

Attorney-General's Portfolio – Commissioned Reports

Commissioned Reports costs do not include staffing costs met within existing Departmental or portfolio resources or travel (including incidentals to travel) costs because this data is not necessarily specifically recorded against these projects and to do so would constitute an unreasonable diversion of resources. Staffing costs which were not met within existing Departmental or portfolio resources have been included in the cost.

Please note that the cost of the National Consultation on Human Rights is the total cost (ie it includes all costs related to this Consultation). This cost had been calculated in detail for the purposes of Additional Estimates Question on Notice 6.

Title	Date Commissioned	Date received	Date released	Terms of reference	Committee members	Cost	Staff (number and Level)	Current status	Response date
(Draft Title) DNA Forensic Procedures: further independent review of Part 1D of the Crimes Act 1914	26/10/09	N/a	N/a	As required by section 23YV(5) of the Crimes Act 1914 and the Report of the Independent Review of Part 1D of the Crimes Act 1914 – Forensic Procedures (the Sherman Report), this further Review will consider any relevant recommendations in the Sherman Report, and conduct a further assessment of the following matters: (a) the operation of Part 1D of the Crimes Act (b) the extent to which the forensic procedures permitted by Part 1D have contributed to the conviction of suspects (c) the effectiveness of independent oversight and accountability mechanisms for the DNA database system (d) any disparities between the legislative and regulatory regimes of the Commonwealth and participating jurisdictions for the collection and use of DNA evidence, and (e) any issues relating to privacy or civil liberties arising from forensic procedures permitted by Part 1D.	Mr Peter Ford (Chair) Ms Karen Curtis (Federal Privacy Commissioner) Mr Ben McDevitt (CEO CrimTrac) Dr Simon Walsh (Coordinator, Criminalistics & Identification Science, AFP) Ms Diane Merryfull (Snr Assistant Ombudsman, Office of the Cth Ombudsman) Mr James Carter (Deputy Director [Legal Practice], Office of the Cth Director of Public Prosecutions)	\$75,000 (GST inclusive)	1 Legal Officer (devoted part time to project) 1 Senior Legal Officer (devoted part time to project). These staffing costs were met within existing Departmental resources and are not included in the overall "cost".	In progress	30/06/10
Online Child Grooming: a literature review on the misuse of social networking sites for grooming children for sexual offences	05/11/07	First draft - August 2008. Second draft - October 2008. Updated draft - June 2009.	06/07/09	To review recently published academic and policy-relevant research on the misuse of the Internet, by sexual predators to groom children online, focussing on any evidence on the extent and nature of the criminal threat, and the measures being undertaken by Australia and other countries to deal with this problem. The review is to have a particular emphasis on use of social networking sites such as MySpace and Facebook, but is also to examine misuse of other aspects of the Internet for online grooming, including because research in other areas might well shed led on the how to deal with the specific problem of 'social networking sites'.	Review undertaken by Australian Institute of Criminology	\$26,004 (GST inclusive)	1 Assistant Secretary (devoted part time to project) 1 Senior Legal Officer (devoted part time to project) 1 Legal Officer (devoted part time to project) These staffing costs were met within existing Departmental resources and are not included in the overall "cost".	Completed	N/A

Attachment A

<p>Federal Audit of Police Capabilities conducted by Mr Roger Beale</p>	<p>28/01/09</p>	<p>30 June 2009</p>	<p>18/12/09</p>	<p>Recognising that the Australian Federal Police, as the Australian Government's primary law enforcement agency, has been required in recent years to meet increasing demands encompassing complex whole-of-government, national and international issues, the Government made an election commitment to conduct a Federal Audit of Police Capabilities as part of its five point plan for the AFP. The AFP's budget to meet these increased demands has increased from \$302 million in 2000-01 to \$1.141 billion in 2008-09 (Outcome 1 only, i.e. excluding ACT community policing activities). The Federal Audit of Police Capabilities will:</p> <ol style="list-style-type: none"> 1. Examine and report on: <ol style="list-style-type: none"> a. The AFP's capabilities to provide for current and future demands, looking up to five years ahead, for policing and law enforcement services to the Commonwealth, including how the AFP will meet the Government's priorities. b. The effectiveness of the AFP's current operating arrangements, including: <ol style="list-style-type: none"> i. Human resources, skills and workforce planning; ii. Equipment, technology and facilities; iii. Planning and priority setting and evaluation processes; 999and iv. Current funding base and the allocation and use of resources. c. Gaps or overlaps in federal policing capabilities, and opportunities for improvement and rationalisation in the AFP's strategic, operational and corporate capabilities to deliver the Government's required functions and services into the future in an efficient and effective manner. d. How the AFP's capabilities relate to other Commonwealth agencies and State and Territory police services, including in areas of joint or intersecting activities between the AFP and those agencies. 2. Address any options to re-allocate resources to satisfy emerging Government expectations and consider how the AFP might address future budgetary constraints that it might anticipate or experience. 3. Have regard to any changes to the federal policing environment which may emerge from other relevant reviews, in particular the Review of Homeland and Border Security. 4. Consult appropriately with relevant stakeholders within the Australian Government, the States and Territories and the non-government sector, including the Police Federation of Australia. 5. Invite the Australia New Zealand Policing Advisory Agency to survey State and Territory capabilities and workforce planning issues to feed back to the Commonwealth in order to provide a nationwide perspective of challenges and opportunities in policing. 6. Be led by (TBC), supported by a team drawn from the AFP and relevant agencies, and will consult with a reference group comprising the Department of the Prime Minister and Cabinet, the Attorney-General's Department, the Treasury and the Department of Finance and Deregulation. The reference group is expected to meet on a monthly basis. 7. Take into account the Expenditure Review Principles that were agreed by the Expenditure Review Committee and 	<p>An Executive Reference Group was formed during the Audit. This Group was chaired by the Secretary and comprised Deputy Secretaries from PM&C, Treasury, Finance and the AFP.</p>	<p>\$320,371.91 (GST exclusive)</p>	<p>The Attorney-General's Department had two officers seconded to the AFP to assist the Audit team (1 x EL1, 1 x EL2). These staffing costs were met within existing portfolio resources and are not included in the overall "cost".</p>	<p>Completed</p>	<p>18/12/09</p>
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Attachment A

				<p>communicated to Ministers in correspondence from the Minister for Finance and Deregulation on 18 April 2008.</p> <p>8. Report to the Government through the Minister for Home Affairs by 30 June 2009.</p>					
<p>Kingston and Arthur's Vale Historic Area Governance Review</p>	01/11/08	19/10/09	24/5/10	<p>The Review will identify the adequacy and appropriateness of current management, administrative and operational arrangements for the KAVHA site to protect and promote the site in accordance with:</p> <p>Part 1. the listed heritage values for KAVHA,</p> <p>Part 2. the Burra Charter, and</p> <p>Part 3. the <i>Environment Protection and Biodiversity Conservation Act 1999</i>.</p> <p>The Review will identify alternative arrangements, where needed, to deliver better outcomes and/or better value for money for the Australian and Norfolk Island Governments. The Review is to be completed for Government consideration by March 2009.</p>	Mrs Lynden Ayliffe	Nil.	1 Assistant Secretary. This staffing cost was met within existing Departmental resources and is not included in the overall "cost".	Completed.	N/A
<p>Review of the delivery by the federal courts of family law services</p>	31/03/08	04/09/08	20/11/08	<p>Having regard to continuing difficulties in the administration of the delivery of family law services by the Family Court and Federal Magistrates Court, including continuing confusion among litigants over the appropriate Court to handle their matters, the Review is to:</p> <ol style="list-style-type: none"> advise on the governance options to achieve a more integrated family law system that provides improved case management practices across the family law jurisdiction, while ensuring practices continue to be tailored to the nature of the work, including in particular that less formal and quicker procedures continue to be adopted for shorter and simpler matters than for longer and more complex cases provide advice on the structures and management processes necessary to improve the efficiency, effectiveness and integration of service delivery across the family law jurisdiction provide advice on potential changes in judicial structures and potential changes in structures and reporting relationships of senior administrative positions assess the potential impact of the administrative efficiencies to be achieved in corporate and registry services across the 	Des Semple & Associates and officers of the Attorney-General's Department	\$59,957 (GST exclusive)	1 Legal Officer (devoted part time to project), 1 Senior Legal Officer (devoted part time to project), 1 Principal Legal Officer (devoted part time to project). An SESB1 and SESB3 contributed to this work, as well as some administrative support. These staffing costs were met within existing Departmental resources and are not included in the overall "cost".	Completed	05/05/09

				<p>jurisdiction, and</p> <p>5. advise on the potential impact of changes on other administrative or judicial structures.</p> <p>In performing its functions the Review will:</p> <ul style="list-style-type: none"> engage Mr Des Semple as a consultant to assist in its work consult the judiciary and Chief Executives of the Family Court of Australia and Federal Magistrates Court, as well as with the Federal Court and a small number of other key stakeholders identified during the process of the consultations use data on the human resource and financial operations and workloads of both the Family Court and Federal Magistrates Court to establish the potential impact of proposed structures, staffing and budgets, and identify the potential implications of proposed changes. <p>The Review will report within eight weeks of commencing its work.</p>					
Research into Shared Care since the 2006 Family Law Reforms	12/05/09	Draft qualitative report received in April 2010	Report to be finalised for publication in June 2010	<p>The Service Provider is to undertake research that will outline the full range of factors that are positive for shared care and factors which are negative for shared care, with a view to assisting courts, family dispute resolution practitioners and parents in their decision making about the likelihood that a separating family's circumstances would mean that it would or would not be in the best interests of the child to have shared care.</p> <p>The Service Provider is to research:</p> <ol style="list-style-type: none"> Circumstances under which shared care arrangements work in the best interest of the child Circumstances under which shared care arrangements do not work in the best interest of the child Circumstances where shared care has not continued, and Whether and, if so, how these circumstances and outcomes for children differ depending on whether shared care arrangements are reached through a court or through Family Dispute Resolution, or outside both courts and Family Dispute Resolution 	N/A	\$329,755 (GST inclusive)	<p>1 x EL2 (devoted part time to project)</p> <p>1 x EL1 (devoted part time to project)</p> <p>These staffing costs were met within existing Departmental resources and are not included in the overall "cost".</p>	In progress	TBC
Research into Family Violence since the 2006 Family Law Reforms	09/04/09	March 2010	Report to be finalised for publication in June 2010	<p>The Service Provider is to research:</p> <ol style="list-style-type: none"> the effect that a history, or existence of violence within a relationship has on the decisions people make about accessing the courts and dispute resolution services the effect that a history, or existence of violence within a relationship has on the decisions people make while they are at courts and at dispute resolution services, and the effect that a history, or existence of violence within a relationship has on post separation parenting arrangements. <p>The research must include cases in all of the following situations:</p> <ol style="list-style-type: none"> where parents have attended dispute resolution at a Family Relationship Centre or another Family Dispute Resolution provider; where parents have accessed the court system, and where parents have not accessed Family Dispute Resolution services or the court system. 	N/A	\$330,000 (GST inclusive)	<p>1 x EL2 (devoted part time to project)</p> <p>1 x EL1 (devoted part time to project)</p> <p>These staffing costs were met within existing Departmental resources and are not included in the overall "cost".</p>	In progress	TBC

Attachment A

<p>Research into Shared Physical Care in Post Separation Families</p>	<p>29 /08/08</p>	<p>March 2010</p>	<p>Report to be finalised for publication in June 2010</p>	<p>The research questions specified in the contract are: When separated parents share the physical, overnight care of young children: a. What factors are directly associated with and/or moderate developmental outcomes for their children? b. How stable are patterns of physical care for young children post separation? c. How are stability and change of care patterns associated with children's well-being? d. Can models be derived of primary and secondary factors that inform separating parents, and their legal and dispute resolution practitioners on appropriate physical care arrangements for children and infants?</p>	<p>N/A</p>	<p>\$172,000 (GST exclusive)</p>	<p>1 x EL2 (devoted part time to project) 1 x EL1(devoted part time to project) These staffing costs were met within existing Departmental resources and are not included in the overall "cost".</p>	<p>In progress</p>	<p>TBC</p>
<p>Family Courts Violence Review</p>	<p>27/07/09</p>	<p>27/11/09</p>	<p>28 January 2010</p>	<p>Aim To assess the appropriateness of the legislation, practices and procedures in relation to matters before the federal family courts where issues of family violence arise and to recommend any improvements considered necessary. Reviewer Professor Richard Chisholm AM Review The objectives of the review are to examine whether: <ul style="list-style-type: none">• the practices and procedures in the family courts encourage appropriate disclosure of family violence• appropriate support is provided within the court system for families who have experienced or are at risk of violence• information disclosed to the courts by litigants or their representatives is appropriately shared or made available within the courts• the legislation and procedures support best practice for handling family violence matters, and• appropriate legal representation is provided in such cases.The review will take into account the case involving Darcey Freeman in considering recommendations for changes to improve responses to cases involving family violence. In carrying out the review, Professor Chisholm will obtain expert input on the issue of family violence in the context of court processes and proceedings. He will also consult interested stakeholders, including the Attorney-General's Department, the Family Court of Australia and the Federal Magistrates Court. The report of the review will be provided to the Attorney-General, the Chief Justice of the Family Court and the Chief Federal Magistrate within 4 months of its commencement.</p>	<p>Professor Richard Chisholm AM</p>	<p>\$138,552.32 (GST inclusive)</p>	<p>1 Senior Legal Officer; 1 Administrative Assistant These staffing costs were met within existing Departmental resources and are not included in the overall "cost".</p>	<p>Publicly released</p>	<p>N/A</p>

Attachment A

<p>Review of Commonwealth legal services procurement (the Blunn/Krieger review)</p>	<p>20/03/09</p>	<p>07/11/09</p>	<p>08/01/10</p>	<p>Following reforms to Australian Government legal services arrangements introduced last year, the Government will conduct a review to achieve further efficiencies and to maximise value for taxpayers' money in the procurement of legal services.</p> <p>The Review will examine current practices and advise whether another model (for example, a more centralised model) of legal services procurement should be adopted, taking into account:</p> <ul style="list-style-type: none"> • the reforms already implemented, in particular the release of a standard form request for tender and deed of standing offer for legal services • the nature of the market for Commonwealth legal services, including the operation of the <i>Legal Services Directions 2005</i> • Commonwealth procurement policy • the range and type of legal services required by Commonwealth agencies, including the need for services that are of high quality, efficient, independent, confidential, consistent and coordinated, and range in complexity from routine to highly specialised • the costs and benefits to the Commonwealth of implementing any proposed new arrangements • appropriate arrangements for bodies regulated by the <i>Commonwealth Authorities and Companies Act 1997</i>, and • the views of stakeholders. <p>The Review will also examine how the Commonwealth can best make use of in-house legal services.</p>	<p>Mr Tony Blunn AO Ms Sibylle Krieger</p>	<p>\$167,625 (GST inclusive)</p>	<p>3 (1 Principal Legal Officer, 1 Senior Legal Officer, 1 Legal Officer). Staffing costs were met within existing Departmental resources and are not included in the overall "cost".</p>	<p>Under consideration</p>	<p>To be advised.</p>
<p>Report of a Review of the AFP's Response to an Incident at Sydney Airport on 22 March 2009</p>	<p>27/03/09</p>	<p>07/04/09</p>	<p>15/05/09</p>	<p>Terms of reference:</p> <ul style="list-style-type: none"> • Whether the AFP response was appropriate in terms of time taken to response to the incident. • Whether the AFP response was appropriate in its application protocols and procedures. • Whether the nature of the deployment of the AFP officers was appropriate. 	<p>Committee Members: Secretary AGD, plus one EL1 and one EL2.</p>	<p>Nil</p>	<p>One EL1 and one EL2. Staffing costs were met within existing Departmental resources and are not included in the overall "cost".</p>	<p>Completed.</p>	<p>No response required.</p>
<p>Report of the Inquiry into the Case of Dr Mohamed Haneef</p>	<p>13/03/08</p>	<p>21/11/08</p>	<p>23/12/08</p>	<p>Terms of reference were to examine and report on:</p> <ol style="list-style-type: none"> the arrest, detention, charging, prosecution and release of Dr Haneef, the cancellation of his Australian visa and issuing of a criminal justice stay certificate; the administrative and operational procedures and arrangements of the Commonwealth and its agencies relevant to these matters; the effectiveness of cooperation, coordination and interoperability between the Commonwealth agencies and with state law enforcement agencies relating to these matters; and having regard to (a), (b) and (c), any deficiencies in the relevant laws or administrative and operational procedures and arrangements of the Commonwealth and its agencies, including agency and interagency communication protocols and guidelines. 	<p>The Hon John Clarke QC headed the Inquiry</p>	<p>\$2.5 million (estimated final cost) (GST exclusive)</p> <p>Budget was \$4.2million. That included allowance for legal assistance to those who appeared before the Inquiry.</p>	<p>Mr Clarke was supported by a Secretary to the Inquiry, a small legal team (2 counsel assisting and 3 solicitors assisting), and 2 officers providing executive and administrative support.</p>	<p>Completed</p>	<p>23/12/08</p>

Attachment A

<p>Report of the National Human Rights Consultation</p>	<p>10/12/08</p>	<p>30/09/09</p>	<p>8/10/09</p>	<p>The Australian Government is committed to the promotion of human rights—a commitment that is based on the belief in the fundamental equality of all persons.</p> <p>The Government believes that the protection and promotion of human rights is a question of national importance for all Australians, and for this reason has appointed a Committee to undertake an Australia-wide community consultation for protecting and promoting human rights and corresponding responsibilities in Australia. The Government has given the Committee Terms of Reference to guide their work.</p> <p>The Committee will ask the Australian community:</p> <ul style="list-style-type: none"> • Which human rights (including corresponding responsibilities) should be protected and promoted? • Are these human rights currently sufficiently protected and promoted? • How could Australia better protect and promote human rights? <p>In conducting the consultation the Committee will:</p> <ul style="list-style-type: none"> • consult broadly with the community, particularly those who live in rural and regional areas • undertake a range of awareness raising activities to enhance participation in the consultation by a wide cross section of Australia’s diverse community • seek out the diverse range of views held by the community about the protection and promotion of human rights • identify key issues raised by the community in relation to the protection and promotion of human rights, and <p>The Committee will report to the Australian Government by 31 July 2009 on the issues raised and the options identified for the Government to consider to enhance the protection and promotion of human rights. The Committee is to set out the advantages and disadvantages (including social and economic costs and benefits) and an assessment of the level of community support for each option it identifies.</p> <p>The options identified should preserve the sovereignty of the Parliament and not include a constitutionally entrenched bill of rights.</p>	<p>Father Frank Brennan SJ AO (Chair), Ms Mary Kostakidis, Mr Mick Palmer AO, Ms Tammy Williams</p>	<p>\$2.933 million (GST exclusive)</p> <p>NB: This is the total cost of the Consultation (exclusive of GST) as reported in response to QON 006 (tabled 23 March). Travel costs have thus been included.</p>	<p>The Secretariat staff levels ranged from APS3 to PLO. Numbers of staff varied over the course of the project.</p> <p>Staffing costs were not met from existing internal resources and have been included in the overall cost.</p>	<p>Completed</p>	<p>21 April 2010</p>
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