentioned to Senator Canavan—was one of the things that we looked at with the states and territories when we met last week, there was a recognition among all of us that there is more we need to do in terms of research and evaluation and, in particular, sharing experience between the Commonwealth and the states and territories around evaluation. As I have said, we are in a greenfield space here. No-one, I think, in any country—we were at the United Nations for the CVE meeting there two weeks ago and I think the general consensus is that no-one has the total answer to this and you do need to be trialling different approaches locally, regionally</p>	20 October 2015 L&CA 128

QoN No.	Division/Outcome/Agency	Senator	Subject	Question	Hearing date and Proof Hansard Page or Written
SBE15/047	National Security Law and Policy Division Outcome 1 Countering Violent Extremism Branch	Collins	Countering Violent Extremism Programme – Research Centres	<p>and nationally.</p> <p><b>Senator JACINTA COLLINS:</b> Rather than asking about the detailed elements of that research—and thank you for that information—at this point I am more interested in: where are the centres of research that we are working with domestically? And what is the nature of the funding and of the projects we are investing in?</p> <p><b>Ms C Jones:</b> We have a research panel that was established to support national research needs and gaps, which we have had in place for around four years now. That is essentially like a procurement panel; it allows us to procure research from a range of established researchers who have applied to be part of that panel. There are a broad range of academic institutions who are part of that particular panel.</p> <p>We also hold a number of regular academic round tables, and we have had a number this year. We held one earlier this year to talk about the new challenge of propaganda and to seek views on that—again, from a wide range of institutions. I could not tell you now exactly every research institution that was represented at that table, but we could take it on notice. We had a subsequent follow-up round table hosted by the counterterrorism coordinator, Greg Moriarty, within the Department of the Prime Minister and Cabinet. We actually have a follow-up to that round table being held in Melbourne tomorrow, which I am due to attend, being co-hosted by Deakin University. So there are a range of ongoing discussions and engagements with academic institutions. We attend a number of conferences and workshops. There is a regular dialogue with a broad range.</p> <p>We have also recently invested in the establishment of the Australian Intervention Support Hub, which is a joint initiative of ANU and Deakin University. There is also some funding within the establishment of that for them to partner with other institutions to draw on the particular expertise they might need to take forward particular projects to get the cross-disciplinary base that we need.</p> <p><b>Senator JACINTA COLLINS:</b> You have referred to the research panel. I would be interested in the membership of that and also perhaps in what research the panel has, in a sense, allocated. What research the Commonwealth is funding or assisting in this space interests me.</p> <p><b>Ms C Jones:</b> I would have to take on notice what we have invested in, because it has been over quite a period of time—a large range of proposals over the last number of years.</p> <p><b>Senator JACINTA COLLINS:</b> Perhaps I will leave with you a relevant period. I do not want to burden you with this issue of how far you go; it makes the process difficult. I am more than happy for you to summarise or condense it if it makes sense in how you describe it, but that is the interest I am hoping you will respond to on notice.</p> <p><b>Ms C Jones:</b> Yes.</p>	20 October 2015 L&CA 130
SBE15/048	National Security Law and Policy Division Outcome 1 Countering Violent Extremism Branch	Collins	Countering Violent Extremism Programme – Booklet	<p><b>Senator JACINTA COLLINS:</b> Okay. So this material was not going to duplicate the work that state education departments were developing?</p> <p><b>Ms K Jones:</b> No.</p> <p><b>Senator JACINTA COLLINS:</b> And this was designed for a broader audience, not necessarily just schools?</p> <p><b>Ms C Jones:</b> The fact sheets have been available for some time. They have been available on our website and in broader circulation since mid last year actually—a number of them. The booklet was published in April and has been in use since June. There was a broad consultation process involved, as I mentioned, including a number of roundtable consultations involving academics and community stakeholders in April to June 2013 initially. May 2014 was the final round. The feedback from that process finalised mid-2014.</p>	20 October 2015 L&CA 131

QoN No.	Division/Outcome/Agency	Senator	Subject	Question	Hearing date and Proof Hansard Page or Written
				<p><b>Senator JACINTA COLLINS:</b> Can you tell me who the community stakeholders were from the Australian Islamic community?</p> <p><b>Ms C Jones:</b> The names of them? I will take it on notice.</p> <p>....</p> <p><b>Senator JACINTA COLLINS:</b> I asked you this earlier and you have taken it on notice about which stakeholders from the Australian Islamic community have been consulted in this process. Has the community made any recommendations to government on the prevention of violent extremism and terrorism on the home front? Firstly, I suppose, I should ask: can you describe a particular approach as being represented by the Australian Islamic community? And, if so, what is it?</p>	
SBE15/049	National Security Law and Policy Division Outcome 1 Countering Violent Extremism Branch	Collins	Countering Violent Extremism Programme – Intervention	<p><b>CHAIR:</b> Who is going to respond at the minister's invitation?</p> <p><b>Ms K Jones:</b> Senator, if I could briefly note, in terms of the process of developing the awareness kit, there were various Muslim community organisations that we spoke to that helped us build a better picture of exactly what we needed to include in this kit. In terms of the specifics of that and what changes that led to in the content of the material, I probably need to take that on notice. What I can say though is that these types of tools that assist the authorities in organisations, first responders, teachers, or counsellors, are precisely some of the things that the community has been saying to us that we need more help with that can focus on prevention. One of the key themes that has come in from the community is, 'Let's direct more effort in the prevention space. Let's have the right tools that can help community organisations and first responders and people in schools and in hospitals and doctors.'</p> <p>I think it is fair to say that the further progression of this kit reflects some of the need that has been articulated by different organisations within the Islamic community for this type of material to assist and focus on the prevention space. Certainly there are issues around that, and they have talked to us in terms of what more we can do to help community based solutions. That is consistent with international experience. It is not all about governments doing things in this space; it is about governments creating the environment where community organisations themselves can play a primary role. Those are some of the themes that have been coming from consultations with the Islamic communities. The issue around an intervention program to have an effect on individuals to try to stop them from getting to the most serious endpoint of the radical pathway and our approach to developing that program was informed by views expressed to us from the community that this was a big gap and we obviously needed to be doing more work in that space.</p> <p><b>Senator JACINTA COLLINS:</b> Which was a big gap?</p> <p><b>Ms K Jones:</b> The intervention where people have demonstrated some signs of moving down the radicalisation pathway, but perhaps are not at the point of the most intensive law enforcement response.</p> <p><b>Senator JACINTA COLLINS:</b> I am sorry, Ms Jones, I suspect that you had moved onto the more general matter. At this moment I was talking to you about the radicalisation awareness kit rather than the intervention program more generally.</p> <p><b>Ms K Jones:</b> Right.</p> <p><b>Senator JACINTA COLLINS:</b> I think you indicated that you would take on notice what feedback had been received, how best you could describe it from the Australian Islamic community and how best you could describe that in terms of how something like an awareness kit should meet their needs. Maybe if I leave that question with you on notice, we can explore some other time the broader intervention issues.</p>	20 October 2015 L&CA 134



QoN No.	Division/Outcome/Agency	Senator	Subject	Question	Hearing date and Proof Hansard Page or Written
SBE14/050	Criminal Justice Divisions Outcome 1 (Other Agency) Commonwealth Director of Public Prosecutions	McKim	Prosecutions for social security fraud related offences	In 2014/15: a. How many people prosecuted for social security-fraud related offences were convicted? b. What was the average financial amount involved? c. Of those convicted, please provide a breakdown by: i. Gender ii. Age iii. State and Territory of those prosecuted	Written
SBE15/051	Criminal Justice Divisions Outcome 1 (Other Agency) Commonwealth Director of Public Prosecutions	McKim	Sentencing outcomes of recipients convicted – social security fraud offences	For the financial year 2014/15, please provide a breakdown of the sentencing outcomes of recipients convicted (for social security fraud offences) by the CDPP by type of sentence (e.g. custodial sentence, good behaviour bond, community service order, etc.). Please provide a breakdown of sentencing outcomes by: a. Gender b. Age c. State and Territory, and d. Indigenous/non-Indigenous background	Written
SBE15/052	Criminal Justice Divisions Outcome 1 (Other Agency) Commonwealth Director of Public Prosecutions	McKim	Sentencing outcomes of recipients convicted – tax fraud offences	For the financial year 2014/15, please provide a breakdown of the sentencing outcomes of recipients convicted (for tax fraud offences) by the CDPP by type of sentence (e.g. custodial sentence, good behaviour bond, community service order, etc.). Please provide a breakdown of sentencing outcomes by: a. Gender b. Age c. State and Territory, and d. Indigenous/non-Indigenous background	Written
SBE15/053	Criminal Justice Divisions Outcome 1 (Other Agency) Australian Federal Police	Leyonhjelm	Interpol	1. What are the benefits and costs, if any, to Australia from other countries being members of Interpol? 2. What is required for a country to become a member of Interpol? 3. Can a current member assist another country to become a member? a. If so, in what way? 4. Is the Government aware of any interest from Taiwan in becoming a member of Interpol? 5. What would be the benefits and costs, if any, to Australia from Taiwan becoming a member of Interpol? 6. Has the Government assisted Taiwan to become a member of Interpol? a. If so, in what way? b. If not, will the Government assist Taiwan to become a member of Interpol? If not, why not?	Written
SBE15/054	International Crime Cooperation Division Outcome 1 International Crime Cooperation Central Authority	Leyonhjelm	Mutual assistance in criminal matters	1. What are the benefits and costs, if any, to Australia from having treaties on mutual assistance in criminal matters with other countries? 2. What would be the benefits and costs, if any, to Australia from having such a treaty with Cambodia? 3. What would be the benefits and costs, if any, to Australia from having such a treaty with Taiwan? 4. Has the Government sought such a treaty with Cambodia? a. If so, in what way? b. If not, will the Government seek such a treaty? i. If not, why not? 5. Has the Government sought such a treaty with Taiwan? a. If so, in what way?	Written

QoN No.	Division/Outcome/Agency	Senator	Subject	Question	Hearing date and Proof Hansard Page or Written
				<ul style="list-style-type: none"> <li>b. If not, will the Government seek such a treaty?</li> <li>i. If not, why not?</li> </ul>	
<b>SBE15/055</b>	International Crime Cooperation Division Outcome 1 International Crime Cooperation Central Authority	Leyonhjelm	Extradition Treaties	<ol style="list-style-type: none"> <li>1. What are the benefits and costs, if any, to Australia from having an extradition treaty with another country, as opposed to simply listing the other country in our extradition regulations?</li> <li>2. What would be the benefits and costs, if any, to Australia from having such a treaty with Cambodia, rather than simply maintaining the current listing of Cambodia in our extradition regulations?</li> <li>3. Has the Government sought such a treaty with Cambodia? <ul style="list-style-type: none"> <li>a. If so, in what way?</li> <li>b. If not, will the Government seek such a treaty? <ul style="list-style-type: none"> <li>i. If not, why not?</li> </ul> </li> </ul> </li> <li>4. What are the benefits and costs, if any, to Australia, from having an extradition treaty with another country, or listing the other country in our extradition regulations, compared to a situation with no such treaty or listing?</li> <li>5. What are the benefits and costs, if any, to Australia, from having an extradition treaty with Taiwan, or listing Taiwan in our extradition regulations, compared to the current situation where no such treaty or listing exists?</li> <li>6. Has the Government sought such a treaty with Taiwan, or sought to list Taiwan in our extradition regulations? <ul style="list-style-type: none"> <li>a. If so, in what way?</li> <li>b. If not, will the Government do so? <ul style="list-style-type: none"> <li>i. If not, why not?</li> </ul> </li> </ul> </li> </ol>	Written
<b>SBE15/056</b>	International Crime Cooperation Division Outcome 1 International Legal Assistance Branch	Leyonhjelm	Prisoner transfer	<ol style="list-style-type: none"> <li>1. What are the benefits and costs, if any, to Australia from: a country signing or acceding to the <u>Council of Europe Convention on the Transfer of Sentenced Persons</u>; or having an international transfer of prisoners treaty with the country?</li> <li>2. What are the benefits and costs, if any, to Australia, from: Taiwan signing or acceding to the <u>Council of Europe Convention on the Transfer of Sentenced Persons</u>; or having an international transfer of prisoners treaty with Taiwan?</li> <li>3. Is Taiwan permitted to sign or accede to the Council of Europe Convention on the Transfer of Sentenced Persons? <ul style="list-style-type: none"> <li>a. If not, what can the Government do to extend such permission to Taiwan?</li> <li>b. Has the Government done this?</li> <li>c. Will the Government do this? If not, why not?</li> </ul> </li> <li>4. Has the Government sought an international transfer of prisoners treaty with Taiwan? <ul style="list-style-type: none"> <li>a. If so, in what way?</li> <li>b. If not, will the Government do so? If not, why not?</li> </ul> </li> </ol>	Written
<b>SBE15/057</b>	International Law and Human Rights Division Outcome 1 (Other Agency) Australian Human Rights Commission	Bilyk	Human Rights Commissioner – Travel to the United States	<p>In relation to Mr Wilson's recent trip to the United States, could the Attorney-General please provide the following to the Senate:</p> <ol style="list-style-type: none"> <li>a. A copy of Mr Wilson's itinerary;</li> <li>b. A copy of any speeches delivered by Mr Wilson during this trip;</li> <li>c. A copy of any powerpoint slideshows or other presentations delivered during this trip;</li> <li>d. An itemised list of the costs of Mr Wilson's trip including the class of travel for any flights and the names of any hotels stayed in; and</li> <li>e. Copies of any invitations sent to Mr Wilson in relation to events participated in during this trip.</li> </ol>	Written

QoN No.	Division/Outcome/Agency	Senator	Subject	Question	Hearing date and Proof Hansard Page or Written
SBE15/058	International Law and Human Rights Division Outcome 1 (Other Agency) Australian Human Rights Commission	Bilyk	Human Rights Commissioner – Functions	In relation to any functions on official receptions hosted by Tim Wilson, can the following please be provided: a. List of functions; b. List of attendees; c. Function venue; d. Itemised list of costs; e. Details of any food served; f. Details of any wines or champagnes served including brand and vintage; g. Details of any entertainment provided.	Written
SBE15/059	Civil Law Division Outcome 1 (Other Agency) Office of the Australian Information Commissioner	Bilyk	<i>Freedom of Information Act 1982</i> – Communications through the use of media applications by Ministers	1. Are communications that Ministers transmit over apps such as wickr and slack subject to the <i>Freedom of Information Act 1982</i> , providing those communications fall within the definition of ‘official document of a Minister’ under section 4(1)? 2. Are communications that Ministers transmit over non-government email accounts subject to the <i>Freedom of Information Act 1982</i> , providing those communications fall within the definition of ‘official document of a Minister’ under section 4(1)? 3. Are documents that Ministers store on private servers subject to the <i>Freedom of Information Act 1982</i> , providing those documents fall within the definition of ‘official document of a Minister’ under section 4(1)?	Written
SBE15/060	Civil Law Division Outcome 1 (Other Agency) Office of the Australian Information Commissioner	Bilyk	Guidelines on Freedom of Information implications on the use of non-standard platforms	1. Has the OAIC published any guidelines on the FOI implications of the use of apps such as wickr and slack for the transmission of official communications or creation and storage of official documents, pursuant to its powers under section 93A(1) of the <i>Freedom of Information Act 1982</i> ? a. If not, does the OAIC intend to issue such guidelines? 2. Has the OAIC provided any advice to any agency or Department of State about this issue? a. If so, please list the relevant agencies or Departments. b. If so, can a copy of that advice please be provided? 3. Has the OAIC published any guidelines on the FOI implications of the use of non-government email accounts for the transmission of official communications, pursuant to its powers under section 93A(1) of the <i>Freedom of Information Act 1982</i> ? a. If not, does the OAIC intend to issue such guidelines? 4. Has the OAIC provided any advice to any agency or Department of State about this issue? If so, please list the relevant agencies or Departments. a. If so, can a copy of that advice please be provided? 5. Has the OAIC published any guidelines on the FOI implications of the use of private servers to store official documents, pursuant to its powers under section 93A(1) of the <i>Freedom of Information Act 1982</i> ? a. If not, does the OAIC intend to issue such guidelines? 6. Has the OAIC provided any advice to any agency or Department of State about this issue? If so, please list the relevant agencies or Departments. a. If so, can a copy of that advice please be provided?	Written
SBE15/061	Civil Law Division Outcome 1 (Other Agency) Office of the Australian Information Commissioner	Bilyk	United Kingdom Information Commissioner’s findings on Freedom of Information implications on the	1. Is the OAIC aware of the findings of the UK Information Commissioner in relation to the FOI implications of the use of non-government email to transmit official communications by British Ministers and their staff? 2. Has the OAIC provided the Attorney-General advice in relation to these findings? a. If so, can a copy of that advice please be provided? 3. Has the OAIC provided any other agency or Department of State advice in relation to these	Written

QoN No.	Division/Outcome/Agency	Senator	Subject	Question	Hearing date and Proof Hansard Page or Written
			use of non-standard platforms	findings? a. If so, please list the relevant agencies or Departments. b. If so, can a copy of that advice please be provided?	
<b>SBE15/062</b>	Strategy and Delivery Division Outcome 1 Strategy and Delivery Division	Bilyk	Prime Minister's travel to the Torres Strait	1. Did the Attorney-General, his office or Department participate in the former Prime Minister's trip to the Torres Strait? If so- a. What was the duration of the visit to Torres Strait? b. Which locations did the Attorney-General's/AGD party travel to? c. Which communities did the Attorney-General's/AGD party engage with? d. What type of activities did they undertake? e. What were the outcomes of the trip? f. Was an official report or communique or similar published in relation to the trip? g. Are you able to please provide an itinerary for the Attorney-General's/AGD's trip? h. Which hotel or hotels did the Attorney-General's/AGD stay in? i. Could you please provide an itemised cost breakdown in relation to the Attorney-General's/AGD's involvement in this trip? This should be broken down into categories such as accommodation, ground transport, meals, incidentals etc. j. How many members of the Attorney-General's staff participated in the trip? k. Could you please advise the number of staff, their title and staffing classification under the MOPS Enterprise Agreement? l. In terms of departmental officials from AGD, could you please advise the names and roles of each departmental official in attendance? m. Could you also please provide an itemised list of costs for AGD officials in terms of flights, accommodation, ground transport, meals and other incidentals? This should specify the officials which travelled in business class and those that travelled in economy, the hotels they stayed in and which businesses supplied ground transport.	Written
<b>SBE15/063</b>	Civil Law Division Outcome 1 Commercial and Administrative Law Branch	Bilyk	Guidelines on Freedom of Information implications on the use of non-standard platforms	1. Has the Department provided the Attorney-General, the Minister for Justice or the Assistant Minister for Multicultural Affairs any advice in relation to the FOI implications of the use of apps such as wickr and slack for the transmission of official communications or the creation and storage of official documents? If so- a. on what date(s) was advice provided? b. In what form was that advice provided? c. Can a copy of any written advice please be provided? 2. Has the Department provided the Attorney-General, the Minister for Justice or the Assistant Minister for Multicultural Affairs any advice in relation to the FOI implications of the use of non-government email accounts to transmit official documents? If so- a. on what date(s) was advice provided? b. In what form was that advice provided? c. Can a copy of any written advice please be provided? 3. Has the Department provided the Attorney-General, the Minister for Justice or the Assistant Minister for Multicultural Affairs any advice in relation to the FOI implications of the use of private servers to transmit and store official documents? If so-	Written

QoN No.	Division/Outcome/Agency	Senator	Subject	Question	Hearing date and Proof Hansard Page or Written
				<ul style="list-style-type: none"> <li>a. on what date(s) was advice provided?</li> <li>b. In what form was that advice provided?</li> <li>c. Can a copy of any written advice please be provided?</li> </ul>	
<b>SBE15/064</b>	Strategy and Delivery Division Outcome 1 Strategy and Delivery Division	Bilyk	International Ministerial Travel	<p>In relation to any international trips undertaken by the Attorney-General, the Minister for Justice and Minister Assisting the Prime Minister on Counter-Terrorism or the Assistant Minister for Multicultural Affairs in 2015, can he please provide the Senate:</p> <ul style="list-style-type: none"> <li>a. A copy of the itinerary for each overseas trip;</li> <li>b. An itemised list of the costs of each trip including the class of travel for any flights;</li> <li>c. Copies of receipts for any food or beverages that the Minister consumed at taxpayer expense during each trip;</li> <li>d. Copies of receipts for any self-drive hire cars or chauffeured services utilised by the Attorney-General during each trip;</li> <li>e. Details of any spouse travel;</li> <li>f. Copies of receipts for any other ground transport; and</li> <li>g. Copies of receipts for any hotel accommodation.</li> </ul>	Written
<b>SBE15/065</b>	Strategy and Delivery Division Outcome 1 Strategy and Delivery Division	Bilyk	Ministerial Functions	<p>In relation to any functions or official receptions hosted by the Attorney-General, the Minister for Justice and Minister Assisting the Prime Minister on Counter-Terrorism or the Assistant Minister for Multicultural Affairs in 2015, can the following please be provided:</p> <ul style="list-style-type: none"> <li>a. List of functions;</li> <li>b. List of attendees including departmental officials and members of the Minister's family or personal staff;</li> <li>c. Function venue;</li> <li>d. Itemised list of costs;</li> <li>e. Details of any food served;</li> <li>f. Details of any wines or champagnes served including brand and vintage; and</li> <li>g. Details of any entertainment provided.</li> </ul>	Written
<b>SBE15/066</b>	Strategy and Delivery Division Outcome 1 Strategy and Delivery Division	Bilyk	Inquiry into handling of correspondence from Man Haron Monis	<ul style="list-style-type: none"> <li>1. Has the Attorney-General's Department briefed the Attorney-General or his office on the findings of the Senate Legal and Constitutional Affairs References Committee inquiry into the handling of correspondence from Man Haron Monis? If so- <ul style="list-style-type: none"> <li>a. On what date(s) was that advice provided?</li> <li>b. In what form was it provided?</li> <li>c. Can a copy of any written advice please be provided?</li> </ul> </li> <li>2. Has the Attorney-General or any officials from the Attorney-General's issued a notice, circular or intranet message to departmental staff about the findings of the Senate Legal and Constitutional Affairs References Committee inquiry into the handling of correspondence from Man Haron Monis? If so- <ul style="list-style-type: none"> <li>a. On what date(s) was did that occur?</li> <li>b. In what form was it communicated?</li> <li>c. Can a copy of any written communications please be provided?</li> </ul> </li> </ul>	Written
<b>SBE15/067</b>	Strategy and Delivery Division Outcome 1	Bilyk	Secretary's speeches to staff	Can a copy of any speeches delivered by the Secretary of the Attorney-General's Department at any staff meetings in 2015 please be provided?	Written

QoN No.	Division/Outcome/Agency	Senator	Subject	Question	Hearing date and Proof Hansard Page or Written
	Strategy and Delivery Division				
<b>SBE15/068</b>	Access to Justice Division Outcome 1 Family Law Branch	Bilyk	Cross-examination of former partners in family law proceedings	<ol style="list-style-type: none"> <li>1. Has the Attorney-General's Department completed any policy development on proposals to prevent perpetrators of domestic violence from cross-examining their former partners in family law proceedings? If so- <ol style="list-style-type: none"> <li>a. Can a copy of relevant policy documents please be provided?</li> </ol> </li> <li>2. Has the Department provided the Attorney-General with any advice in relation to proposals to prevent perpetrators of domestic violence from cross-examining their former partners in family law proceedings? If so- <ol style="list-style-type: none"> <li>a. On what date(s) was this advice provided?</li> <li>b. In what form was it provided?</li> <li>c. Can a copy of any written advice please be provided?</li> </ol> </li> </ol>	Written
<b>SBE15/069</b>	Access to Justice Division Outcome 1 (Other Agency) Family Court of Australia/Federal Circuit Court of Australia	Bilyk	Cross-examination of former partners in family law proceedings	<ol style="list-style-type: none"> <li>1. Has the Family Court of Australia made any submissions to the Attorney-General or his Department in relation to proposals to prevent perpetrators of domestic violence from cross-examining their former partners? If so- <ol style="list-style-type: none"> <li>a. Can a copy of that advice please be provided to the Senate?</li> </ol> </li> </ol>	Written
<b>SBE15/070</b>	Civil Law Division Outcome 1 (Other Agency) Royal Commission into Trade Union Governance and Corruption	Bilyk	Royal Commission into Trade Union Governance and Corruption – Media Handling Protocol	Can a copy of the media handling protocol for the Trade Union Royal Commission please be provided?	Written
<b>SBE15/071</b>	Civil Law Division Outcome 1 (Other Agency) Royal Commission into Trade Union Governance and Corruption	Bilyk	Royal Commission into Trade Union Governance and Corruption – Engagement of Contractors	<ol style="list-style-type: none"> <li>1. Has the Trade Union Royal Commission engaged any external contractors to provide any services in relation to media, public relations or political strategy? If so- <ol style="list-style-type: none"> <li>a. Can the Contract Notice numbers published on Austender please be provided?</li> <li>b. What is the total value of these contracts from the establishment of the Royal Commission to date?</li> <li>c. What was the purpose of these contracts?</li> <li>d. Who authorised the entering into of these contracts?</li> </ol> </li> </ol>	Written
<b>SBE15/072</b>	Civil Law Division Outcome 1 (Other Agency) Royal Commission into Trade Union Governance and Corruption	Bilyk	Royal Commission into Trade Union Governance and Corruption – Director of Media and Communications	<ol style="list-style-type: none"> <li>1. Can a copy of the job advertisement and selection criteria for the Director of Media and Communications please be provided?</li> <li>2. Where was the position advertised?</li> <li>3. Can a copy of the position description for the Director of Media and Communications please be provided?</li> <li>4. Who was responsible for hiring the Director of Media and Communications?</li> <li>5. Can an explanation of the recruitment process relied upon to hire the Director of Media and Communications please be provided?</li> <li>6. Has the Attorney-General or his office ever been briefed on the recruitment of the Director of Media and Communications or his/her role at the Trade Union Royal Commission?</li> <li>7. Has the Director of Media and Communications met with the Attorney-General or his office? If so- <ol style="list-style-type: none"> <li>a. On what date(s)?</li> </ol> </li> </ol>	Written

QoN No.	Division/Outcome/Agency	Senator	Subject	Question	Hearing date and Proof Hansard Page or Written
				<ul style="list-style-type: none"> <li>b. Can a copy of any diary entries please be provided?</li> <li>c. Which member(s) of the Attorney-General's staff meet with?</li> <li>8. Can a copy of any correspondence between the Director of Media and Communications and the Attorney-General or his office please be provided?</li> <li>9. Have the Attorney-General or his office been briefed on the Trade Union Royal Commission's media, public relations or political strategy? If so- <ul style="list-style-type: none"> <li>a. On what date(s) was this advice provided?</li> <li>b. In what form was it provided?</li> <li>c. Can a copy of any written advice please be provided?</li> </ul> </li> <li>10. Who does the Director of Media and Communications report to?</li> <li>11. What is the working relationship between the Director of Media and Communications and Counsel Assisting?  <ul style="list-style-type: none"> <li>a. How regularly do they meet?</li> <li>b. What is the purpose of their interactions?</li> </ul> </li> <li>12. What is the working relationship between the Director of Media and Communications and Solicitors Assisting?  <ul style="list-style-type: none"> <li>a. How regularly do they meet?</li> <li>b. What is the purpose of their interactions?</li> </ul> </li> <li>13. What is the working relationship between the Director of Media and Communications and Dyson Heydon?  <ul style="list-style-type: none"> <li>a. How regularly do they meet?</li> <li>b. What is the purpose of their interactions?</li> </ul> </li> </ul>	
<b>SBE15/073</b>	Civil Law Division Outcome 1 (Other Agency) Royal Commission into Trade Union Governance and Corruption	Bilyk	Royal Commission into Trade Union Governance and Corruption – Distribution of exhibits and evidence to the Media	<ul style="list-style-type: none"> <li>1. Has the Director of Media and Communications or any other official of the Trade Union Royal Commission distributed exhibits or other evidence to members of the media before this has been shown to witnesses? If so- <ul style="list-style-type: none"> <li>a. On what occasions did this occur?</li> <li>b. Is it the standard practice of the Trade Union Royal Commission to distribute evidence to the media before it is seen by witnesses?</li> <li>c. Who authorised this practice?</li> <li>d. Has the Attorney-General or his office been briefed on this practice? If so- <ul style="list-style-type: none"> <li>i. On what date(s) did this occur?</li> <li>ii. Can a copy of written briefs please be provided?</li> </ul> </li> </ul> </li> </ul>	Written
<b>SBE15/074</b>	Civil Law Division Outcome 1 (Other Agency) Royal Commission into Trade Union Governance and Corruption	Bilyk	Royal Commission into Trade Union Governance and Corruption – Formal guidelines on procedural fairness	<ul style="list-style-type: none"> <li>1. Has the Trade Union Royal Commission developed any formal guidelines etc for Dyson Heydon, Counsel Assisting or Solicitors Assisting on the rules of procedural fairness? If so- <ul style="list-style-type: none"> <li>a. Can a copy of those guidelines etc please be provided?</li> </ul> </li> </ul>	Written
<b>SBE15/075</b>	Civil Law Division Outcome 1 (Other Agency) Royal Commission into Trade Union Governance	Bilyk	Royal Commission into Trade Union Governance and Corruption –	<ul style="list-style-type: none"> <li>1. Please explain what role if any the Director of Media and Communications played in responding to the scandal which engulfed the Royal Commission following revelations Dyson Heydon had agreed to appear as the star attraction at a Liberal Party fundraiser.</li> <li>2. On how many occasions has Dyson Heydon met with representatives of the Liberal Party?</li> </ul>	Written

QoN No.	Division/Outcome/Agency	Senator	Subject	Question	Hearing date and Proof Hansard Page or Written
	and Corruption		Attendance at functions	<ol style="list-style-type: none"> <li>3. Can a copy of any diary entries in relation to these meetings please be provided?</li> <li>4. How many Liberal Party fundraisers or other events has Mr Heydon attended?</li> <li>5. Could a copy of any invitations for those events please be provided?</li> <li>6. Can a copy of any correspondence between Mr Heydon and Liberal Party representatives please be provided?</li> </ol>	
<b>SBE15/076</b>	Civil Law Division Outcome 1 (Other Agency) Royal Commission into Trade Union Governance and Corruption	Bilyk	Royal Commission into Trade Union Governance and Corruption – Internet data usage	How much email and internet data has been utilised in the last six months in relation to computers used by Mr Heydon?	Written
<b>SBE15/077</b>	Criminal Justice Division Outcome 1 (Other Agency) Australian Transaction Reports and Analysis Centre	Bilyk	Remittance Working Group	<ol style="list-style-type: none"> <li>1. When was the Remittance Working Group established?</li> <li>2. Who are the members of the Group?</li> <li>3. How many times has the Group met since its establishment?</li> <li>4. On what dates has this occurred?</li> <li>5. Has the Group met with impacted stakeholders?</li> <li>6. Who has the Group met with?</li> <li>7. What is the process for impacted community members to engage with the Group?</li> <li>8. What progress has been made by the Group?</li> <li>9. Have any solutions been offered to people who seek to transfer money overseas?</li> <li>10. Is AUSTRAC concerned that people will directly try and take money overseas as a result of the banks' decision to break ties with money transfer operators, therefore moving from a regulated system to a more de-regulated system?</li> </ol>	Written
<b>SBE15/078</b>	Criminal Justice Division Outcome 1 (Other Agency) Commonwealth Director of Public Prosecutions	Bilyk	Criminal Investigation – James Ashby Case	<ol style="list-style-type: none"> <li>1. Has the Australian Federal Police consulted with the DPP in relation to criminal allegations against Mal Brough?</li> <li>2. Has the DPP considered a brief of evidence from the AFP in relation to this matter?</li> <li>3. Has the DPP provided the AFP with any advice in relation to this matter?</li> </ol>	
<b>SBE15/079</b>	Criminal Justice Division Outcome 1 (Other Agency) Australian Federal Police	Bilyk	Criminal Investigation – James Ashby Case	<ol style="list-style-type: none"> <li>1. A report in <i>The Guardian</i> on 22 September 2015 indicates the criminal investigation into Mal Brough remains ongoing. It is entitled “Federal police say inquiry into leaking of Peter Slipper's diary is still active” and the by-line reads “Malcolm Turnbull's new special minister of state, Mal Brough, faces renewed questions over the disclosure of the former speaker's diary in James Ashby case”. <ol style="list-style-type: none"> <li>a. What is the current status of the investigation into the criminal allegations against Mr Brough?</li> <li>b. Has Mr Brough been charged with any criminal offences?</li> <li>c. When does the AFP expect to finalise the investigation?</li> <li>d. Has the AFP discussed the matter with the Director of Public Prosecutions?</li> <li>e. Is it against the law to take official documents from the Commonwealth without authorisation?</li> </ol> </li> <li>2. According to the report, the basis of the referral to the AFP is at least in part an admission that Mr Brough made on the 60 Minutes program. According to the report by <i>The Guardian</i>, Mr Brough was asked: “Did you ask James Ashby to procure copies of Peter Slipper's diary for you?” To which Mr Brough replied: “Yes I did.” <ol style="list-style-type: none"> <li>a. What is the significance of an admission in a criminal investigation?</li> <li>b. Can an admission be used as evidence against an accused in a criminal trial?</li> <li>c. Noting that the investigation into Mr Brough has been ongoing for some time, could you please advise the Senate what the normal length of time is for an investigation of this kind to be resolved?</li> </ol> </li> </ol>	Written



QoN No.	Division/Outcome/Agency	Senator	Subject	Question	Hearing date and Proof Hansard Page or Written
				d. Are there any statistics that can be provided? e. Are there any documents the AFP is able to produce to the Senate in relation to this matter, without breaching the confidence of sensitive law enforcement records?	
<b>SBE15/080</b>	Criminal Justice Division Outcome 1 (Other Agency) Australian Federal Police	Smith	Investigation into the Federal Electorate of Indi in 2013	1. According to newspaper reports at the time, the evidence of these individuals' residential and employment status was to be found on the internet, on various social media sites such as Facebook. a. Is this true? b. Is it also the case, as reported, that these social media records were rapidly deleted once the story "broke" in the media? 2. To what extent was this social media material important in the investigation? a. Did the deletion of this material make it difficult to gather evidence? 3. If the social media material was important from an evidentiary point of view in relation to the 28 referrals, how was it established that there were not other individuals who may have removed material from the internet in order to prevent further investigation? 4. If there were evidence that social media has been employed by individuals as a means of encouraging or facilitating behaviour of other individuals that was potentially in breach of the law, would such behaviour, on the face of it, amount to organised conspiracy? 5. If people self-incriminate using social media, for example, and then delete the material after it has been seen and copied digitally, how do the courts place weight on this "evidence"? a. Does it cease to be evidence because it's no longer live, on a server, controlled by the author? b. Does the deletion of evidence from a server, after it has been viewed, amount to impeding an investigation? 6. What is a citizen's obligation in circumstances where they become aware that someone has committed (or is about to commit) a crime – including online, via social media? 7. Did it appear, on balance, that there was some level or likelihood of organization amongst some portion of the group of 28 people under investigation? 8. In addition to the offence of providing false or misleading information to the AEC, the nature of the activity that occurred in Indi suggests that other offences may also have been potentially committed – for example joint commission, or incitement. Were other charges such as these considered during the course of your investigation If so- a. Please list the specific offences and Acts) b. How closely were these issues examined? 9. In relation to each of the possible offences that may have been applicable or considered in this matter, what is the minimum level and standard of evidence the AFP would typically require before it would be satisfied that a case of possible electoral fraud should be referred to the DPP? 10. Did the AFP restrict its investigation purely to the 28 cases referred by the AEC? a. Was any additional investigative work undertaken in relation to any other people who might have been falsely enrolled in Indi? i. If so, how many further people who were enrolled in Indi at the time of the 2013 election were specifically investigated? 11. If a wider investigation was not undertaken (especially given that the AEC had referred quite a significant number of suspicious cases in the same electorate), what were the reasons for not extending the investigation to determine if additional individuals may have falsely enrolled there? 12. Is it a specific offence under the law for a person to witness an electoral enrolment form without	Written

QoN No.	Division/Outcome/Agency	Senator	Subject	Question	Hearing date and Proof Hansard Page or Written
				<p>satisfying themselves as to the veracity of the information on the form?</p> <ol style="list-style-type: none"> <li>a. Were the witnesses to the enrolment forms of every one of the individuals under investigation themselves questioned?</li> <li>b. Do you believe all these witnesses did not know they were witnessing a false declaration?</li> <li>c. Were there any cases where the same witness signed more than one of these forms for the 28 people under investigation? If so, in how many instances did this occur?</li> </ol> <p>13. Every voter is required to make an oral declaration regarding their address to officials at the polling place. Is it therefore the case that, if someone is guilty of providing false or misleading information to the AEC by submitting a false address on a written form, they would also be making a false oral declaration if they gave the same address to an official at a polling place?</p> <p>14. How many charges are the two individuals who are due to appear in court on 18 December each facing?</p> <p>15. Of the 26 individuals who have not been charged to this point (and noting that the AFP originally referred four people for prosecution), how many would fall into the category of having evidence against them, but not enough to meet the burden of proof required for a successful prosecution under the relevant laws as they currently stand? And, conversely, how many had no evidence against them at all?</p> <p>16. Of all 28 individuals investigated, how many made admissions of any kind to your officers?</p> <p>17. The two people who have been charged with offences under the Criminal Code 1995 are listed to appear in the Magistrates Court in Melbourne on the same day at the same time.</p> <ol style="list-style-type: none"> <li>a. What is the significance in this?</li> <li>b. Are their cases being heard together – and, if so, why?</li> </ol> <p>18. In relation to these two individuals: if it is the case that their cases are finalised without any evidence being presented in open court (i.e. if the individuals do not contest the charges), this would mean that significant and costly investigations and proceedings will have been conducted by at least three federal agencies and the court system without any transparency available to the public. Is it also obvious that even two potential prosecutions out of 28 referrals is a low return.</p> <ol style="list-style-type: none"> <li>a. Would you agree that, in such circumstances, it would be incumbent on the AFP to formally report on the issues that occurred in Indi in 2013 to the Joint Standing Committee on Electoral Matters? (Including on whether the Criminal Code, as it currently stands, is adequate for dealing with matters such as deliberate enrolment fraud?)</li> </ol> <p>19. In respect of false enrolment in a Federal House of Representatives seat, how many people, in total, have historically been referred by the AFP to the DPP in respect of:</p> <ol style="list-style-type: none"> <li>a. The electorate of Indi;</li> <li>b. All electorates in Victoria combined; and</li> <li>c. All of the other States and Territories combined? (Please also indicate the time period to which these figures relate.)</li> </ol> <p>20. Of the referrals cited in question 17, the cases of how many people, in total, have:</p> <ol style="list-style-type: none"> <li>a. Formally proceeded to prosecution and</li> <li>b. Had a conviction recorded?</li> </ol> <p>Please indicate the relevant numbers for:</p> <ol style="list-style-type: none"> <li>i. The electorate of Indi;</li> <li>ii. All electorates in Victoria combined; and</li> <li>iii. All of the other States and Territories combined, and the time period to which each of these figures relates.)</li> </ol>	

QoN No.	Division/Outcome/Agency	Senator	Subject	Question	Hearing date and Proof Hansard Page or Written
				<p>21. Prior to the referral in 2015 of the four cases in Indi, when was the most recent occasion that someone was formally referred by the AFP to the DPP in respect of false enrolment in the Federal electorate of Indi?</p> <p>22. Prior to the referral in 2015 of the four cases in Indi, when was the most recent occasion that someone was formally referred by the AFP to the DPP in respect of false enrolment in a Federal House of Representatives electorate within the State of Victoria?</p> <p>23. Prior to it happening in 2015 in the two cases in Indi, when was the most recent occasion that someone was formally charged by the DPP in respect of false enrolment in a Federal House of Representatives electorate within the State of Victoria?</p> <p>24. Prior to it happening in 2015 in the two cases in Indi, when was the most recent occasion that someone was formally charged by the DPP in respect of false enrolment in the Federal electorate of Indi?</p> <p>25. To the best of the AFP's knowledge, when was the most recent occasion prior to the current case involving Indi that a direct relative of a candidate contesting a Federal electorate was charged with providing false or misleading information to the AEC in relation to that electorate?</p> <p>a. Who was the candidate, and in what electorate?</p>	
SBE15/081	Civil Law Division Outcome 1 Legal Services Policy Branch	Rhiannon	Letter from Mr Paul O'Sullivan	<p>1. Following on from my questions regarding matters referred to in in a letter from the Office of the Attorney-General Chief of Staff (signed Mr O'Sullivan) dated 9 September 2015 replying to and earlier letter from the ICJ of 17 August 2015, with regard to the last two paragraphs in Mr Sullivan's letter (my emphasis):</p> <p>a. The second last paragraph states: "as the Bill is still before the Parliament, the OAIC remains responsible for privacy and <b>FOI regulation</b> and the government is ensuring that <b>arrangements</b> are in place for the continued exercise of the Information Commissioner <b>functions</b>"</p> <p>i. With regard to the reference "FOI regulation":</p> <p>a. Please provide details to what is that referring?</p> <p>ii. With regard to the reference "functions":</p> <p>a. What are the Information Commissioner functions referred to in that passage?</p> <p>b. Do they differ in any way from the OAIC responsibilities for FOI regulation, and if so, how?</p> <p>iii. With regard to the reference "arrangements":</p> <p>a. What are the "arrangements" it is ensuring to have in place, at the moment and for the future</p> <p>b. Please provide details of the funding to be provided and other costs and when they were, and/or will be, put in place.</p> <p>b. The final paragraph states: "<b>additional resources</b> will be provided to the OAIC for the continued exercise of its FOI functions in 2015 - 16". Please detail:</p> <p>i. The resources that were supplied in the 2015 budget allocations</p> <p>ii. The additional resources to be supplied as referred to in the above paragraph</p> <p>iii. The nature and extent, value and/or cost thereof</p> <p>iv. When will the additional resources have been, and/or will, be put in place</p> <p>c. The final paragraph also refers to the OAIC continuing "<b>to perform those FOI functions</b> necessary to ensure the <b>ongoing operation of the FOI system</b>".</p> <p>i. Please detail the FOI functions that it is intended the OAIC should continue to perform.</p> <p>ii. What are the ongoing operations of the FOI system referred to?</p>	Written

QoN No.	Division/Outcome/Agency	Senator	Subject	Question	Hearing date and Proof Hansard Page or Written
				<p>iii. Please detail, if any, the OAIC statutory functions are left out, and why?</p> <p>2. The Attorney- General raised a new defence of the Government’s conduct in taking funds away from the OAIC – that “during a period when the statutory repeal of a body <b>is imminent</b> it is quite sensible to configure the budget in such a way that reflects the fact that its statutory repeal is imminent.”</p> <p>a. Please define “imminent” for that context and purpose?</p> <p>b. What are the facts, matters, circumstances and things relied upon in the above statement as demonstrating at any time since May of 2014 that the statutory repeal of the OAIC was “imminent”?</p>	
<b>SBE15/082</b>	Criminal Justice Division Outcome 1 (Other Agency) Australian Federal Police	Rhiannon	Australian Federal Police role in the Royal Commission into Trade Union Governance and Corruption	<ol style="list-style-type: none"> <li>1. Why was the Joint Police Taskforce into Industrial Criminality and Corruption established?</li> <li>2. What is the relationship between the Taskforce and the Royal Commission into trade unions?</li> <li>3. How does the AFP consider evidence given in a Royal Commission and what standing does the AFP consider this evidence to have relative to evidence in a court?</li> <li>4. What was the relationship between the Taskforce and Royal Commission in the case of John Lomax?</li> <li>5. Who initiated the charging of Lomax?</li> <li>6. Please outline the entire process, from gathering evidence, arresting, charging, and eventual dismissal of that charge?</li> <li>7. Was the case given standing in a court?</li> </ol>	Written
<b>SBE15/083</b>	Criminal Justice Division Outcome 1 (Other Agency) Australian Federal Police	Ludwig	Australian Federal Police onsite security – Australian Parliament House	<p>It was widely reported in September last year that the Prime Minister ordered tighter security for parliament house. One such article can be found here: <a href="http://www.abc.net.au/news/2014-09-21/security-changes-restrict-access-to-areas-of-parliament-house/5759102">http://www.abc.net.au/news/2014-09-21/security-changes-restrict-access-to-areas-of-parliament-house/5759102</a>. The following questions relate to this decision.</p> <ol style="list-style-type: none"> <li>1. How many AFP personnel operate out of parliament house on a daily basis?</li> <li>2. Has there been an increase in AFP personnel that operate out of parliament house on a daily basis? <ol style="list-style-type: none"> <li>a. If yes, what is the increase in personnel numbers since the decision by the PM to increase security?</li> <li>b. What duties are performed by these extra personnel?</li> </ol> </li> <li>3. Are non-AFP personnel used for security at parliament house? If yes, please detail where they are from.</li> <li>4. How many years’ experience are required in the AFP to be assigned as security for parliament house?</li> <li>5. Were any studies or consultations done with regard to ergonomics for AFP personnel required to stand for long periods of time? If yes: <ol style="list-style-type: none"> <li>a. When was this consultation conducted?</li> <li>b. Who was contracted to provide the service?</li> <li>c. How much was spent on consultation?</li> <li>d. What were the findings?</li> </ol> </li> <li>6. Are AFP personnel stationed at parliament house for protection offered individual ergonomic assessments for their duties? <ol style="list-style-type: none"> <li>a. How many individual assessments were conducted between the increased levels of security and now?</li> <li>b. What was the cost of these assessments?</li> <li>c. Please provide a list of any equipment that was purchased as a result of these assessments.</li> </ol> </li> </ol>	Written

QoN No.	Division/Outcome/Agency	Senator	Subject	Question	Hearing date and Proof Hansard Page or Written
				<p>7. With regard to equipment provided to the AFP involved in protection and security at parliament house:</p> <ol style="list-style-type: none"> <li>Are the AFP provided with hats or other protection against the sun? If yes, please detail and include the cost.</li> <li>Are the AFP provided with jackets, scarfs or other protection against the cold? If yes, please detail and include the cost.</li> <li>Are the AFP provided with cushioning mats (to stand on), shoes, boots or other protection from issues caused from standing for long periods of time? If yes, please detail and include the cost.</li> <li>Are the AFP provided with water or food during these shifts? If yes, please detail.</li> <li>Please provide a list of all other equipment supplied to AFP personnel assigned to security at parliament house.</li> <li>For what periods/times throughout the day and night are the main entrances of parliament house unattended by AFP personnel?</li> <li>How do these arrangements change during sitting vs non-sitting weeks?</li> </ol> <p>8. With regard to breaks and shifts provided to the AFP involved in protection and security at parliament house:</p> <ol style="list-style-type: none"> <li>How long are the shifts of these personnel?</li> <li>What is the maximum amount of time AFP personnel are required to stand during a shift?</li> <li>How often are the given a break during these shifts and how long do the breaks last for?</li> <li>How many days in a row can AFP personnel be rostered on to these duties?</li> <li>Are these break or shift arrangements altered or changed at all during the hot summer months or the cold winter months? If yes, please detail.</li> </ol> <p>9. Have any AFP personnel involved in protection and security at parliament been injured or fallen ill as a result of their duties at parliament house? If yes, please detail.</p> <p>10. What is the average amount of sick leave that has been taken by AFP involved in protection and security at parliament house since the increased security began?</p> <ol style="list-style-type: none"> <li>How does this compare with the national average for AFP personnel?</li> </ol>	
SBE15/084	Strategy and Delivery Division Outcome 1 Strategy and Delivery Division	Ludwig	Furniture relocation	<ol style="list-style-type: none"> <li>Provide an itemised breakdown of all items moved by AGD for the office of Senator the Hon George Brandis from the Deputy Senate Leader's office to the Senate Leader's office</li> <li>What was the total cost of moving these items?</li> <li>Breakdown this cost by task/service or activity per item listed</li> <li>Who conducted the work involved in moving each item of furniture? <ol style="list-style-type: none"> <li>Was any work conducted by non-AGD sources? If so-</li> <li>List these sources</li> <li>What was the cost for procuring these services?</li> <li>How were they obtained?</li> <li>Under what policy were they engaged?</li> </ol> </li> <li>Provide all communication with the office of Senator the Hon George Brandis concerning the items to be moved to the Senator's new suite</li> <li>Were items moved by AGD for Senator Brandis initially not considered for transfer to the Senator's new suite?</li> <li>Were any new items of furniture purchased for the Senator's new suite by AGD? If so-</li> </ol>	Written

QoN No.	Division/Outcome/Agency	Senator	Subject	Question	Hearing date and Proof Hansard Page or Written
				<ul style="list-style-type: none"> <li>a. Itemise each item</li> <li>b. Provide a cost breakdown of each item</li> <li>c. The source from which they were purchased</li> <li>d. How the source was identified</li> <li>e. Who requested the item, and</li> <li>f. Any correspondence concerning the purchase of the items.</li> </ul> <p>8. Was any modifications or changes made to the Senator's previous or new suite on his move between offices by AGD? If so-</p> <ul style="list-style-type: none"> <li>a. Itemise these changes</li> <li>b. Provide a cost breakdown of each change</li> <li>c. Who the changes were requested by</li> <li>d. Correspondence concerning these changes</li> <li>e. Who made each change, and</li> <li>f. How they were selected to perform these changes</li> </ul>	
<b>SBE15/085</b>	Strategy and Delivery Division Outcome 1 Strategy and Delivery Division	Ludwig	Ministerial Personalised Stationery	<p>Since the leadership change in September 2015:</p> <ul style="list-style-type: none"> <li>a. How much has been spent by the Ministerial office on personalised stationery for the Minister and the Minister's staff? <ul style="list-style-type: none"> <li>i. Please provide a cost breakdown by type of stationery purchased and the quantity of each and whether it was for the Minister or for staff.</li> </ul> </li> </ul>	Written
<b>SBE15/086</b>	Strategy and Delivery Division Outcome 1 Strategy and Delivery Division	Ludwig	Departmental Branding	<ul style="list-style-type: none"> <li>1. Has the department/agency undergone a name change or any other form of rebranding since the leadership change in September, 2015? If so: <ul style="list-style-type: none"> <li>a. Please detail why this name change / rebrand were considered necessary and a justified use of departmental funds? <ul style="list-style-type: none"> <li>i. Please provide a copy of any reports that were commissioned to study the benefits and costs associated with the rebranding.</li> </ul> </li> <li>b. Please provide the total cost associated with this rebrand and then break down by amount spent replacing: <ul style="list-style-type: none"> <li>i. Signage.</li> <li>ii. Stationery (please include details of existing stationery and how it was disposed of).</li> <li>iii. Logos</li> <li>iv. Consultancy</li> <li>v. Any relevant IT changes.</li> <li>vi. Office reconfiguration.</li> </ul> </li> <li>c. How was the decision reached to rename and/or rebrand the department? <ul style="list-style-type: none"> <li>i. Who was involved in reaching this decision? ii. Please provide a copy of any communication (including but not limited to emails, letters, memos, notes etc) from within the department, or between the department and the government regarding the rename/rebranding.</li> </ul> </li> </ul> </li> <li>2. Following the changes does the department share any goods/services/accommodation with other departments?</li> <li>3. What resources/services does the department share with other departments; are there plans to cease sharing the sharing of these resources/services?</li> <li>4. What were the costs to the department prior to the Machinery of Government changes for these shared resources? <ul style="list-style-type: none"> <li>a. What are the estimated costs after the ceasing of shared resource arrangements?</li> </ul> </li> </ul>	Written

QoN No.	Division/Outcome/Agency	Senator	Subject	Question	Hearing date and Proof Hansard Page or Written
SBE15/087	People Strategy Branch Outcome 1 People Strategy Branch	Ludwig	Engagement of non-Australian citizens	<p>I refer you to section 22 (8) of the Public Service Act 1999 which says: "An Agency Head must not engage, as an APS employee, a person who is not an Australian citizen, unless the Agency Head considers it appropriate to do so."</p> <ol style="list-style-type: none"> <li>1. Does the department have guidelines or similar to assist Agency Heads to assess when it is appropriate to hire non-Australian citizens? <ol style="list-style-type: none"> <li>a. If no, do individual agencies have their own guidelines?</li> </ol> <p>If yes:</p> <ol style="list-style-type: none"> <li>a. Please provide a copy.</li> <li>b. When did they come into effect?</li> <li>c. Can Agency Heads decide to go against the advice?</li> <li>d. If yes, under what circumstances?</li> </ol> </li> <li>2. Are Agency Heads required to provide a reason to anyone for hiring non-Australian citizens? <p>If yes:</p> <ol style="list-style-type: none"> <li>a. Who are they required to report the reason to?</li> <li>b. Does this reporting happen before or after the hire has been made?</li> <li>c. Is this reason provided in writing? If no, how is it provided?</li> <li>d. Can you please provide a list of reasons that have been used since the Federal election in September 2013</li> </ol> </li> <li>3. Are there any provisions to over-rule a Head of Agency's decision to hire a non-Australian citizen? <p>If yes:</p> <ol style="list-style-type: none"> <li>a. Who can over-rule this decision?</li> <li>b. Under what circumstances can it be over-ruled?</li> <li>c. How many times has this occurred since the Federal election in September 2013</li> </ol> </li> </ol>	Written
SBE15/088	Criminal Justice Division Outcome 1 Crime Prevention and Federal Offenders Branch	McKenzie	Firearms and Weapons Policy Working Group	<ol style="list-style-type: none"> <li>1. In relation to recommendations for the review of the NFA that are going to the November 2015 meeting of the Law, Crime and Community Safety Council, I understand that draft proposals that have already been circulated amongst the Firearms and Weapons Policy Working Group. In turn, what role will public submissions play overall?</li> <li>2. How many public submissions were received?</li> <li>3. How were they processed?</li> <li>4. How many staff were working on processing the public submissions for the Safety Council's benefit and at what level of appointment were they?</li> <li>5. Were there adequate resources within the Department to consider public submissions before draft proposals were completed and distributed amongst members of the Firearms and Weapons Policy Working Group?</li> <li>6. What was the timeframe for the consideration of public submissions and the resources allocated to processing them before the draft proposals were circulated?</li> <li>7. Are there any specific inclusions of ideas or examples provided in public submissions within the draft proposal document?</li> <li>8. Has the Department or Justice Minister received submissions or correspondence from Victoria Police outlining their views on the NFA? If so, from whom and on what dates and can they be tabled?</li> <li>9. Has the Department or Justice Minister received submissions or correspondence from the Victorian Government, Premier, Attorney-General or Police Minister outlining their views on the NFA? If so, from whom and on what dates and can they be tabled?</li> <li>10. Has the Department or Justice Minister received submissions or correspondence from any</li> </ol>	Written

QoN No.	Division/Outcome/Agency	Senator	Subject	Question	Hearing date and Proof Hansard Page or Written
				<p>Victorian public servants regarding the categorization of firearms? If so, from whom and on what dates and can they be tabled?</p> <p>11. Has the Department or Justice Minister received submissions or correspondence from New South Wales Police outlining their views on the NFA? If so, from whom and on what dates and can they be tabled?</p> <p>12. Has the Department or Justice Minister received submissions or correspondence from the New South Wales Government, Premier, Attorney-General or Police Minister outlining their views on the NFA? If so, from whom and on what dates and can they be tabled?</p> <p>13. Has the Department or Justice Minister received submissions or correspondence from any New South Wales public servants regarding the categorization of firearms? If so, from whom and on what dates and can they be tabled?</p> <p>14. Has the Department or Justice Minister received submissions or correspondence from the South Australian Police outlining their views on the NFA? If so, from whom and on what dates and can they be tabled?</p> <p>15. Has the Department or Justice Minister received submissions or correspondence from the South Australian Government, Premier, Attorney-General or Police Minister outlining their views on the NFA? If so, from whom and on what dates and can they be tabled?</p> <p>16. Has the Department or Justice Minister received submissions or correspondence from any South Australian public servants regarding the categorization of firearms? If so, from whom and on what dates and can they be tabled?</p> <p>17. Has the Department or Justice Minister received submissions or correspondence from any Western Australian Police outlining their views on the NFA? If so, from whom and on what dates and can they be tabled?</p> <p>18. Has the Department or Justice Minister received submissions or correspondence from the West Australian Government, Premier, Attorney-General or Police Minister outlining their views on the NFA? If so, from whom and on what dates and can they be tabled?</p> <p>19. Has the Department or Justice Minister received submissions or correspondence from any West Australian public servants regarding the categorization of firearms? If so, from whom and on what dates and can they be tabled?</p> <p>20. Has the Department or Justice Minister received submissions or correspondence from the Tasmanian Police outlining their views on the NFA? If so, from whom and on what dates and can they be tabled?</p> <p>21. Has the Department or Justice Minister received submissions or correspondence from the Tasmanian Government, Premier, Attorney-General or Police Minister outlining their views on the NFA? If so, from whom and on what dates and can they be tabled?</p> <p>22. Has the Department or Justice Minister received submissions or correspondence from any Tasmanian public servants regarding the categorization of firearms? If so, from whom and on what dates and can they be tabled?</p> <p>23. Has the Department or Justice Minister received submissions or correspondence from Queensland Police outlining their views on the NFA? If so, from whom and on what dates and can they be tabled?</p> <p>24. Has the Department or Justice Minister received submissions or correspondence from the Queensland Government, Premier, Attorney-General or Police Minister outlining their views on the NFA? If so, from whom and on what dates and can they be tabled?</p> <p>25. Has the Department or Justice Minister received submissions or correspondence from any</p>	



QoN No.	Division/Outcome/Agency	Senator	Subject	Question	Hearing date and Proof Hansard Page or Written
				<p>Queensland public servants regarding the categorization of firearms? If so, from whom and on what dates and can they be tabled?</p> <p>26. Has the Department or Justice Minister received submissions or correspondence from the Northern Territory Police outlining their views on the NFA? If so, from whom and on what dates and can they be tabled?</p> <p>27. Has the Department or Justice Minister received submissions or correspondence from the Northern Territory Government, Chief Minister, Attorney-General or Police Minister outlining their views on the NFA? If so, from whom and on what dates and can they be tabled?</p> <p>28. Has the Department or Justice Minister received submissions or correspondence from any Northern Territory public servants regarding the categorization of firearms? If so, from whom and on what dates and can they be tabled?</p> <p>29. Has the Department or Justice Minister received submissions or correspondence from the Australian Capital Territory Police outlining their views on the NFA? If so, from whom and on what dates and can they be tabled?</p> <p>30. Has the Department or Justice Minister received submissions or correspondence from the Australian Capital Territory Government, Chief Minister, Attorney-General and Police Minister their views on the NFA? If so, from whom and on what dates and can they be tabled?</p> <p>31. Has the Department or Justice Minister received submissions or correspondence from any Australian Capital Territory public servants regarding the categorization of firearms? If so, from whom and on what dates and can they be tabled?</p> <p>32. From whom does the Department take technical advice on firearms?</p> <p>33. Do those experts have expertise in modern firearms (designed and manufactured in the last 20 years) as well as older firearms (designed and manufactured over twenty years ago)? If not, what knowledge do they have on firearms more than 20 years old?</p> <p>34. Understanding that many States still use partly paper-based and labour intensive systems for recording the ownership of and transaction of firearms (and that there are often significant time gaps between the transaction and the reporting of same), has the Department reviewed what additional investment is required by States to bring each of their computer systems up to a standard to allow as close as possible to real time input of accurate data?</p> <p>35. Is the Department recommending that the Federal Government fund such an ICT upgrade?</p> <p>36. Has the Department undertaken any research of the way other Commonwealth nations like Canada and New Zealand spend their money on managing firearms?</p>	
<b>SBE15/089</b>	Access to Justice Division Outcome 1 Family Law Branch	Collins	Surrogacy	<ol style="list-style-type: none"> <li>1. Nepal has recently closed its borders to Australians seeking commercial surrogacy services in that country. Can you provide the number of babies born through surrogacy arrangements commissioned by Australian parents that are still in Nepal?</li> <li>2. Can you provide the number of babies born through commercial surrogacy arrangements and commissioned by Australian parents that have been born overseas this year?</li> <li>3. When will the Attorney-General respond to the House of Representatives Standing Committee on Social Policy and Legal Affairs Roundtable on Surrogacy report tabled on 24 March 2015?</li> <li>4. Will the Attorney-General commit to implementing the one recommendation contained in that report, to refer to the House of Representatives Standing Committee on Social Policy and Legal Affairs an inquiry into the regulatory and legislative aspects of surrogacy arrangements with a focus on both domestic surrogacy arrangements and international surrogacy arrangements involving Australian nationals?</li> </ol>	Written

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SBE15/090	Civil Law Division Outcome 1 Commercial and Administrative Law Branch	Collins	Open Government Partnership	<ol style="list-style-type: none"> <li>1. When the former Labor Government announced that Australia would join the OGP, it nominated the Attorney-General's Department as the lead agency. The Abbott Government changed that to the Department of Finance by April 2014. It has now been reported that the lead agency has been changed once again to Department of Prime Minister and Cabinet. <ol style="list-style-type: none"> <li>a. Is this true?</li> <li>b. Why was this decision taken?</li> <li>c. What costs have been incurred because of each of the two reallocations which have now taken place?</li> </ol> </li> <li>2. If the AGD remains the lead agency for this initiative, then: <ol style="list-style-type: none"> <li>a. Has the Government recommitted to advancing its application to join the OGP?</li> <li>b. Please advise what actions the Government has taken since the election to develop an action plan.</li> <li>c. As Australia's participation in the OGP appeared to grind to a halt under Prime Minister Abbott, was it the Abbott Government's policy to abandon the OGP project?</li> <li>d. Will the Turnbull Government now work towards full membership of the OGP?</li> <li>e. Please describe the commitments Australia would be required to make if we were to commit to the OGP.</li> <li>f. Will commitment to the OGP have ramifications for the Governments plans to abolish the Office of the Australian Information Commissioner?</li> </ol> </li> </ol>	Written
SBE15/091	National Security Law and Policy Division Outcome 1 Countering Violent Extremism Branch	Collins	Change in portfolio responsibilities	<ol style="list-style-type: none"> <li>1. Please provide a flowchart explaining the responsibility for national security, counter-terrorism and counter-radicalisation work under the new ministerial arrangements implemented by the Government in May 2015.</li> <li>2. Does the Attorney-General retain ultimate responsibility for these areas of policy?</li> <li>3. Does the Minister Assisting the Prime Minister on Counter-Terrorism report to the Prime Minister directly, or through the Attorney-General?</li> </ol>	Written
SBE15/092	National Security Law and Policy Division Outcome 1 Countering Violent Extremism Branch	Collins	Countering Violent Extremism Radicalisation Awareness Kit	<ol style="list-style-type: none"> <li>1. How much did the booklet cost to produce?</li> <li>2. Please provide the total cost of the project and a breakdown of costs for: <ol style="list-style-type: none"> <li>a. Research undertaken to produce the booklet;</li> <li>b. Consultation processes undertaken;</li> <li>c. Booklet production</li> </ol> </li> </ol>	Written
SBE15/093	National Security Law and Policy Division Outcome 1 Data Retention Implementation Taskforce	Collins	Data retention implementation	<ol style="list-style-type: none"> <li>1. How many Carriage Service Providers (CSPs) are there in Australia for the purposes of the data retention scheme? Please provide a breakdown based on: <ol style="list-style-type: none"> <li>a. Number of customers,</li> <li>b. Number of staff, and</li> <li>c. Revenue from ISP services.</li> </ol> </li> <li>2. What estimate of the number of CSPs in Australia informed the Government's determination of how much funding would be allocated for compensation under the data retention scheme?</li> <li>3. Is the \$130.3m allocated for compensation intended to address the full cost of compliance by industry with the data retention scheme? What is the Government's estimate of that full cost?</li> <li>4. Please confirm that the Department is deducting \$2.9m from the \$130.3m allocated in the Budget to contribute to CSPs' start-up costs. <ol style="list-style-type: none"> <li>a. What will this \$2.9m be used for?</li> <li>b. How was this figure arrived at?</li> <li>c. What is the breakdown?</li> </ol> </li> </ol>	Written

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				5. The Department has been developing a draft financial model to disburse compensation among Carriage Service Providers: <ol style="list-style-type: none"> <li>What are the features of this model?</li> <li>Is it the model or based on reimbursement of a portion of actual start-up costs incurred by individual providers?</li> <li>What is proposed to ensure that small CSPs are not disproportionately burdened?</li> <li>Why has it taken so long to get to the point where AGD can start consulting with industry?</li> <li>When will compensation be finalised?</li> </ol> 6. In deciding whether to grant exemptions under the data retention scheme, will the Government take into account the fact that some CSPs will be unable to meet the upfront costs of compliance until compensation is available?           7. ACMA is advising CSPs that subsequent to the end of the financial year service providers will be required to submit annual reports to the ACMA on the cost of complying with the data retention obligations. This is in addition to the current requirement to report on the cost of interception capability. Was this additional cost to industry taken into account in the Government's Regulatory Impact Statement?	
<b>SBE15/094</b>	Criminal Justice Division Outcome 1 (Other Agency) Australian Federal Police	Collins	Budget	<ol style="list-style-type: none"> <li>Is it correct that the AFP budget is set to reduce by \$220 million by 2018-19?</li> <li>How will the budget cuts impact AFP operations?</li> <li>How will this reduction impact equipment upgrades and technology advancement?</li> <li>Have AFP national security and counter terrorism activities increased over recent years? How will the budget cuts impact on these activities?</li> <li>How many arrests have been made as a result of AFP or joint counter terrorism operations?</li> <li>Does the AFP receive any portion of the additional \$1.2 billion allocated by the Government in the 2015-16 budget to national security and counter terrorism?</li> <li>How much of that additional funding was allocated to the AFP?</li> <li>Does this proportion of funding accurately reflect the proportional role of the AFP in counter terrorism and national security activities compared to other agencies?</li> <li>How has the AFP coped with increasing counter terrorism and security activities faced with budget cuts?</li> </ol>	Written
<b>SBE15/095</b>	Criminal Justice Division Outcome 1 (Other Agency) Australian Federal Police	Collins	Elbit Systems and PROMIS	<ol style="list-style-type: none"> <li>Why did the AFP cancel the contract with Elbit Systems?</li> <li>Did the AFP make the decision to cancel the contract with Elbit Systems independently?</li> <li>Were other agencies involved in the decision to cancel the contact with Elbit?</li> <li>Can you please give details of the review into SPECTRUM Elbit Systems crime fighting software?</li> <li>What was the outcome of the review?</li> <li>What were the recommendations of this review?</li> <li>Were these recommendations implemented?</li> <li>Who formed part of the review?</li> <li>Why were these people chosen in particular?</li> <li>Why has this review remained a secret (up until now)?</li> <li>How much money was spent on the review?</li> <li>How much money has been spent to date on contract negotiations with Elbit Systems?</li> <li>How much money already spent on the contract can be retrieved?</li> <li>Can you please provide the letter sent to Andrew Colvin by Jane Halton in regards to the Elbit system SPECTRUM?</li> <li>How long has the PROMIS Program been in use by the AFP?</li> </ol>	Written

QoN No.	Division/Outcome/Agency	Senator	Subject	Question	Hearing date and Proof Hansard Page or Written
				16. What are the PROMIS Programs shortcomings? 17. Is the PROMIS Program user friendly? 18. Does PROMIS meet the operational requirements of the AFP? 19. Can PROMIS support the AFP's international deployments? 20. Have there been cases where the operating system has hindered the success of AFP operations? 21. Will the AFP replace PROMIS? 22. What is the AFP's future approach to the development of a replacement system for PROMIS? 23. What is the AFP's budget on a new operating system? 24. How much will the AFP allocate to the negotiating process? 25. What is the difference between this new system and SPECTRUM, in terms of price, system compatibility and operator friendliness?	
SBE15/096	Criminal Justice Division Outcome 1 (Other Agency) Australian Federal Police	Collins	Extradition – Chan and Sukumaran	1. In answer to questions put on notice at last estimates, the AFP said: <i>In December 2005, the Australian Federal Police (AFP) sought the advice of the Commonwealth Director of Public Prosecutions in relation to preferred charges, if any, which could be brought against members of the 'Bali Nine' in Australia, and on the evidence available to support the laying of such charges.</i> a. Did the AFP prepare a formal brief of evidence (or similar) and provide it to the CDPP? When? b. Did the AFP consult with the AGD before it took this step? c. Had the AGD asked the AFP to take this step? 2. What answer was received from the CDPP? a. When was this received? b. In what format? c. Did the CDPP provide a formal advice that charges could not be brought in Australia against Chan and Sukumaran? If so, why not? 3. The documentation the AGD publishes to explain the extradition process states that the first step in any extradition is a request by law enforcement authorities to the Attorney-General and the obtaining of a warrant: a. Did the AFP make any such request? b. Did the AFP seek any arrest warrant? Did it obtain any arrest warrant?	Written
SBE15/097	Criminal Justice Division Outcome 1 Crime Prevention and Federal Offenders Branch	Collins	National Firearms Agreement Review	1. Please provide information on which of the following groups are involved in the National Firearms Agreement review? a. Which Departments? b. Which Agencies? c. Which Groups? d. Which specific personnel? 2. Will the Government be taking all of the recommendations to the COAG meeting? 3. Are representatives of farmers and sports shooters being well presented in this review? 4. Is the Adler 110 lever-action Shotgun the only shotgun to be temporarily banned whilst the review is being undertaken? 5. What are the conditions of this ban? 6. How long was the temporary ban? 7. Why was this period recommended? 8. Was there any other suggestions made for this ban? 9. Why was the Adler recommended? 10. What are the threats of the Adler which raised concerns that it should be banned until the review	Written

QoN No.	Division/Outcome/Agency	Senator	Subject	Question	Hearing date and Proof Hansard Page or Written
				<p>is complete?</p> <ol style="list-style-type: none"> <li>11. What are the Government's intentions regarding the modified version of the Adler 110 lever-action shotgun, which is reportedly being imported into Australia?</li> <li>12. What is the difference between this modified version and the original?</li> <li>13. Do you also have concerns regarding this weapon?</li> <li>14. How similar in appearance are the eight round and five round Adler's?</li> <li>15. Why did the Government pre-empt a decision about Adler while the review of the National Firearms Agreement is still currently underway?</li> <li>16. Did the AFP provide any advice on the merits of pre-empting the decision on the Adler firearm?</li> <li>17. Is an agreement between Senator Leyonhjelm and the Liberal Government about firearms still in effect after a change of leadership?</li> <li>18. Does the AFP consider that political deals on firearms contribute to community safety?</li> <li>19. Does the AFP share the concerns of Victorian Police Minister Wade Noonan who said: "I have spoken to the Acting Chief Commissioner Tim Cartwright about this matter? He has raised his concerns that this weapon — and others like it — are no longer appropriate for a category A classification. I share his concerns,"</li> <li>20. What has been the advice to Government regarding the classification of lever action shotguns?</li> </ol>	
<b>SBE15/098</b>	Criminal Justice Division Outcome 1 (Other Agency) Australian Federal Police	Collins	Prime Minister's security	<ol style="list-style-type: none"> <li>1. What was the annual security budget for Prime Minister Abbott?</li> <li>2. How many AFP officers were in service?</li> <li>3. What was the cost of employing said number of officers?</li> <li>4. How much funding was allocated to technology and equipment?</li> <li>5. Did the AFP conduct an assessment on the vulnerability of the Prime Minister's Point Piper residence?</li> <li>6. What were the findings of this assessment?</li> <li>7. What challenges did the AFP identify in the Point Piper estate?</li> <li>8. Did the AFP offer any advice to the Prime Minister on his choice of residence?</li> <li>9. What are the particulars of that conversation?</li> <li>10. Did the AFP express a preference for Kirribilli?</li> <li>11. Did the AFP express any concerns relating to Point Piper estate?</li> <li>12. What was the Prime Minister's response</li> <li>13. Will the Point Piper estate require greater security measures than Kirribilli House?</li> <li>14. What additional security measures are needed at Point Piper estate, including software and technology upgrades?</li> <li>15. How much will these additional services cost (on and off lodgement)?</li> <li>16. Will additional AFP officers be appointed to manage the physical security of the estate?</li> <li>17. Approximately how much will these additional officers cost?</li> <li>18. When did any additional officers commence?</li> <li>19. Will the change in residence impact transport provisions?</li> <li>20. What are the costs involved in additional transport provisions?</li> </ol>	Written
<b>SBE15/099</b>	International Law and Human Rights Division Outcome 1 (Other Agency) Australian Human Rights Commission	Collins	Disability Commissioner	<ol style="list-style-type: none"> <li>1. How has the decision to combine the roles of Age and Disability Discrimination Commissioners impacted the Commission's capacity to respond to complaints?</li> <li>2. What percentage of the complaints made to the commission are made under the Disability Discrimination Act?</li> <li>3. Please provide the number of disability complaints resolved by the Commission in each month since January 2014.</li> </ol>	Written

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SBE15/100	Criminal Justice Division Outcome 1 (Other Agency) Australian Transaction Reports and Analysis Centre	Collins	Remittance Working Group	<ol style="list-style-type: none"> <li>1. When was the Remittance Working Group established?</li> <li>2. Who are the members of the Group?</li> <li>3. How many times has the Group met since its establishment?</li> <li>4. On what dates has this occurred?</li> <li>5. Has the Group met with impacted stakeholders?</li> <li>6. Who has the Group met with?</li> <li>7. What is the process for impacted community members to engage with the Group?</li> <li>8. What progress has been made by the Group?</li> <li>9. Have any solutions been offered to people who seek to transfer money overseas?</li> <li>10. Is AUSTRAC concerned that people will directly try and take money overseas as a result of the banks' decision to break ties with money transfer operators? Therefore moving from a regulated system to a more de-regulated system.</li> </ol>	Written
SBE15/101	Access to Justice Division Outcome 1 (Other Agency) Family Court of Australia/Federal Circuit Court of Australia	Collins	<i>Federal Courts (Fees) Regulation 2015 (Cth)</i>	<ol style="list-style-type: none"> <li>1. The <i>Federal Courts (Fees) Regulation 2015 (Cth)</i> was made on 28 May. Schedule 2 of that Regulation increased fees in the Family Court and the Federal Circuit Court. Those fee increases were to commence on 1 July but were disallowed in the Senate on 25 June. What administrative preparations had been made in those courts prior to 25 June for the expected fee increases in those courts?</li> <li>2. What administrative expenses were incurred to make those preparations?</li> <li>3. What was the cost of those administrative expenses?</li> <li>4. Were administrative expenses incurred after the disallowance on 25 June to undo any preparations that had been made prior to 25 June?</li> <li>5. What was the cost of those extra administrative expenses?</li> </ol>	Written
SBE15/102	Access to Justice Division Outcome 1 (Other Agency) Family Court of Australia/Federal Circuit Court of Australia	Collins	<i>Family Law (Fees) Amendment (2015 Measures No.1) Regulation 2015 (Cth)</i>	<ol style="list-style-type: none"> <li>1. The <i>Family Law (Fees) Amendment (2015 Measures No.1) Regulation 2015 (Cth)</i> was made on 12 July with the family law fee increases to commence on 13 July. How was the fee increase implemented in such a short time frame?</li> <li>2. What measures were taken in the Registries to explain the sudden fee increase to litigants?</li> <li>3. What administrative costs were incurred to implement the fee increase?</li> <li>4. Were extra staff employed to implement the changes both administratively and at a customer service level?</li> </ol>	Written
SBE15/103	Access to Justice Division Outcome 1 (Other Agency) Family Court of Australia/Federal Circuit Court of Australia	Collins	<i>Disallowance of Family Law (Fees) Amendment (2015 Measures No.1) Regulation 2015 (Cth)</i>	<ol style="list-style-type: none"> <li>1. The <i>Family Law (Fees) Amendment (2015 Measures No.1) Regulation 2015 (Cth)</i> was disallowed by the Senate on 11 August. The family law fees in both the Family Court and the Federal Circuit Court were required to be immediately reinstated to the level prior to the Regulation being made. What measures were taken to administratively change the fees in the Family Court and the Federal Circuit Court from that date?</li> <li>2. Did litigants continue to pay the increased fees after the 11 August?</li> <li>3. Have litigants been reimbursed for any additional fees paid?</li> <li>4. What administrative costs were incurred to reinstate the original family law fees in the Family Court and the Federal Circuit Court?</li> <li>5. Will the Attorney-General be seeking to again attempt to increase family law fees in the Family Court and the Federal Circuit Court?</li> </ol>	Written
SBE15/104	Access to Justice Division Outcome 1 (Other Agency) Family Court of Australia/Federal Circuit Court of Australia	Collins	Replacement of retired Judges	<ol style="list-style-type: none"> <li>1. How many judicial vacancies currently exist on the Family Court and Federal Circuit Court benches?</li> <li>2. Justice Bell retired from the Brisbane Registry of the Family Court in February. Why has he not yet been replaced?</li> <li>3. Has a process of appointment been implemented to replace Justice Bell?</li> </ol>	Written

QoN No.	Division/Outcome/Agency	Senator	Subject	Question	Hearing date and Proof Hansard Page or Written
				<ol style="list-style-type: none"> <li>4. How far along the appointment process are you with respect to Justice Bell's replacement?</li> <li>5. When do you expect a replacement for Justice Bell to be appointed?</li> <li>6. How many judges currently sitting on the Family Court will reach retirement age within the next two years?</li> <li>7. How many judges currently sitting on the Federal Circuit Court will reach retirement age within the next two years?</li> <li>8. In a recent interview on ABC radio the Chief Justice of the Family Court, Diana Bryant, said that the courts will never make up the lost time from the delay in replacing judges. Are any measures being taken to expedite the filling of all of the vacancies that currently exist in both the Federal Circuit Court and the Family Court?</li> </ol>	
<b>SBE15/105</b>	Civil Law Division Outcome 1 (Other Agency) Office of the Australian Information Commissioner	Collins	Resourcing	<ol style="list-style-type: none"> <li>1. In a letter to the International Commission of Jurists dated 9 September 2015, the Attorney-General's Chief of Staff wrote of the Government's Bill to repeal the Office of the Australian Information Commissioner:  "...as the Bill is still before the Parliament, the OAIC remains responsible for privacy and FOI regulation and the government is ensuring that arrangements are in place for the continued exercise of the Information Commissioner functions" <ol style="list-style-type: none"> <li>a. What does "FOI regulation" refer to?</li> <li>b. What are the "Information Commissioner functions"? Which of those continue to be exercised by the IC and which have been given to other bodies?</li> <li>c. Please provide details on the "arrangements" referred to, and a breakdown of how Government funding is supporting those arrangements.</li> </ol> </li> <li>2. The letter states that "additional resources will be provided to the OAIC for the continued exercise of its FOI functions in 2015 - 16". <ol style="list-style-type: none"> <li>a. What additional resources will be applied?</li> <li>b. When will those resources be available to the OAIC?</li> <li>c. Can the Government guarantee that the OAIC will be able to meet all of its statutory obligations with the resources provided?</li> </ol> </li> <li>3. The letter also refers to the OAIC continuing "to perform those FOI functions necessary to ensure the ongoing operation of the FOI system". <ol style="list-style-type: none"> <li>a. Please identify the FOI functions that it is intended the OAIC should continue to perform.</li> <li>b. If any FOI functions are not to be continued with, why not?</li> </ol> </li> <li>4. On 20 October 2015, the Attorney- General gave evidence to the Committee that:  "during a period when the statutory repeal of a body is imminent it is quite sensible to configure the budget in such a way that reflects the fact that its statutory repeal is imminent." <ol style="list-style-type: none"> <li>a. How does the Attorney-General define "imminent" in this context, given the abolition of the OAIC was first announced in the 2014 Budget and the necessary legislation is still yet to be considered by the Senate?</li> <li>b. Will the Government bring on the legislation for debate "imminently"?</li> </ol> </li> </ol>	Written
<b>SBE15/106</b>	Defence Abuse Response Taskforce Outcome 1 Defence Abuse Response Taskforce	Xenophon	Defence Abuse Response Taskforce	The Defence Force Abuse Response Taskforce stated in its June 2015 Report on progress, operations and future structure that current leadership group had proposed to the Sex Discrimination Commissioner for her consideration a joint AFP/ACC taskforce as a way to deal with the abuse at ADFA 'as a criminal matter' (pages 24-27). Noting that, the problems with sexual assault at ADFA have been well known to the AFP in its capacity as the provider of ACT Police Services at least since the 1998 Grey Review and that those problems have since been confirmed by Volume 1 of the Review of allegations of sexual and other abuse (the DLA Piper Review) which was made public in the middle	Written

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				<p>of 2012 the Interim and Final Reports of the Defence Abuse Response Taskforce through 2013-2014. ACT Chief Police Officer Rudi Lammers of the AFP has been a member of the Defence Abuse Response Taskforce leadership team since 2012. The establishment of the DART did not prevent the AFP from conducting its own broad investigation into sexual assaults at ADFA.</p> <ol style="list-style-type: none"> <li>1. What is the understanding of the DART leadership - including ACT Chief Police Officer Lammers - as to why the AFP has not previously conducted a broad investigation into rape at ADFA?</li> <li>2. How many prosecutions does the DART leadership group – including ACT Chief Police Officer Lammers - believe are likely to be run against suspected ADFA rapists? More or less than ten? Five? None?</li> <li>3. How many of the prosecution which are run do they expect will succeed?</li> <li>4. What is the conviction rate in rape trials in the ACT?</li> <li>5. If DART have no idea how many convictions are likely to result then why are you putting this forward as a way to get a decisive resolution of these matters?</li> <li>6. What do DART propose for situations where enough evidence has been gathered by the AFP/ACC which might justify dismissing an officer but not enough to justify a criminal prosecution?</li> <li>7. How effective was the Australian Crime Commission in the Northern Territory Intervention? In particular: - how many convictions were obtained because of information gathered by ACC investigations?</li> <li>8. Does the DART consider it important for ADF leaders, Government, Parliament and the nation to be able to be confident that senior officers in the ADF who are role models and drivers of cultural change are fit for those roles?</li> <li>9. Would DART regard it as acceptable that we could have as a Service Chief or Chief of the Defence Force, someone who raped a fellow Cadet at ADFA – or a someone who acquiesced in this conduct by other Cadets?</li> <li>10. Is DART confident that its recommendation for an AFP/ACC taskforce will prevent that occurring?</li> <li>11. The DART June report framed the problem to be addressed as being that none of the suspected perpetrators of serious assaults at ADFA were criminally prosecuted. The current DART leadership group’s June recommendation for an AFP/ACC taskforce is focused entirely on criminal prosecution. Why?</li> <li>12. Why could not a taskforce gathering evidence for prosecutions operate in parallel with a Royal Commission?</li> <li>13. Does the DART accept that there is a real risk that an AFP/ACC Taskforce would not be able to gather sufficient evidence for many prosecutions to be launched or that even if launched a prosecution will not result in a conviction?</li> <li>14. It seems to be implied in the DART’s recommendation for an AFP/ACC taskforce to gather evidence for criminal prosecutions that if an officer is not proven guilty beyond reasonable doubt in a criminal trial of raping another member of the ADF then he is presumed to be fit for any role in the ADF – even if there are strong grounds for suspecting that he did carry out that rape. Is that the DART’s position?</li> <li>15. The DART report failed to mention that not only were there no criminal prosecutions, there were also no Defence administrative or DFDA procedures. Why does the DART June Report not refer to that failure by the ADF?</li> <li>16. There is no mention in the DART June Report of the importance of gathering information to enable Government and ADF leaders to assess the fitness of officers for particular roles in the ADF. Why not?</li> </ol>	



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				<p>17. A Royal Commission can have that role and could gather information which could be relied on by Government and the ADF in deciding on whether individual officers should be promoted, allocated particular tasks or dismissed. It seems that an AFP/ACC taskforce could not pass on information which it gathers which might be relevant to assessing fitness of officers for their positions in the ADF. Is it not correct that the ACC's statutory powers have strict limitations on the uses which can be made of information gathered using those statutory powers?</p> <p>18. Is it not correct that an AFP/ACC taskforce could not hand over information to ADF leadership information which might fall short of getting a criminal conviction but which would be relevant to assessing fitness of the officer to be in his position or to be promoted further?</p> <p>19. Does the DART accept that if the only response to the ADFA legacy is an AFP/ACC Taskforce looking for evidence sufficient to persuade the ACT DPP to run a criminal prosecution and then sufficient for an ACT Court to convict the accused, then there is a real risk that we could get as a Service Chief or even as a CDF a rapist or someone who did not intervene when one of his mates was raping another young Cadet at ADFA?</p> <p>20. The DART June report at page 3 refers to ...the probability that the women who suffered the most serious abuse at ADFA are unlikely to want to participate in a Royal Commission and at page 26. The ACC's coercive examinations are conducted in private and the witness is examined by an Examiner appointed under the ACC Act or counsel assisting. There are very few people in the hearing room and there is no cross examination. Witnesses may have a lawyer with them. It is possible that at least some of the women abused at ADFA may be prepared to give evidence on oath in this [ACC] environment, particularly as it is away from the public gaze attracted by a Royal Commission. Does the DART's reference to the 'public gaze attracted by a Royal Commission' imply that the DART assumed that evidence from victims will be taken in public hearings?</p> <p>21. Why does the DART believe that it is unlikely that the women who suffered the most serious abuse at ADFA are unlikely to want to participate in a Royal Commission? This is stated as a fact without any supporting explanation or evidence. Is that asserted fact based on DART's informal liaison with the Sex Discrimination Commissioner? Did Ms Broderick speak to individual victims to form this view? Did Ms Broderick tell victims that in a Royal Commission they would have to give evidence in public? If so – that is not correct is it?</p> <p>22. Does the DART agree that victims of abuse who are still in the ADF might be more willing to participate in a Royal Commission if: the Royal Commission was supported by ADF leadership; and ADF leadership were committed to taking into account information gathered in the Royal Commission to assess the fitness of current officers to be in their current positions and/or their fitness for further promotion and/or particular roles? Did Ms Broderick ask victims whether they would be willing to participate in a Royal Commission with that purpose and with that backing from the ADF leadership?</p> <p>23. In the Royal Commission into Child Abuse a large number of victims of terrible abuse have chosen to give evidence – some in public and some in private. Why would victims of abuse at ADFA be less likely to choose to participate in a Royal Commission than those victims in institutions?</p> <p>24. The DART June Report has proposed the AFP/ACC taskforce as a means of getting evidence to support prosecutions for criminal offences. The DART June report refers to ACC coercive hearings being conducted in private and suggests that victims might be more willing to participate in those processes than in a Royal Commission. But those ACC hearings are at best preliminary to a criminal prosecution. Is it correct that in a criminal trial ordinarily unless the Court ordered otherwise: the trial including the cross-examination of the victim would be in open court ; and the</p>	

QoN No.	Division/Outcome/Agency	Senator	Subject	Question	Hearing date and Proof Hansard Page or Written
				victim would have to undergo cross-examination in open court? If so, then why does the DART believe that 'women who suffered the most serious abuse at ADFA' are more likely to participate in a criminal trial than in a Royal Commission?	
<b>SBE15/107</b>	International Crime Cooperation Division Outcome 1 International Crime Cooperation Central Authority	Xenophon	Extradition - Indonesia	<ol style="list-style-type: none"> <li>1. How many extradition requests has the Australian Government received from the Indonesian Government in the past year?</li> <li>2. How many people have we extradited to Indonesia in the past year?</li> <li>3. How many people have we refused to extradite to Indonesia in the past year?</li> <li>4. How many extradition requests has the Australian Government made to the Indonesian Government in the past year?</li> <li>5. How many people has Indonesia extradited to Australia in the past year?</li> <li>6. How many people has Indonesia refused to extradite to Australia in the past year?</li> </ol>	Written
<b>SBE15/108</b>	National Security Law and Policy Division Outcome 1 (Other Agency) Australian Security Intelligence Organisation	Xenophon	National Biometric Facial Capability - NSW citizens	<p>I refer to a recent article from the Sydney Morning Herald stating the NSW Government has authorised the release of photographs taken of people who are granted licences and permits to the Australian Security Intelligence Organisation (ASIO) and the state crime commission without a warrant or court order. I understand previously the NSW Roads and Maritime Services has previously only been permitted to release drivers licence photographs to ASIO but the changes will now include photographs for licences and permits for firearms, to work in security, private investigation, debt collection industries and applications to operate tattoo parlours. Changes will also apply to Photo Cards - voluntary proof of age cards, photographs taken for licences for tradespeople, real estate agents, contractors, pawn brokers, second hand dealers, motor dealers and repairers, strata managers and importers and exporters. This extra access was granted by the NSW Government on Friday, almost three weeks after the killing of police accountant Curtis Cheng at Parramatta.</p> <ol style="list-style-type: none"> <li>1. Did ASIO request this extra access from the NSW Government? If so, when was this request made?</li> <li>2. Has ASIO made similar access requests (or have existing agreements) from other states and territories in Australia? Which ones?</li> <li>3. Will ASIO be accessing photographs only, or additional information contained with licenses?</li> <li>4. Prior to the authorisation, was ASIO able to access these photographs with a warrant or court order?</li> </ol>	Written
<b>SBE15/109</b>	National Security Law and Policy Division Outcome 1 (Other Agency) Australian Security Intelligence Organisation	Xenophon	Australian Security Intelligence Organisation - International Deployment	<p>I refer to comments made by Duncan Lewis, ASIO director-general in a recent news article from the Australian regarding two common misperceptions about the organisation's role. Mr Lewis is quoted as saying: "ASIO is often incorrectly seen as a purely domestic security intelligence agency when in fact it is responsible for the security of Australians wherever they are, which obviously includes overseas". The article states that as more and more Australians travel and live overseas (more than one million) - ASIO's international footprint has increased correspondingly with officer's posted throughout Asia, North America, the Middle East and Europe.</p> <ol style="list-style-type: none"> <li>1. What roles and responsibilities does ASIO and its officers hold when operating overseas?</li> <li>2. When did ASIO initially start posting officers overseas?</li> <li>3. Can you advise the current number of ASIO officers posted overseas?</li> <li>4. How much has ASIO's international footprint increased? Can you provide a breakdown of these numbers over the last decade?</li> <li>5. Is ASIO still expanding its offshore role?</li> </ol> <p>In the news article, it is stated that ASIO requires staff to have well-developed operational and analytical skills.</p>	Written

QoN No.	Division/Outcome/Agency	Senator	Subject	Question	Hearing date and Proof Hansard Page or Written
				<p>6. What training (operational and otherwise) do ASIO staff receive prior to and during overseas postings?</p> <p>7. What authorisations exist overseas for weapons carrying by officers?</p> <p>8. How does ASIO monitor weapon handling by overseas officers and what policies exist to ensure safety to officers and others?</p> <p>I refer to the IGIS inquiry into an incident overseas in which a Special Forces soldier allegedly pulled a gun on a female ASIS agent during a drinking session.</p> <p>9. What policies does ASIO have in place with regards to ensuring ASIO has controls in place to ensure that officers are not carrying weapons under the influence of alcohol?</p> <p>10. How does ASIO cooperate and interact with other Australian agencies operating overseas (ie. ASIS, Special Forces)?</p> <p>I note the passage of the National Security Legislation Amendment Bill (No. 1) 2014 which allows Australia's domestic surveillance agency, ASIO, to work more closely ASIS, which has traditionally handled overseas intelligence operations.</p> <p>11. Does this mean ASIO will be more involved with overseas intelligence operations? How? The legislation changes also give ASIO officers greater immunity from prosecution if they commit a crime in the course of a 'special intelligence operation'. I understand Authorised ASIO Officers will decide on which operations are classed as such and there is no limit on how many operations can be designated as such.</p> <p>12. Who will be an authorised officer?</p> <p>13. What criteria must be met for an operation to be classed as a 'special intelligence operation'?</p> <p>14. Will operations be designated as such prior to commencement?</p> <p>I understand the immunity is broad with the laws stating that ASIO officers must not be engaged in conduct that causes death or serious injury, involves a sexual offence against any person or the significant loss of or damage to property.</p> <p>15. What procedures does ASIO have in place for officers that may commit a crime during operations?</p> <p>16. Who will decide whether a crime constitutes immunity or not? How will this work for officers on overseas postings who may be subject to domestic laws?</p> <p>17. If officers are given greater immunity from prosecution, are they also given greater immunity from facing internal sanctions from ASIO?</p>	
<b>SBE15/110</b>	Criminal Justice Division Outcome 1 (Other Agency) Australian Federal Police	Xenophon	Misplaced control items	<p>I refer to an article in the Sun Herald, <i>AFP missing weapons, armour</i>, 2 August 15 which claims that an audit into its firearms and armoury revealed Australian Federal Police has lost almost 30 controlled items in the past year including munitions, body armour, bullet-proof vests, Tasers, batons, handcuffs and night vision goggles. A comparison across federal agencies revealed that Customs had reported only one gun – a Glock as missing during the past three years. It was later sighted and accounted for. This is the second time since 2009 that the AFP have been warned that its stocktake procedures for guns and ammunition were of serious concern. The audit of the AFP firearms made four high risk and significant-risk findings including that officers were still carrying guns with no current "Use of Force" qualifications, that AFP documentation was not of a sufficiently high level to explain responsibilities to those in charge of firearms, stocktakes had been affected by deficiencies in previous asset registers and there were insufficient tracking and stocktake mechanisms. The audit found that a "key contributor to the weaknesses identified" was poor governance documents, deficient systems, and inconsistencies in operating procedures across jurisdictions.</p> <p>1. How does the AFP explain the missing controlled items?</p> <p>2. Who is accountable for the lost controlled items? Individual officers or otherwise?</p>	Written

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				3. What are the minimum qualifications and training for an officer to carry a gun? 4. How does the AFP ensure only officers who meet these minimum qualification/training are carrying guns? 5. What is the AFP doing to address insufficient tracking and stocktake mechanisms?	
<b>SBE15/111</b>	International Law and Human Rights Division Outcome 1 (Other Agency) Australian Human Rights Commission	Siewert	Employment complaints received	1. How many complaints have been received from: <ol style="list-style-type: none"> <li>Aboriginal and Torres Strait Islander peoples</li> <li>Older Australians</li> <li>People with a disability</li> </ol> 2. What proportion of complaints relate to employment?	Written
<b>SBE15/112</b>	International Law and Human Rights Division Outcome 1 International Human Rights Law Branch	Siewert	Australian Human Rights Commission Findings – Detainment of Indigenous Australians and people with disabilities	<p>In 2014 the Human Rights Commission found that KA, KB, KC, KD had been arbitrarily detained and that the Federal Government had not discussed possible alternative finding options that could have provided a different solution to detention of Indigenous Australians with cognitive impairments in a maximum security prison. At the time the Attorney-General indicated that he would not be considering the recommendations of the report.</p> 1. Is it still the government's position not to consider the recommendations of the Human Rights Commissions findings in relation to this matter? <p>In 2013 the UN CRPD recommended that Australia as a matter of urgency: a) ends the unwarranted use of prisons for the management of un-convicted persons with disabilities, with a focus on Aboriginal and Torres Strait Islander persons with disabilities, by establishing legislative, administrative and support frameworks that comply with the Convention; b) establishes mandatory guidelines and practice to ensure that persons with disabilities in the criminal justice system are provided with appropriate supports and accommodation; and c) reviews its laws that allow for the deprivation of liberty on the basis of disability, including psychosocial or intellectual disabilities, and repeal provisions that authorize involuntary internment linked to an apparent or diagnosed disability.</p> 2. Can the department advise what steps have been undertaken to respond to this advice.	Written
<b>SBE15/113</b>	Criminal Justice Division Outcome 1 (Other Agency) Australian Federal Police	Xenophon	Balibo 5	1. In its investigation into the Balibo Five killings, did the AFP have access to the file created by John Skeffington? 2. Can this file be made public? 3. AFP did not conduct any inquiries inside Indonesia about Balibo despite otherwise working very closely with their Indonesian counterparts. What is the extent of bilateral cooperation, the dollar value of Australian assistance to the Indonesian National Police, the otherwise highly cooperative mutual assistance arrangements?	Written
<b>SBE15/114</b>	National Security Law and Policy Division Outcome 1 (Other Agency) Australian Security Intelligence Organisation	Collins	Foreign Fighters – Syria and Iraq	1. How many Australians are currently fighting in the conflicts in Syria and Iraq, or are living in territory controlled by Daesh? 2. How many Australians have travelled to Syria and Iraq to participate in the conflict, or to live in territory controlled by Daesh, in the last 12 months? Is that figure higher than in the previous 12 months? 3. How many Australians have returned from fighting in Iraq and Syria? 4. How many Australians have been killed fighting in Iraq and Syria?	Written