Senate Foreign Affairs, Defence and Trade Legislation Committee
Additional estimates 2009-2011; February 2010
Answers to questions on notice from <u>Department of Foreign Affairs and Trade</u>

Question 8

Program 1.1
Topic: Community Cabinets
Question in writing

Senator Barnett asked:

A. What was the cost of Ministers travel and expenses for Community Cabinet meetings held since Budget Estimates in June 2009?

B. How many Ministerial Staff and Departmental officers travelled with the Minister for the Cabinet meeting?

C. What was the total cost of this travel?

D. What was the total cost to the Department and the Minister's office?

Answer

A. Information on Ministers domestic travel costs is available from the Department of Finance and Deregulation (DoFD).

B. Two Ministerial staff travelled with Mr Crean to Townsville, Queensland for the 8 December 2009 Community Cabinet Meeting. No departmental staff attended

   For the 20 January 2010 Community Cabinet Meeting in Magill, South Australia:

   - Two Ministerial staff travelled with Mr Crean;

   - Two Ministerial staff travelled with Mr Smith ;

   - One departmental officer travelled to the meeting.

   One Ministerial staff member travelled with Mr Crean to Ballarat, Victoria for the 18 February 2010 Community Cabinet Meeting. No departmental staff attended.

C. Information on Ministers domestic travel costs is available from the Department of Finance and Deregulation (DoFD).

   The total cost to DFAT was $125.00

D. Information on Ministers domestic travel costs is available from the Department of Finance and Deregulation (DoFD).

   The total cost to DFAT was $125.00

Question 9

Program 1.1
Topic: Reviews
Question in writing

Senator Barnett asked:

E. How many Reviews are currently being undertaken in the portfolio/agency or affecting the portfolio agency?

F. When will each of these reviews be concluded?

G. Which Reviews have been completed since Budget Estimates in June 2009?

H. When will the Government be responding to the respective reviews that have been completed?

I. What is the total number of Reviews both completed and ongoing in the portfolio/agency or affecting the portfolio agency since November 2007?

J. What is the estimated cost of these Reviews?

K. What further reviews are planned in 2009-10 financial year?

Answer

Department of Foreign Affairs and Trade (DFAT)

A. There are currently no major reviews being undertaken within the Department.

B. Not applicable.

C. Not applicable.

D. Not applicable.

E. Review of the Australian Government's Use of ICT; Root and Branch Review of DFAT Resources; and, Review of Export Policies and Programs (the 'Mortimer' Review).

F. The cost of the Australian Government's Use of ICT consists of staffing costs only and is the fulltime equivalent of 1 x SES Band 1 and 1 x BB3, each for 12 months.

The Root and Branch Review was conducted from within the existing resources of the department and the Department of Finance and Deregulation. Staff resources deployed by the department were: 1 x SES Band 1, 1.8 x BB4, 1 x BB3, and 2 x graduate trainees. Department of Finance and Deregulation seconded 1 x BB4 and 1 x BB3. Travel by DFAT review team members totalled $5,324.31. There were no consultancy fees or other expenses.

The total cost of the Mortimer Review (including the report's publication) was $394,611. The Panel was supported by the Review Secretariat, made up of 11 staff: 5 x DFAT, 4 x Austrade, 1 x DAFF and 1 x DRET. The DFAT component was: 1 x SES Band 2, 2 x BB4, 1 x BB3 and 1 x BB2.

G. Nil.

Austrade

A. There are currently no major reviews being undertaken within the Agency.

B. Not applicable.

C. Nil.

D. Not applicable.

E. One: The Review of Export Policies and Programs (the Mortimer Review)

F. The total cost of the Mortimer Review was $394,611.

G. There are no further reviews planned for the 2009-10 financial year.

AusAID

A. There are currently no major reviews being undertaken within the Agency.

B. Not applicable.

C. No reviews have been completed since Budget Estimates in June 2009.

D. Not applicable.

E. One agency review has been completed since November 2007. This was the Development Assistance Committee Peer Review of Australia. No reviews are in the process of being completed.

F. The Development Assistance Committee Peer Review of Australia was undertaken with a nil cost to AusAID.

G. Nil.

Question 16

Program 3.1
Topic: Cyber attacks
Question in writing

Senator Trood asked:

A. Has the Department been affected by cyber attacks?

B. How many attacks occurred in the current financial year?

C. Have these attacks been investigated? By whom?

D. Has the Department been able to determine the origin of the attacks? If so, what has been their origin?

E. What steps is the Department taking to ensure that it is protected against "cyber attacks" in the future?

F. Is the Department concerned about the growing prevalence of cyber espionage?

Answer

Consistent with the practice of successive governments, DFAT does not intend to comment on intelligence or security matters.

Question 18

Portfolio overview
Topic: Average Staffing Levels (ASL)
Question in writing

Senator Trood asked:

A. What is the total expenditure on staffing for the Department and for all portfolio agencies? What is the SES and non-SES breakdown?

B. What are the current staffing levels for SES and non-SES officers? What is the breakdown by location?

C. What have been the changes in ASL since November 2007? Why have these changes occurred? What have been the Budgetary implications?

D. In the case of reductions in staff numbers, how have these reductions been absorbed by the Department? What functions have been sacrificed and why?

E. Has there been a target for staff reductions to achieve savings? What is that target and what strategy is being implemented to achieve this?

F.   Have any voluntary or involuntary redundancies been offered to staff? If so, how have staff been identified for such offers? Are there such plans for the future?

<u>**Answer**</u>

Department of Foreign Affairs and Trade (DFAT)

A.   Total employee expenditure for DFAT for 2008-09 was $378.29 million (including locally engaged staff) as published in the 2008-09 Annual Report. Refer to note 14 of the 2008-09 Annual Report for a breakdown of SES figures.

B.   The department uses full time equivalent (FTE) staff data to manage non-locally engaged staffing levels across the department. Typically, one FTE would occupy one position. As at 5 February 2010, the SES FTE across the department was 206.7 and the non-SES FTE was 2048.9. Of these, 114.7 SES and 1297.5 non-SES were in Canberra; 16 SES and 61 non-SES were in the Americas; 23 SES and 96 non-SES were in Europe; 7 SES and 64 non-SES were in the Middle East and Africa; two SES and 278.4 non-SES were in the state offices; seven SES and 52 non-SES were in New Zealand and the Pacific; 12 SES and 64 non-SES were in North Asia; and 25 SES and 136 non-SES were in South and South East Asia.

C.

Annual Report	LES	A-Based	TOTAL ASL	*Variance*
30 June 2007	1440	1931	**3371**	
30 June 2008	1449	2009	**3458**	*87*
30 June 2009	1444^	2078	**3522**	*64*

^ Actual figure published in 2008-09 Annual Report was 1577, however this represented headcount of locally engaged staff while 1444 in the table above represents ASL.

Changes to ASL figures are as a result of various factors including increases in passport issue rates, conversion of contractors into Australia Public Service personnel and new budget decisions (these Budget decisions can be found in the Portfolio Budget Statements and Portfolio Additional Estimates Statements (PAES) for each year.)

The increase in employee expenses from $340 million in 2006-07 (2006-07 Annual Report refers) to a forecast level of $441 million in 2009-10 (2009-10 PAES refers) is due to increases in ASL as well increases in salaries (under Collective Agreements) and allowances (to keep pace with inflation and foreign exchange movements). The increase in passport staff due to increased issuance rates has been funded from the

Passports Funding Agreement between DFAT and the Department of Finance and Deregulation.

D. Not applicable.

E. There has been no target for staff reductions.

F. Two voluntary redundancies were offered in calendar year 2007, six in 2008 and two in 2009. The Secretary offers a voluntary redundancy to an employee if the duties performed by the ongoing employee are no longer necessary for the efficient and economical working of the department. These have arisen from internal restructuring and are not budget-driven. Future offers of voluntary redundancies will be made on this basis.

Australian Centre for International Agricultural Research (ACIAR)

A. Total employee expenditure for ACIAR for 2008-09 was $5,889,000 as published in the 2008-09 Annual Report. *ACIAR had one Chief of Division Grade 1 employee, which is equivalent to SES Band 1.*

Austrade

A. Total employee expenditure for Austrade for 2008-09 was $112,474,000 (including overseas engaged employees) as published in the 2008-09 Annual Report (page 114). Refer to Note 11 on page 125 of the 2008-09 Annual Report for a breakdown of SES figures.

AusAID

A. Total employee expenditure for AusAID for 2008-09 was $116.39 million (including O-Based staff). SES salary, allowances and superannuation comprises $7.7 million of the total expenditure.

Export Insurance Finance Corporation (EFIC)

A. EFIC's total Staff Costs for 2008-2009 as published in the 2009 Annual Report was $11 million. The breakdown is $3,744.987 for SES and $7,255,013 for non-SES.

Question 24

Portfolio overview
Topic: Commissioned reports
Question in writing

Senator Trood asked:

A. How many Reports have been commissioned by the Government in the Foreign Affairs
    and Trade portfolio since November 2007?

B. Please provide details of each report including date commissioned, date report handed to
    Government, date of public release, Terms of Reference and Committee members.

C. How much did each report cost? How many departmental staff were involved in each
    report and at what level?

D. What is the current status of each report? When is the Government intending to respond
    to these reports?

Answer

A. A report was produced as an output of the Review of Export Policies and Programs (the
    'Mortimer' Review).

B. The Mortimer Review was commissioned on 21 February 2008 (date of announcement
    by the Minister for Trade). The report produced by the Review team was handed to the
    Government on 2 September 2008 and released publicly on 22 September 2008. The
    Terms of Reference are attached. The Committee members were Mr David Mortimer
    AO and Dr John Edwards. Professor Kym Anderson, Mr Andrew Stoler, Mr Peter
    Gallagher, and Dr Nicholas Gruen oversaw analysis of FTAs that was incorporated in
    the report. Further details of the review and the report are available on the Department
    of Foreign Affairs and Trade (DFAT) website
    http://www.dfat.gov.au/trade/export_review/index.html.

C. The total cost of the Mortimer Review (including the report's publication) was
    $394,611. The Panel was supported by the Review Secretariat, made up of 11 staff: 5 x
    DFAT, 4 x Austrade, 1 x DAFF and 1 x DRET. The DFAT component was: 1 x SES
    Band 2, 2 x BB4, 1 x BB3 and 1 x BB2.

D. The report has been released publicly. The Government has taken action on key issues
    raised in the report, including enhancements to the Export Market Development Grants
    Scheme; increased funding for clean energy; domestic reforms to improve productivity,
    skills, infrastructure and competitiveness (including commencement of wide-ranging
    infrastructure enhancement projects, such as the National Broadband Network); the
    conclusion and entry-into-force of the Chile-Australia FTA and the ASEAN-Australia-

New Zealand FTA; the commencement of negotiations on the Trans-Pacific Partnership Agreement; and the establishment of the Ministerial Council on International Trade.

Austrade

A.   One: The report of the Review of Export Policies and Programs (the Mortimer Review).

B-D   For further details on the report, please refer to the Department of Foreign Affairs and Trade response to this question.

AusAID

Please see document below the tables.

Please note that all reports listed were commissioned by the Minister for Foreign Affairs or the Parliamentary Secretary for International Development Assistance.

TITLE	Please provide details of each report including A) date commissioned, B) date report handed to Government, C) date of public release, D) Terms of Reference and E) Committee members	A) How much did each report cost? B) How many departmental staff were involved in each report and at what level?	A) What is the current status of each report? B) When is the Government intending to respond to these reports?
Political Governance Review - Power to the People: Australia's support in strengthening political governance in developing countries	A) Requested by Parliamentary Secretary for International Development Assistance and agreed by Minister for Foreign Affairs October 2008. The aim of the Review was to provide guiding principles to inform the development by AusAID of a strategic framework for political governance activity to guide future engagement	A) Cost for consultants, travel and publication approximately $115 000. B) SES Band 1 (part time), 2 EL1 and support from APS6, APS5 and summer placement. Staff at Post (Dili and Port Moresby) involved in organising field visits for Review Team.	A) The report is currently In the publication process and should be released publicly in April 2010. B) The Government response is included in the public version of the report. Action to implement report recommendations will commence shortly. The guiding principles of the report will form the basis of a strategic political governance framework.

TITLE	Please provide details of each report including A) date commissioned, B) date report handed to Government, C) date of public release, D) Terms of Reference and E) Committee members	A) How much did each report cost? B) How many departmental staff were involved in each report and at what level?	A) What is the current status of each report? B) When is the Government intending to respond to these reports?
	and funding. Independent report commissioned by AusAID November 2008. B) Handed to Government April 2009. Agency response approved by AusAID Executive September 2009 and noted by Minister December 2009. C) Public release expected April 2010. D) Terms of reference attached. E) Review Team Hon. Neil Andrew AO, Hon. Michael Beahan, Vicki Bourne and Peter Callan.		An Australian political governance coordination mechanism will be established.
Joint Review of the Enhanced Cooperation Program	A) July 2007 B) March 2008 - the review findings were considered at the Ministerial Forum on 23 April 2008	A) Approximate cost: $160 000. B) 1 x Executive Level 1 and two locally engaged staff.	A) completed. B) the government has responded and is now implementing a new program called the Strongim Gavman

TITLE	Please provide details of each report including A) date commissioned, B) date report handed to Government, C) date of public release, D) Terms of Reference and E) Committee members	A) How much did each report cost? B) How many departmental staff were involved in each report and at what level?	A) What is the current status of each report? B) When is the Government intending to respond to these reports?
	C) January 2009 (published on AusAID web site) D) attached E) Geoff Dixon, Michael Gene and Neil Walter		Program which started in January 2009.
PNG University System Review	A) agreed between both Prime Ministers in Port Moresby in January 2009 - endorsed at the Ministerial Forum in June 2009B) draft report due end March 2010C) not yet confirmed, will be discussed at the Ministerial Forum in June 2010 D) attached E) Professor Ross Garnaut and Sir Rabbie Namaliu	A) Approximate cost: $700 000. B) 1 x Executive Level 1	A) ongoing. B) will respond following completion of report.
PNG-Australia Development Cooperation Treaty Review	A) agreed between both Prime Ministers in Canberra on April 29 2009 - endorsed on 10 June 2009 at the Ministerial Forum	A) Approximate cost. $170 000. B) 1 x Executive Level 1.	A) ongoing. B) will respond following completion of report.

TITLE	Please provide details of each report including A) date commissioned, B) date report handed to Government, C) date of public release, D) Terms of Reference and E) Committee members	A) How much did each report cost? B) How many departmental staff were involved in each report and at what level?	A) What is the current status of each report? B) When is the Government intending to respond to these reports?
	B) draft report due 31 March 2010 C) not yet confirmed, will be discussed at the Ministerial forum in June 2010 D) attached E) Professor Stephen Howes, Dr Eric Kwa and Dr Soe Lin.		
Tracking Development and Governance in the Pacific 2008	A) The first Tracking Report was commissioned at the time of the Port Moresby Declaration (6 March 2008). B) mid-August 2008. C) 19 August 2008 to coincide with the Pacific Islands Forum in Niue. D) The report's Terms of Reference was to provide a baseline for the performance of Pacific island countries against the Millennium Development Goals and key governance	A) Approximately $9,502. B) 1 x EL2 Adviser full-time for two months 1 x APS6 full-time for three weeks 1 x APS4 full-time for three weeks 2 x SES Band 2 periodically for review and clearance	A) The report was released on 19 August 2008. B) It was used by the Government to inform meetings at the 2008 Pacific Islands Forum in Niue, particularly in relation to discussions about Partnerships for Development. The data contained in the report is being used as a baseline to track progress against the Millennium Development Goals. Pacific Partnerships for Development have been designed by the

TITLE	Please provide details of each report including A) date commissioned, B) date report handed to Government, C) date of public release, D) Terms of Reference and E) Committee members	A) How much did each report cost? B) How many departmental staff were involved in each report and at what level?	A) What is the current status of each report? B) When is the Government intending to respond to these reports?
	indicators in the Pacific. The Terms of Reference required the report to be presented to the 2008 Pacific Islands Forum in Niue E) There was no committee established specifically to prepare the report. It was prepared by AusAID staff and subjected to whole-of-government review. Development partners were also consulted and provided comments.		Government with the Millennium Development Goals as a key area of focus, and progress against the baseline established in the Tracking Report will be monitored as part of the Partnerships. A second Tracking Report was produced in 2009 (see below).
Tracking Development and Governance in the Pacific 2009	A) Following the successful reception of the 2008 Tracking Report, released at the 2008 Pacific Islands Forum in Niue in August 2008, the Prime Minister commissioned a second Tracking Report to be prepared for release at the 2009 Pacific Islands Forum	A) Editing, design, printing and distribution of the report cost $37,014. B) 1 x EL1 full-time for one month1 x EL1 full-time for six weeks2 x EL2 periodically for review and clearance1 x AusAID Evaluation Adviser full time for two weeks1 x SES Band 1 periodically for review and clearance1	A) The report was released on 3 August 2009. B) It was used by the Government to inform plenary and bilateral meetings at the 2009 Pacific Islands Forum, particularly in relation to development coordination. The response to the report was the adoption of the Cairns Compact on

TITLE	Please provide details of each report including A) date commissioned, B) date report handed to Government, C) date of public release, D) Terms of Reference and E) Committee members	A) How much did each report cost? B) How many departmental staff were involved in each report and at what level?	A) What is the current status of each report? B) When is the Government intending to respond to these reports?
	B) 30 July 2009 C) 3 August 2009 to coincide with the Pacific Islands Forum in Cairns. D) The terms of reference for the report was two-fold: to provide an update on progress towards the Millennium Development Goals and key governance indicators in the Pacific using the latest available information; and to provide analysis and recommendations in relation to development coordination in the Pacific. E) There was no committee established specifically to prepare the report. It was prepared by AusAID staff and subjected to whole-of-government review. Development partners were also consulted and provided	x SES Band 2 periodically for review and clearance	Strengthening Development Coordination in the Pacific by Pacific Islands Forum Leaders and ongoing work by AusAID in implementing the Pacific Partnerships for Development.

TITLE	Please provide details of each report including A) date commissioned, B) date report handed to Government, C) date of public release, D) Terms of Reference and E) Committee members	A) How much did each report cost? B) How many departmental staff were involved in each report and at what level?	A) What is the current status of each report? B) When is the Government intending to respond to these reports?
	comments on the report.		
Surviving the global recession: strengthening economic growth and resilience in the Pacific	A) Australia's Prime Minister and his New Zealand counterpart, announced a joint study on the implications of the global economic downturn on the Pacific Islands. The announcement was made during the two-day annual trans-Tasman Prime Ministerial talks in Sydney on 2 March 2009. B) 30 July 2009. C) 5 August 2009 to coincide with the Pacific Islands Forum in Cairns. D) The terms of reference for the report was to explore in detail	A) The total cost of consultants used in preparing the report was approximately $138,525. Editing, design, printing and distribution of the report cost $37,014. B) 3 x external consultants 1 x EL2 full-time for two months 1 x EL1 full-time for one month 1 x SES Band 1 for review and clearance APS 5 periodic administration and editing tasks	A) The report was released on 5 August 2009. B) It was used by the Government to inform plenary and bilateral meetings at the 2009 Pacific Islands Forum. It has also been used by AusAID to identify vulnerabilities in Pacific island countries and entry points for targeted interventions that are being addressed through the Pacific Partnerships for Development.

TITLE	Please provide details of each report including A) date commissioned, B) date report handed to Government, C) date of public release, D) Terms of Reference and E) Committee members	A) How much did each report cost? B) How many departmental staff were involved in each report and at what level?	A) What is the current status of each report? B) When is the Government intending to respond to these reports?
	the impacts being felt by Pacific Island countries as a result of the global financial and economic crisis, with a view to identifying vulnerabilities and entry points for development partner interventions. E) There was no committee established specifically to prepare the report; however the report was prepared by AusAID, Treasury and the Government of New Zealand. An inter-departmental committee established to oversee the Australian government response to the global economic crisis in the Pacific had a role in reviewing and commenting on drafts of the report.		

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Joint Review of the Enhanced Cooperation Program to Papua New Guinea

Terms of Reference

1. Background

A Review of the Enhanced Cooperation Program (ECP) was agreed to in an exchange of letters in June and July 2007 between Papua New Guinea's Chief Secretary to Government and Australia's High Commissioner to Papua New Guinea.

The review is in keeping with both governments' international and national commitments to strengthening aid effectiveness, and in particular the shared desire to move towards a stronger evidence-based approach to aid programs.

The ECP is a joint program in its fourth year of implementation. It was formalised through the signing of the Joint Agreement of Enhanced Cooperation between Papua New Guinea and Australia on 30 June 2004 and the passage of the ECP Act on 27 July 2004. The original design included a police component which was covered by the PNG Police Act 1998 and the RPNGC-AFP Policing Assistance Component: Implementation Agreement August 2004.

The ECP was intended to operate as a five-year package of assistance estimated at around A$800 million in new funding to PNG over the program period. The program was designed to re-establish investor confidence and provide an enabling environment for broad-based development supporting immediate action to promote sound economic management and growth in PNG, help improve the law and order situation, and ensure the integrity of national security systems.

Delivery of the ECP has occurred largely through the placement of selected Australian public servants and other officials into PNG government departments and agencies. The original design anticipated a total of 64 non police and 210 police. The policing component was withdrawn as a result of a Supreme Court decision in May 2005 on the special reference on the constitutional validity of the ECP Act. The non-police deployees also switched from in-line to advisory duties. The maximum number of deployees in country over the past 3 years has been 44 non-police and 50 police. At September 2007 there are 42 non-police deployees present in Papua New Guinea.

While remaining attached to their 'home' employers, the Australian officials work within the organisational structures of the agencies where they are placed and are answerable to Papua New Guinean agency heads. ECP Officials have on-the-job training and capacity building responsibilities appropriate to their employment level, in addition to fulfilling technical roles. Some in-line specialists work alongside contracted aid project consultants.

While some high-level objectives and priorities areas were agreed at the 2003 Ministerial Forum in Mt Lofty, a performance monitoring framework outlining specific objectives and performance indicators to assist in the evaluation of progress and achievements is still under discussion.

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2. Objectives and scope

In line with both Governments' commitments to strengthened aid effectiveness, and in light of the ECP being a new and high-cost approach to development assistance in Papua New Guinea, the review will be broad in its scope.

The overall objective of the review is to assess what has been achieved to date by the ECP, including the quality of the management and coordination structures and processes and, to draw on these findings and identify lessons learned to make recommendations about future support of this nature should Government choose to proceed to another phase of ECP.

The review will take account of recent ECP developments within and between the two countries which could have impacted on the arrangements, progress and effectiveness of the program.

3. Terms of reference

The review team will examine the ECP's achievements to date including constraining and enabling factors and lessons learnt.

The review team will pay attention to the following key themes:

- the relevance of the program in terms of the appropriateness of the original design and objectives
- the effectiveness of the program to date in meeting the stated objectives
- early indications of the impact that the program might be having, and
- sustainability issues

The review will specifically examine key aspects of the ECP including:

- the focus of assistance (sectors and central / line / provincial)
    - including existing (non-ECP) forms of support for Police
- the nature of assistance (advisory / technical advice / capacity building)
- the balance, in terms of numbers, of ECP officers in relation to national counterparts
- the management of ECP officials—at the individual level (selection, tasking—terms of reference, nature of working relationships, performance management, and reporting)
- consideration of existing practices and processes (or the need for them) for deployees in dealing with issues of concern which they might encounter in their work or the work place
- the broader coordination and management structures and processes [eg CACC Plus), and the coordination with the broader aid program, and
- the existing and proposed monitoring and evaluation framework
    - Including existing monitoring and evaluation mechanisms for Australian Government assistance to the Law and Justice; Economic and Public Sector; and Border Management and Security sectors, including assistance provided under ECP

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In examining the nature of ECP assistance the review team will draw on the issues raised, lessons learned, and proposed future directions in the following key reports on capacity development in Papua New Guinea:

- Review of the Public Sector Reform Program June 2007
- Draft ECP Capacity Building Strategy
- Department of National Planning and Monitoring Working Paper on Technical Assistance based on the Paris Declaration on Aid Effectiveness Principles
- PNG Advisory Support Facility II: Evaluation findings and recommendations (including Annex 2: What Makes the PNG Advisory Support Facility successful?)

A comparison of achievements against the broad objectives of the program will be undertaken. Based on the above findings an assessment will be made on ECP's effectiveness. However this assessment may be limited by the lack of a monitoring and evaluation framework which details more specific expected outcomes and outputs.

Review Report

The final report prepared by the review team will include key findings on achievements to date and lessons learned with reference to issues of relevance, effectiveness, impact, and sustainability. The report will also include recommendations for addressing weaknesses and gaps and strengthening the effectiveness of the program, and coordination with the broader aid program.

It is expected that in addition to the report informing any future phase of ECP that it will also be a key report for future high level meetings between the two countries, such as Ministerial Forums.

4. Approach

The review will be a joint exercise carried out by a small team of jointly agreed suitably qualified individuals who have evaluation expertise and a deep understanding of Papua New Guinea and the public sector. The review team will be supported by a small joint secretariat to assist with logistics including documentation management and appointments.

The work of the review team will be overseen by Joint ECP Review Steering Committee who have been responsible for the development of the Terms of Reference, and will undertake arrangements to contract team members, approve the review team's work program and final methodology, and review and comment on draft reports.

The review team will immediately develop a draft work program and proposed methodology for how they will carry out the assignment, including key evaluation questions for consideration and approval of the Joint ECP Review Steering Committee.

The review team will provide a draft report to the Governments of Papua New Guinea and Australia within 4 – 6 weeks of commencing the assignment. Following an agreed period for

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consideration and submission of comments on the draft by the Joint ECP Review Steering Committee the review team will provide the final report within 10 working days.

It is expected that the review will be completed prior to the next Ministerial Forum where the findings and recommendations will be presented as the basis for a discussion on the future of the ECP.

5. Methodology

The review process will include examination of key documents and a series of structured interviews and discussions with relevant stakeholders. An agreed list of relevant stakeholders will be provided to the Review Team including but not limited to

- Senior Papua New Guinean and Australian government officials involved in the management and oversight of the ECP Program (Chief Secretary, Secretaries Foreign Affairs , DNPM, DPM, AG, Transport, Defence, CAA, IRC, CS, Public Prosecutor, Papua New Guinea and Australian Head and Deputy Head's of missions in Papua New Guinea and Canberra, Minister Counsellor AusAID, ECP sending agencies, and DFAT and AusAID in Canberra)
- Senior Papua New Guinean officers who have ECP officials as members of their teams
    - Including a specific focus on agencies who have experience with different models of technical assistance and capacity building (including ECP)
- Papua New Guinea officers who are counterparts working closely with ECP officials
- A representative selection of ECP officers both current and past from a range of agencies and functions
- Other agencies that are currently not recipients of ECP deployees
- Other relevant persons

6. Key reference documents

1. ECP Act
2. List of ECP Officials (as of November 2007)
3. Meeting Record (29th November 2004) CACC Plus meeting with Australia to coordinate ECP
4. ECP Implementation Matrix (February 2004)—summarizing actions as agreed in Joint Statement December 2003
5. Joint Statement from Australia—PNG Ministerial Forum in Mt Lofty (11th December 2003) – focus on proposed detail of ECP include broad objectives
6. Joint Statement between Australia and PNG Foreign Ministers (18th September 2003) on agreement to work towards a new package of assistance to assist PNG address social and economic challenges
7. Records of High Level Consultations: 2003 Cairns, 2006 Alotau, and 2007 Kimbe
8. Joint Papua New Guinea—Australia Development Cooperation Strategy (2006-20XX)

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9. Review of the Public Sector Reform Program June 2007

10. Draft ECP Capacity Building Strategy

11. Draft Joint Statement on Aid Effectiveness (Localising the Paris Declaration) including attachment Working Paper on Technical Assistance

12. PNG Advisory Support Facility II: Evaluation findings and recommendations (including Annex 2: What Makes the PNG Advisory Support Facility successful?)

13. List of relevant correspondence (attached) and including:

   - Letter (21st June 2007) Chief Secretary to Australian High Commissioner requesting review of ECP

   - Letter (19th July 2007) Australian High Commissioner to Chief Secretary agreeing to review of ECP

   - Letter (3rd August 2007) Chief Secretary to Australian High Commissioner providing details of government representatives to be involved in ECP review

Political Governance Review

Terms of Reference

Background

A stronger focus on political governance has emerged in recent years as Australia and the international community has focused more clearly on the impact of power relationships and politics on development.

Political governance refers to the institutions and processes through which power is exercised and decisions are made. AusAID's political governance activities aim to ensure that decision-making processes of governments result in outcomes that reduce poverty, input into progress toward MDG targets and address the needs of all citizens. Current Australian assistance on political governance can be categorised into three broad streams:

1. Strengthening formal political institutions and processes—including electoral systems, parliaments, political parties and accountability institutions.
2. Building more effective relations between governments and communities—including the role of civil society organisations and the media in promoting government accountability and responsiveness and active citizenship.
3. Developing leadership—including promoting capable and ethical leadership, reconciling traditional and formal modes of leadership, and developing women's leadership. Leadership cuts across the other two areas of activity.

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The Review will focus primarily on the question of how to make parliament work effectively. This includes a specific focus on parliament, parliamentarians, political parties, and electoral support work[1].

As the quality of political governance has a crucial impact on aid effectiveness, future engagement requires clear articulation of principles to inform the strategic selection of priority partners, consistent with the Government's broader policy agenda.

Australia can build on its important contribution to political governance in our region and beyond. We are able to draw on considerable domestic knowledge, in government and outside, on the operation of institutions including electoral systems and accountability institutions. The Review team should be mindful of Australia's relative strengths as a donor and work with partners that complement these strengths.

Objectives

The primary aim of the Review is to provide guiding principles to inform the development of a strategic framework for political governance activity that will guide future engagement and funding. The specific objectives of the Review are to:

     a. undertake an assessment of the role, mandate and work program of CDI and propose recommendations for maximising its performance and relevance to the Government's policy agenda;

     b. review a selection of other political governance organisations to suggest guiding principles for a strategic approach to political governance engagement within the Australian international development assistance program; and

     c. review current work and approaches being undertaken on political governance by other donors or organisations to inform these principles.

Scope

The Review team:

- will undertake an assessment of the role, mandate and work program of CDI and propose recommendations for maximising its performance and relevance to the Government's policy agenda, and provide recommendations for future engagement. Areas to be covered include:
  o comparative strengths and weaknesses
  o impact and development effectiveness
  o efficiency and sustainability
  o incorporation of gender considerations/equality

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[1] As specified by the Parliamentary Secretary for International Development.

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- o geographic focus
- o quality and extent of engagement with partner country institutions
- o harmonisation and complementarily with other organisations, especially new Australian academic centres
- o linkages/complementarities with AusAID's broader programming
- o consideration of any available findings of the Australian National Audit Office (ANAO) audit of the Australian Political Parties Democracy Program and how this relates to AusAID's engagement.
- will consider a selection of other relevant international and regional organisations (see Annex A) and provide guiding principles to inform development of a strategic framework for engagement through a review of:
  - o mandate
  - o modes of engagement
  - o development impact
  - o funding mechanisms
- will focus the Review on political institutions and processes of the state, that is, it will have a specific focus on parliament, parliamentarians, political parties, and electoral support work.[2]
- will undertake a review of international objectives for, and approaches to, political governance, including democracy assistance, and provide guiding principles for AusAID to shape a strategic framework for activity in this area. Importantly, these principles should be informed by Australia's foreign policy interests.

Duration and phasing of outputs

The review team will complete all activities by March 2009. The Review team will submit a draft report to AusAID outlining its findings and recommendations by mid February 2009. A final revised report will be submitted to AusAID by March 2009. The report should include an Executive Summary and not exceed 30 pages (without attachments).

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[2] As specified by the Parliamentary Secretary for International Development.

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Phasing for activities is outlined below:

Activity	Date for submission
Contract signing	17 November 2008
Methodology, work plan and interview schedule	24 November 2008
Report outline	8 December 2008
Draft report	mid February 2009
Presentation of preliminary findings	mid February 2009
Final report	March 2009

Methodology

To be discussed with the team, but will include a desk review, interviews/consultation with relevant stakeholders including the Department of Foreign Affairs and Trade, and limited travel.

Review team

The Review Team will include three members with political expertise; a political governance development expert and/or a senior AusAID member and be supported by a Secretariat from AusAID.

Organisations undertaking political governance work that could be considered through the Review:

- Partnership for Democratic Governance
- United Nations Democracy Fund
- International IDEA
- Centre for Governance and Public Policy, Griffith University
- Public Sector Governance and Accountability Research Centre, La Trobe University
- Global Organisation of Parliamentarians Against Corruption
- Australia and New Zealand School of Government
- Inter-parliamentary Union
- Asia Foundation
- International Foundation for Electoral Systems
- Commonwealth Parliamentary Association

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REVIEW OF THE PAPUA NEW GUINEA UNIVERSITY SYSTEM

TERMS OF REFERENCE

PURPOSE

The purpose of the Review of the Papua New Guinea University System is to provide the Government of PNG with recommendations on ways to strengthen the capacity of the country's University System to produce quality graduates who will contribute to the PNG's economic and social development.

INTRODUCTION

Prime Minister Somare and Prime Minister Rudd agreed at the Pacific Islanders Forum Leaders Meeting in January 2009 that Australia would work with PNG in the review of the PNG university sector.

The PNG-Australia Partnership for Development signed by Prime Ministers Somare and Rudd earlier in August 2008 identified strengthened Tertiary and Technical/ Vocational Education systems as a priority outcome for inclusion in the Partnership following agreement to implementation schedules for the five initial priority outcomes (transport infrastructure, basic education, health, public service and statistics). Ministers endorsed the development of a higher education (universities and technical education) schedule at the 2009 bilateral Ministerial Forum on 10 June 2009.

The outcomes of the review of the PNG University system will inform the Prime Ministers of Papua New Guinea and Australia on issues in university education in Papua New Guinea, and on the university component of the higher education schedule and the PNG Australia Human Resource Development Program.

BACKGROUND

The two Prime Ministers have noted the crucial importance of university education to good governance. In addition, economic development within Papua New Guinea continues to be constrained by a shortage of skilled, qualified people across key sectors of the workforce. This shortage of skills relates to the capacity of basic and post-secondary education systems to produce graduates of sufficient quality and numbers to meet demand and is cited by PNG employers as an urgent and growing concern, especially in those industries that will drive the PNG economy into the future.

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PNG's University system comprises six accredited universities[3], plus the Commission for Higher Education and the Office of Higher Education, supervised by the Minister for Higher Education, Research, Science and Technology. The system plays a key role in educating PNG's future professional workforce and leaders. The nation's future economic, social, and political development depends in a large measure on the quality of PNG's Universities. These institutions are increasingly being asked to address workforce development needs as well as performing other roles such as knowledge-making, nation-building and regional development. They can also foster the innovation and creative thinking needed for an internationally competitive economy.

PNG's Higher Education sector has made important gains in recent years including the introduction of national guidelines for institutional accreditation, improvements to the Tertiary Education Scholarship Assistance Scheme, increasing gender balance of students, and diversification of academic programs offered.

However, PNG Higher Education institutions face many challenges, including:

- constraints to public funding; poor physical facilities;
- inadequate information technology, libraries, equipment and teaching resources;
- outdated curriculum; poor student services and amenities;
- problems with recruitment and retention of teaching staff;
- problems with preparation of students for entry to university;
- safety issues and other barriers for female students;
- administrative and management weaknesses; and
- limited research capacity.

Until the quality and relevance of educational programs and applied research is improved, many PNG graduates will be unable to satisfy the development needs of the nation or to compete internationally.

The PNG Government funds the four public universities' salaries, entitlements and some infrastructure. The two private universities receive government scholarships and Divine Word University receives some additional funding. The Government encourages universities to raise revenue from student fees, research and consultancies. PNG's National Plan for Higher Education II foreshadows the Government's intention to see universities self-funded. Government budgetary support for universities has deteriorated in real value since the 1980s, with allocations declining even more relative to population.

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[3] Public universities include the PNG University of Technology (UNITECH), University of Goroka, University of Papua New Guinea, University of Vudal; and private universities include the Pacific Adventist University and Divine Word University.

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PNG is currently developing a range of national strategic plans that will inform and guide the future direction of the sector. These include the National Strategic Plan, new medium and long term development strategies, and sectoral plans such as the National Higher Education Plan (2010-30). There is a willingness by the Government, the private sector and development partners to enter into productive partnerships that produce graduates better able to contribute to social and economic development.

If PNG is to take maximum advantage of the large-scale development opportunities available, Papua New Guineans will need to fill as many skilled positions as possible.

METHODOLOGY

The review team will be jointly led by Sir Rabbie Namaliu and Professor Ross Garnaut. AusAID and the Department of National Planning and Monitoring (DNPM) will provide secretariat support. Background information and analysis will be provided by the secretariat. Some suggested reading is at <u>Appendix 1.</u>

The review will provide an overview of the current situation and issues facing PNG's University system. It will identify:

- options for PNG to address the key issues facing the system and to enhance the universities' responsiveness to national development priorities;
- opportunities for PNG to work with other partners—Australia and other donors as well as international foundations—to support improvements in the PNG university system; and
- opportunities for PNG to contribute to higher education efforts in the neighbouring region.

Recommendations coming out of the review will focus on three main areas:

- Governance arrangements for PNG's tertiary institutions including implementation of the higher education legislative framework, and clarification of the roles and responsibilities of government and policy bodies;
- Financing arrangements, sources and predictability; and
- Personnel policies particularly relevant to staff retention, relevance and quality.

<u>TIMING</u>

The review mission will be undertaken in November 2009. It will involve an in-country visit to undertake consultations with key stakeholders and followed by a period in December and January to write up findings.

The Secretariat will organise a program for the review mission to include discussions key government agencies in Port Moresby, including the Department of Prime Minister and National Executive Council, Department of National Planning and Monitoring, the

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Department of Personnel Management, the Office of Higher Education, the Commission for Higher Education, the National Training Council and Treasury.

Arrangements will be made to visit and meet with Vice Chancellors and university executives. The Review team will aim to visit each university and will also endeavour to visit other tertiary institutions if the in-country schedule permits.

Consultation on the Review Team's findings will take the form of two in-country sessions. The first, to take place in late January 2010, will be a meeting with the key PNG stakeholders to discuss the preliminary findings and draft report. The second session, in February 2010, will be a seminar-style presentation to stakeholders and other interested and informed participants.

The review team will submit a final report by March 2010.

The review's report will be published to inform public discussion of university education in Papua New Guinea development.

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APPENDIX 1

BACKGROUND READING

Aid policy documents

- PNG Commitment on Aid Effectiveness
- Partnership for Development

GoPNG documents

- PNG National Strategic Plan (DRAFT, from Government of PNG)
- Latest available drafts of Medium and Long Terms Development Strategies
- Draft National Higher Education Plan (NHEP)
- White Paper on Higher Education, Research, Science and Technology: *Enterprise and Education*, Volume 1, September 2000
- National Higher Education Plan II, 2000-2004, Volume II, March 2000
- Draft National Higher Education Plan III
- Commission for Higher Education paper: *Rehabilitation and expansion of the secondary and higher education sectors—2010 to 2050 and other important related matters*
- Department of Education, Technical Vocational Education and Training Division, *Information paper for TVET support under the Partnership for Development agreement between the Government of Australia and Government of Papua New Guinea*
- Proposal for PNG Labour Market Assessment, George Bopi
- OHE Tertiary Education Study Assistance Scheme policy document

AusAID documents

- PNG Higher Education for Development design (draft)
- Review of the National Research Institute (NRI) Support Program 2005-2010, September 2008
- Research Capacity Assessments (by Evelyn King) for the University of Papua New Guinea (UPNG), UPNG Medical Institute, NRI, the University of Goroka, PNG Institute of Medical Research, Divine Word University and the Pacific Adventist University (UNITECH and the University of Vudal assessments are planned to be undertaken in August/September and will be made available when they are finalised).
- AusAID gender policy
- AusAID gender stocktake for PNG program
- Pacific Higher Education System: Outline of Steps for Providing Immediate Assistance and Long Term Assistance, Valerie Haugen 2008
- Rapid assessment of universities, March 2008

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Reference material

- PNG Chamber of Mines and Petroleum, *Position Paper on PNG Tertiary Education Specific to the Mining and Petroleum Industry*, August 2008
- Campus Review—Time for Australian Universities to Reach out to Papua New Guinea's Ailing Universities, Allan Patience
- Rethinking Higher Education—Centre for Global Development Feb 2008
- World Development Report 2007: Development and the Next Generation
- Lessons Learned by Donors, Swedish Experiences of University Support and National Research Development in Developing Countries by Tomas Kjellqvist, Head of Division for University Support and National Research Development Department for Research Cooperation, SIDA
- DFID Development Partnerships in Higher Education Program overview
- PNG universities' Strategic Plans, annual reports etc, as available

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Review of the PNG—Australia Development Cooperation Treaty (1999)

Scope and Methodology—Summary Paper

Background

The PNG-Australia Development Cooperation Treaty (1999) sets out the principles, objectives, management and administrative arrangements under which PNG and Australia will deliver a joint development cooperation program.

Recent developments in bilateral relations have given rise to changed objectives and principles for engagements, as reflected in the Port Moresby Declaration of March 2008 and the PNG-Australia Partnership for Development of August 2008. In 2009 Prime Ministers Somare and Rudd agreed that the two Governments should undertake a review of the current Development Cooperation Treaty (DCT). Terms of Reference for an independent review of the DCT were agreed at the 19th PNG-Australia Ministerial Forum in June 2009.

Scope of review

The review is to consider and recommend how Australia's aid can most effectively contribute to PNG's current, medium and long-term national development priorities.

The review should take account of current Australian and PNG development policies and strategies, as set out in the PNG Government's Vision 2050, forthcoming Long Term Development Strategy 2010-2030, the PNG-Australia Development Cooperation Strategy 2006-2010, the 2008 Port Moresby Declaration and the 2008 PNG—Australia Partnership for Development.

Other international development commitments to which Papua New Guinea and Australia are signatories e.g. Millennium Declaration setting out the Millennium Development Goals, the Pacific Plan and the Cairns Compact, should also be taken into consideration.

The review should consider and recommend an appropriate role for Australia's development cooperation program in relation to new and emerging issues including, but not limited to, climate change, HIV/AIDS, trade and private sector development, gender equality and the national development opportunities presented by growth in the PNG economy.

The review should also analyse and take account of current international and PNG thinking on aid effectiveness and best practice in jointly managing development cooperation programs, in order to recommend as necessary changes to the management and administrative arrangements for the development cooperation program. Key documents in this respect will include the Paris Declaration on Aid Effectiveness, Accra Agenda for Action, the PNG Commitment on Aid Effectiveness, and the Cairns Compact on Strengthening Development Cooperation in the Pacific. A review of the implementation of the 2004 Joint Aid Review should form an important starting point for this work.

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The review should consider and recommend to governments:

- an appropriate future balance in the use of different forms of aid, including training and technical assistance, capital investments and direct support for service delivery and community development. In doing so, the review will identify the recent and current levels of aid expenditure under different forms of aid;
- mechanisms to progressively and substantially increase Australian ODA investment in economic and social infrastructure in Papua New Guinea;
- an appropriate balance between assistance to the national government and to provinces, districts and local level governments;
- any additional measures to ensure that Australia's aid delivery is aligned with and supports PNG budget priorities, promotes fiscal sustainability and is reflected in PNG budget documentation;
- appropriate mechanisms for delivery of Australian ODA, including the local and international private sector, volunteers, civil society and government-to-government programs;
- measures to improve the effectiveness of sector-wide approaches including possible alternatives.

The review should consider and recommend any necessary changes to the goals and objectives of the Development Cooperation Treaty to ensure Australia's aid has high development impact and is increasing in the identified priority areas of the PNG-Australia Partnership for Development, namely transport infrastructure, basic education, health, economic and public sector management, statistics, HIV/AIDS, higher education and law and justice.

The review should consider and recommend a realistic strategy and timeframe for PNG's progressive graduation from Australian official development assistance, and the actions required of both governments to achieve this. The strategy will give effect to the Government of PNG's decision to gradually reduce development assistance from Australia to mutually agreed levels in future.

The review should consider and recommend appropriate measures including regular reporting and exchange of information to improve transparency and accountability for results from development expenditures in PNG.

Methodology and timing

The review will be conducted by an independent team comprising Dr Eric Kwa (University of PNG), Prof Stephen Howes (Australian National University) and Dr Soe Lin (Canada).

A report from the independent review team outlining the findings of the review and making recommendations for consideration by both governments will be presented to both Governments by 31 March 2010.

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It is expected a record of agreement between the two governments outlining their decisions in relation to the recommendations of the independent review team will be agreed at the PNG-Australia Ministerial Forum in mid-2010. This record of agreement will form the basis for a revised treaty on development cooperation.

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Question 25

Program 1.1
Topic: Uranium
Hansard, page 76

Senator Ludlam asked:

Can you provide a list of countries to which Australia sells uranium, with which we have bilateral agreements, which have ever had safeguards or inspections postponed or cancelled due to political turmoil? To your knowledge, has that ever occurred?

Answer

We are not aware that IAEA safeguards inspections in countries with which Australia has concluded a bilateral safeguards agreement and supplies uranium have ever been postponed or cancelled due to political turmoil.

Question 26

Program 1.1
Topic: UK bilateral dialogue with China
Hansard, page 50

Senator Ludlam asked:

It is my understanding that the UK bilateral dialogue with China has crashed. It was cancelled after the Chinese government executed a British national a short time ago. Do you have any information as to whether those talks are set to resume or what the status of that is?

Answer

We have been informed by United Kingdom and Chinese contacts that the latest round of the UK-China Human Rights Dialogue was held in Beijing on 18 March 2010.

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Question 27

Program 1.1
Topic: Tim Fischer
Hansard, page 56

Senator Trood asked:

Has Mr Fischer been contacting any governments on behalf of the Australia government in relation to the Security Council bid?

Answer

The Ambassador to the Holy See, like other Australian Heads of Mission in their countries of accreditation, engages senior officials and other diplomatic representatives on a broad range of issues pertinent to Australia's commitment to the multilateral system, including Australia's UN Security Council bid and global challenges such as climate change, food security, disarmament and arms control.

Mr Fischer has been working with many of the more than 70 other resident Ambassadors to the Holy See on such matters. A number of these heads of mission represent countries where there is no resident Australian mission.

As the Prime Minister's Special Envoy to Bhutan, Mr Fischer has also discussed a range of issues with the Government of Bhutan, including Australia's UN Security Council bid.

Question 33

Program 1.1
Topic: AUSVEG Conference
Hansard, page 17

Senator MacDonald asked:

What is the policy of DFAT in relation to attending major international conferences that are of such significance?

Answer

DFAT assesses its possible participation in international events on a case-by-case basis. Factors taken into account include the relevance of the event to the Government's and DFAT's priorities, the contribution that DFAT could usefully make to the event, and the availability of staff given other priorities and commitments.

With regard to the specific case of the 2010 *Fruit Logistica* Trade Fair (held 3-5 February in Berlin), the Australian Embassy in Berlin was not approached by Australian industry seeking the Embassy's participation in the Fair.

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Question 34

Program 1.1
Topic: Australia-China human rights dialogue
Hansard, page 49

Senator Ludlam asked:

A.   How many DFAT staff usually attend the Australia-China human rights dialogue?

B.   Are the invitations to join the delegation made broadly?

C.   Could you please raise the issue of Sun Xiaodi at this dialogue?

Answer

A.   Five DFAT staff attended the most recent Australia-China Human Rights Dialogue in 2009.

B.   Yes. In 2009, the official Australian Delegation comprised representatives from the Australian Parliament, Australian Human Rights Commission, Attorney-General's Department, AusAID, Department of Family, Housing, Community Services and Indigenous Affairs, Department of Education, Employment and Workplace Relations, and Department of Immigration and Citizenship.

C.   The Australian Embassy in Beijing has made representations on behalf of Sun Xiaodi in June 2006 and in February 2007. Our Embassy in Beijing made representations to the Chinese Ministry of Foreign Affairs on a number of individual human rights cases, including Sun Xiaodi, on 3 March 2010. We will consider including Sun Xiaodi in our list of cases of concern in the context of the Australia-China Human Rights Dialogue.

Question 35

Program 1.1
Topic: Anti-Counterfeiting Trade Agreement (ACTA)
Hansard, pages 110-111

Senator Ludlam asked:

A. Can the Department provide a brief run down on the kinds of stakeholders who you consulted with and who consulted with you prior to the decision taken to join negotiations on the ACTA?

B. What are the types of counterfeiting that the treaty is seeking to deal with?

Answer

A. On 1 February 2008, Minister Crean announced that Australia would participate in negotiations on the Anti-Counterfeiting Trade Agreement (ACTA).

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Prior to this, DFAT had released a discussion paper in November 2007 seeking submissions to gauge community views on the desirability of Australia joining negotiations.

In response, DFAT received submissions from the following stakeholders:

- Anna George, Academic
- Australian Digital Alliance
- Australian Libraries Copyright Committee
- Australian Manufacturers', Patents, Industrial Designs, Copyright and Trade Mark Association and the International Trade Mark Association
- Australian Publishers' Association
- Australian Subscription Radio and Television Association
- Business Software Alliance
- Centre for the Governance of Knowledge and Development, Regulatory Institutions Network, Australian National University
- CHOICE
- Copyright Agency Limited
- Corrs Chambers Westgarth Lawyers
- Department of Business Law and Taxation, Monash University
- Ford Motor Company of Australia Ltd
- Geoff Burton, Consultant
- INQUIT Pty Ltd
- Intellectual Property Committee of the Law Council of Australia
- Intellectual Property Research Institute of Australia
- Law Institute of Victoria
- Music Industry Piracy Investigations
- Screen Producers Association of Australia
- Universities Australia

In December 2007, DFAT also consulted with various stakeholders at the DFAT IP Consultative Group meeting (DFAT's regular consultative meeting with stakeholders in international IP, which includes representatives from a range of industry and user groups), including:

- Anti-Counterfeit Action Group
- Australasian Subscription Television and Radio Association
- Australia-ASEAN Business Council
- Australia-ASEAN Business Council, Australia Japan Business Co-operation Committee
- Australian Copyright Council
- Australian Digital Alliance and Australian Libraries Copyright Committee
- Australian Federation of IP Attorneys and Institute of Patent and Trade Mark Attorneys of Australia

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- Australian Film Commission
- Australian Industry Group
- Australian Performing Rights Association/Australasian Mechanical Copyright Owners Society
- Australian Publishers Association
- Australian Visual Software Distributors Association
- Copyright Agency Limited
- Gavin Anderson and Company (representing Time Warner)
- Media Arts and Entertainment Alliance
- Music Industry Piracy Investigations
- Special Broadcasting Service Corporation
- Universities Australia

DFAT also conducted telephone consultations with various stakeholders, including:

- Allens Arthur Robinson
- Intellectual Property Committee of the Law Council of Australia
- Kimberlee G Weatherall, Academic

Since Minister Crean's announcement on 1 February 2008, DFAT has continued to invite submissions on the merits of the ACTA, and has received submissions from various stakeholders, including:

- Australian Digital Alliance, CHOICE, Australian Library and Information Association and the Internet Industry Association
- Google
- Kimberlee G Weatherall, Academic

DFAT continues to meet with any stakeholder who requests a meeting, and since that time has met with various stakeholders, some of which have included:

- Australian Digital Alliance and Australian Libraries Copyright Committee
- Google
- Internet Industry Association
- Time Warner

DFAT also held public briefing sessions on ACTA in October 2008 and April 2009. Various stakeholders attended, some of which have included:

- Arts Law Centre of Australia
- Australian Library and Information Association
- Commercial Radio Australia
- Electronic Frontiers Australia
- Interactive Games and Entertainment Association of Australia
- Screenrights

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B. The types of counterfeiting covered by the ACTA are still under discussion between negotiating parties. Australia seeks to address infringements of trade mark rights and copyright through the ACTA. Of these, infringement of trade mark rights is called "counterfeiting". Trade marks are applied to a wide range of goods and services to indicate their source. Counterfeit trade marked goods seized by customs in Australia last year included dishwashing liquid, car parts and branded goods. Issues relating to the ACTA are discussed in detail in DFAT's discussion paper at http://www.dfat.gov.au/trade/acta/discussion-paper.html

Question 37

Portfolio overview/Program 1.1
Topic: Staffing numbers—International Legal Division
Hansard, page 32

Senator Heffernan asked:

A. How many officers in the Legal division are currently legally qualified?

B. How many officers in the Legal division were legally qualified for the period 1994 to 1998?

Answer

A. As at 11 March 2010 there are 38 officers with legal qualifications in the two legal branches in the International Organisations and Legal Division (International Law Branch and Domestic Law Branch).

B. The Department is unable to provide this information due to the period of time covered by the question and the amount of time that has passed since that period.

Question 42

Portfolio overview
Topic: Separations
Question in writing

Senator Trood asked:

A. How many members of staff departed from the Department during the quarter ended 31 December 2009. What were the reasons for their separation? What were the positions/levels of the staff separating?

B. Does the Department have in place any measures to curb the number of separations/departures?

C. What measures is the Department implementing to address the age profile of the Department in the next few years?

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D.   What is the best way to describe staff morale within DFAT?

Answer

A.   Fifteen members of staff separated from the department in the fourth quarter of calendar year 2009. Staff separations were due to age retirement (four), invalidity retirement (two), moves to other APS agencies (five) and resignation (three). One officer died during the period. Of the 15 separations, three were SES officers and 12 were non-SES officers.

B.   Total separations in 2009 were 86, the lowest annual rate for more than ten years. The APS State of the Service Report shows that DFAT has the highest staff retention levels of almost all major APS agencies.

C.   The department places a strong emphasis on succession planning. We regularly review data on employees and job positions to ensure our recruitment strategies are linked to future workforce needs. The department conducts annual recruitment rounds across all APS levels and SES Band 1 level to fill vacancies due to staff separations or promotions. In addition, recruitment rounds are conducted as required for staff with specific skills such as legal specialists, economic and trade specialists, accountants, information technology and technical officers, and passport officers. These mechanisms allow the department to continuously monitor vacancies and the skills required to fill them and to ensure appropriately skilled individuals are placed in the right positions.

D.   Good. See answer to B above.

Question 43

Portfolio overview
Topic: Staffing at overseas posts
Question in writing

Senator Trood asked:

A.   How many Australian missions comprise 3 or fewer staff? Where are these missions?

B.   Does the Department intend to boost the staff in any of these missions? If so where and when?

Answer

A.   Thirty-three Australian missions had three or fewer DFAT A-based staff as at 23 February 2010. These posts are located in the following regions: Americas, North Asia, South and South East Asia, the Pacific, Europe, Africa and the Middle East.

It is a long established practice not to identify the number of DFAT A-based staff at individual posts.

B.   A-based staffing levels at posts are reviewed regularly and adjusted to meet operational requirements.