

Questions on Notice
Attorney-General's Portfolio
Additional Estimates
8 February 2010

Q. No.	AG/ MHA	Agency/ Sub Program	Senator	Question	Asked at hearing (Hansard Proof Pg No.)	Asked in writing
1	AG	AHRC	Barnett	Since Supplementary Budget Estimates, have there been any changes to who is responsible for drafting the report, and to who is drafting each section of the Freedom of Religion inquiry?	7	
2	AG	AHRC	Barnett	Regarding the Freedom of Religion and Belief in the 21 st Century project: a. Please provide a detailed breakdown of all expenditure to date and any further anticipated expenditure. b. What payments have been made or will be made in relation to the preparation of the 11 supplementary papers? c. Which of these supplementary papers have been completed to date? For any not yet completed, when are they expected to be completed? d. What is the anticipated date for publication of the final report of this project?		Writing
3	AG	AHRC	Barnett	On the AHRC website at http://www.humanrights.gov.au/racial_discrimination/conferences/Durban2009/QA_Durban2009.html there is a document entitled Questions and answers regarding the Australian Human Rights Commission's attendance at the Durban Review and outcomes for the Commission". The answer to question 6: "What were the outcomes for the Australian Human Rights Commission in attending the Durban Review Conference?" begins by stating that "The Durban Review Conference Outcome document can be found at www.un.org/durbanreview2009/pdf/Durban_Review_outcome_document_En.pdf " No further comment is made on this outcome document. Does the AHRC consider this is satisfactory when this document, in particular its point 1 which " <i>Reaffirms</i> the Durban Declaration and Programme of Action (DDPA), as it was adopted at the World		Writing

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				Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance in 2001” has been widely criticised – including in its draft form by the Australian government - for its imbalance in singling out Israel for alleged racism?		
4	AG	AHRC	Barnett	<p>In answer to Question 7 from Supplementary Budget Estimates October 2009, the AHRC indicated that it considered Australia to be in breach of a number of its international obligations regarding anti-terror laws:</p> <p>What other international obligations does the Commission consider Australia to be in breach of?</p> <p>Please identify the relevant general area of law, the relevant international instrument(s), the relevant pieces of domestic legislation and the action needed to bring Australia into international compliance. Please use the same format as Question 7 from Supplementary Budget Estimates October 2009.</p>		Writing
5	AG	1.1.2	Barnett	Has the Government expressed a view to the Commission with respect to the fact that the Commission attended and, at Estimates, confirmed its support for the outcome of the Durban II conference?	8-9	
6	AG	1.1.2	Barnett	<p>Regarding the National Human Rights Consultation:</p> <p>a. How much in total has been spent to date? Please provide a breakdown by budget year and by expenditure categories including travel, payments to committee members, salary and wages of support staff, etc.</p> <p>b. Has the Government moved to implement any of the Consultation’s report?</p>		Writing
7	AG	1.2.4	Barnett	In answer to Question 7 from Supplementary Budget Estimates October 2009, the Australian Human Rights Commission indicated		Writing

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				<p>that it considered Australia to be in breach of a number of its international obligations regarding anti-terror laws:</p> <ol style="list-style-type: none"> a. Does the Department agree with the assessment by the AHRC? If not, why not? b. Does the Department consider Australia to be in breach of any of its international obligations? If so, what are they? c. For all areas where the Department considers Australia to be in breach of its international obligations, please identify the relevant general area of law, the relevant international instrument(s), the relevant pieces of domestic legislation and the action needed to bring Australia into international compliance. Please use the same format as Question 7 from Supplementary Budget Estimates October 2009. 		
8	AG	1.1.2	Barnett	<p>In relation to the \$10.117 million cost of legal assistance to Sydney terrorists referred to in answer to Question no 51 from last October 2009:</p> <ol style="list-style-type: none"> a. Provide a breakdown of how much was spent defending each of the accused, and list the charges against each of the accused. Is the \$10 million included in the \$55 million budgeted for legal aid costs? b. What has been done, or what is being done, to avoid such a situation again? 		Writing
9	MHA	Classification Board	Barnett	<p>In 2009 to 12 October the board had investigated or was investigating 32 publications. Nine audits have been conducted; six passed the audit, two have been revoked and another is in the process of being revoked. Twenty-three call-in notices have been</p>		Writing

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				<p>issued:</p> <p>a. How many of the called in titles were imported by Namda and/or Windsor wholesale?</p> <p>b. How many of the revoked titles had been previous given Category 1 serial classification by the Classification Board?</p> <p>c. Of the called-in titles, how many were found packaged with titles which had been classified?</p>		
10	MHA	Classification Board	Barnett	Which distributors are troublesome in responding to call-in notices?	16	
11	MHA	Classification Board	Barnett	How many revoked titles have previously been given Category 1 serial classification by the Board?	17	
12	MHA	Classification Board	Barnett	<p>Since Supplementary Budget Estimates:</p> <p>a. Has the Board conducted any further audits of adult publications? If so, how many were deemed to have been wrongly classified in the first place and how many had not been submitted for classification at all?</p> <p>b. Please provide a list of the audited titles and the distributors of each title. Of these titles, how many had been given serial classification? Of these titles, how many were packaged together with titles which had been classified?</p>	17	Writing
13	MHA	Classification Board	Barnett	<p>Regarding publications which have been refused classification:</p> <p>a. How many publications have been refused classification in the past 12 months? Of these, who were the distributors seeking</p>	17	Writing

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				classification? b. Has there been an increase in the number of publications refused classification in the past 12 months?		
14	MHA	1.2.2	Barnett	How many of the received submissions on an R 18+ classification for video games have used the template? How many of the received e-mailed submissions have used the template version?	18-9	
15	MHA	1.2.2	Barnett	Why would the Minister or Government want to make a video game like <i>Left 4 Dead 2</i> legal?	21	
16	MHA	1.2.2	Barnett	Provide the responses received from the various law enforcement agencies to the letter sent by the former Minister for Home Affairs, Bob Debus on 4 February 2009. In the event that a response cannot be tabled, provide a summary of the content of the letter.	21	
17	MHA	1.2.2	Feeney	Regarding the change in Customs regulations to imported goods, what were the penalties previously? How significant has the increase in penalties been, in monetary and imprisonment terms?	24	
18	AG	Federal Court	Abetz	Regarding the Melbourne and Hobart registries: a. How many people are employed at the Melbourne registry to date? b. How many people are employed at the Hobart registry to date? c. What are the capital costs of any extra video linkages et cetera between Hobart and Melbourne? d. Have any travel allowance costs et cetera been incurred to date?	25	
19	AG	Federal Court	Abetz	Regarding the recruitment of the Hobart district registrar: a. Was the position advertised in national newspapers, such as the <i>Sydney Morning Herald</i> or <i>The Australian</i> ? b. How many of the seven applicants were interviewed?	25	
20	AG	Federal Court	Barnett	Regarding consultation with the Law Society and legal fraternity concerning the possibility of the absence of a full time registrar positioned in Hobart outlined in Supplementary Budget Estimates	26-7	

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Q. No.	AG/ MHA	Agency/ Sub Program	Senator	Question	Asked at hearing (Hansard Proof Pg No.)	Asked in writing
				Question on Notice 30, provide the correspondence, or a summary of the content of correspondence, from: a. Duncan Kerr MP to the Chief Justice b. The Chief Justice's response to Duncan Kerr MP c. The President of the Law Council on 30 June 2009		
21	AG	Federal Court	Barnett	Can the Committee be provided with a situation update in terms of the Federal Court's response to the STRATSEC report on access to network vulnerability assessment and application vulnerability assessment?	28	
22	AG	High Court	Barnett	Regarding air conditioning and asbestos in the High Court, can the Committee be provided with a. The cost of remedying these concerns b. The names, titles, costs and copies of the consultancies and the reports c. An outline of the remedial plans and costs to fix the problems d. An asset management plan and the likely future costs?	31	Writing
23	AG	High Court	Feeney	Since the High Court's opening hours have extended to Sunday afternoon, what figures can be provided on the High Court's Sunday visitors?	32	
24	AG	High Court	Barnett	Please provide an update on the Court's report which details options to fix the cascade waterfall's leaks, collect and store non-potable water and upgrade pumps and filters. What was/is the cost to fix the waterfall leak?	33	Writing
25	AG	High Court	Barnett	Excluding the cascade waterfall, air conditioning and asbestos problems, please provide details of other High Court structural problems and the costs to fix them.		Writing
26	AG	High Court	Barnett	Regarding workload: a. What is the average waiting time for a case to be heard? b. What is currently the longest waiting period for a case to be		Writing

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Q. No.	AG/ MHA	Agency/ Sub Program	Senator	Question	Asked at hearing (Hansard Proof Pg No.)	Asked in writing
				heard? c. Is the court adequately resourced for the required workload?		
27	AG	1.1.1	Brandis	Since the <i>Lane v Morrison</i> decision a. How many official meetings have occurred since the first meeting until now about the military justice system? b. When has each meeting occurred? c. Who were the participants in each meeting?	34-5	
28	AG	1.1.1	Brandis	Please provide the internal papers drafted which outline the options being considered for the military justice system.	36	
29	AG	1.1.1	Brandis	Has consideration been given to the question of whether it is desirable that those who are appointed as judges to whatever court replaces the Australian Military Court and meets the chapter III requirements and should be limited to those holding commissions in the various branches of the armed forces?	36	
30	AG	Family Court	Barnett	Please provide details of the case which has taken the longest time to finalise during 2008-09 of 66.2 months.	37	
31	AG	Family Court	Barnett	In the last 12 months, how often has the Deputy Chief Justice needed to take a judge out of court to enable him or her to prepare an outstanding judgement of greater than six months? Which judges have been taken out of court to do this?	37	
32	AG	Family Court	Barnett	Regarding workload: a. What is the average waiting time for a case to be heard? b. What is currently the longest waiting period for a case to be heard? c. Is the court adequately resourced for the required workload?		Writing
33	AG	Family Court	Barnett	Since Supplementary Budget Estimates:		Writing

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				<ul style="list-style-type: none"> a. What is the current number of judges of the Court? b. What is the current amount of vacancies? c. What appointments have been made? 		
34	AG	FMC	Barnett	Regarding workload: <ul style="list-style-type: none"> a. What is the average waiting time for a case to be heard? b. What is currently the longest waiting period for a case to be heard? c. Is the court adequately resourced for the required workload? 		Writing
35	AG	FMC	Barnett	Since Supplementary Budget Estimates: <ul style="list-style-type: none"> a. What is the current number of judges of the Court? b. What is the current amount of vacancies? c. What appointments have been made since Supplementary Budget Estimates? 		Writing
36	AG	AAT	Feeney	What was the general settlement rate in AAT matters that have been finalised without a full hearing for the period 2006-07? How does this compare with the figures for 2007-08 and 2008-09?	41	
37	AG	ASIO	Humphries	Regarding the <i>Oceanic Viking</i> incident in late 2009, at what point: <ul style="list-style-type: none"> a. Was ASIO first asked to provide advice or any other processing services to the Government with respect to those people who were passengers on <i>Oceanic Viking</i>? b. did ASIO know the identity of the people on board the <i>Oceanic Viking</i>? Did ASIO know of these peoples' identity before they disembarked in the middle of November? c. were the five adverse assessments issued? 	46, 53	
38	AG	ASIO	Back	Did the husband of one of the four people on <i>Oceanic Viking</i> who	48	

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				subsequently had adverse security assessments conferred on them, have an adverse security assessment worked and presented on his behalf?		
39	AG	ASIO	Barnett	How many Christmas Island detainees have been interviewed by ASIO in the last 12 months?	48	
40	AG	ASIO	Barnett	<p>a) For the 2008-09 financial year:</p> <ol style="list-style-type: none"> 1. What was the total number of assessments that ASIO conducted/was referred? 2. How many of the total assessments were for <i>irregular maritime arrivals</i>? 3. What was the total number of adverse assessments issued? 4. How many of the total number of adverse assessments issued were for <i>irregular maritime arrivals</i>? <p>b) From 1 July to 31 December 2009:</p> <ol style="list-style-type: none"> 1. What was the total number of assessments that ASIO conducted/was referred? 2. How many of the total assessments were for <i>irregular maritime arrivals</i>? 3. What was the total number of adverse assessments issued? 4. How many of the total number of adverse assessments issued were for <i>irregular maritime arrivals</i>? <p>The answer should include where the arrivals are coming from and from whence the assessments are done.</p>	48-9, 55	
41	AG	ASIO	Barnett	Of the 988 people ASIO assessed in the six months to the end of the 2009, how many arrived undocumented?	49	

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42	AG	ASIO	Humphries	On what dates were the adverse assessments of the individuals from the <i>Oceanic Viking</i> issued?	53	
43	AG	ASIO	Humphries Barnett	What is the average assessment time for ASIO's assessments of irregular arrivals, and all arrivals? What percentage is completed within ASIO's goal of 90 days?	53-5	
44	MHA	AFP	Barnett	Regarding staffing: a. What are the current staffing levels of the AFP? b. How many of those staff form part of the 500 extra staff promised by the Government? c. How many staff redundancies have there been since December 2007? d. How have these redundancies been funded, i.e. has the AFP had to pay for these redundancies out of their own budget? e. What have these redundancies cost? f. What is the net loss or gain of staff after factoring in the promise of 500 additional members?		Writing
45	MHA	AFP	Brandis	How many full-time equivalent positions of sworn Protective Service Officers were there at: a. 30 June 2007: b. 28 Nov 2007: c. 30 June 2008: d. 10 December 2009:?	58	
46	MHA	AFP	Brandis	Please disaggregate by function and number the 200 non-operational positions which have been replaced by operational positions to meet the projected estimate of 240 sworn officers.	60-1	
47	AG	2.1.2	Barnett	Not including operational matters, what is the structure and what	63-4	

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				are the protocols and procedures in place with respect to visits from dignitaries, like the President of the United States?		
48	MHA	AFP	Xenophon	Why was Mr Kessing not asked any questions before the prosecution was launched against him?	65	
49	MHA	AFP	Ludlam	Child sexual abuse research: a) Has the Australian Federal Police (AFP) conducted any research on the proportion of child sexual abuse material that is available on live URLs as opposed to material on the dark net (file sharing; peer-to-peer channels and so on)? b) What is proportion of time AFP officers spend tracking down material that is available on public channels as opposed to those that are shared peer-to-peer and so on? c) What is the average residence time of a live URL of that sort of material? How long is it there for?	66	
50	MHA	AFP	Ludlam	Without detailing operational matters, please describe the 17 complaints related to information misuse, access or inadvertent disclosure detailed on page 183 of the AFP's annual report. What are your categories for minor and major complaints?	67	
51	MHA	AFP	Ludlam	Complaints management practices and procedures: Please provide an update regarding the implementation of recommendations made by the Ombudsman after the 2008 review (three recommendations); and the 2008/09 review (two recommendations).	67-8	
52	MHA	AFP	Ludlam	How many Aboriginal Australians have been recruited in the last two financial years?	69	
53	MHA	AFP	Ludlam	Is the media contract with McCann Worldgroup ongoing?	69	
54	MHA	AFP	Hutchins	Media reported that the AFP had a confidential report that cocaine now represents 25 per cent of drug seizures: Please provide some	72	

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				details of increases in detection of cocaine, amphetamines and stimulant type drugs.		
55	MHA	AFP	Trood	Please provide the figures for the AFP's contribution to the counterterrorism program in South-East Asia as at: a. 30 June 2008 b. 30 June 2009 c. Current estimates to 30 June 2010	73	
56	MHA	AFP	Brandis	Please provide the balance of (attachments to) the 25 January e-mail to AFP staff regarding the proposed AFP restructure.	73	
57	MHA	AFP	Brandis	How many officers are wholly or substantially tasked with the responsibility of the broader border protection environment (not including people smuggling)?	76	
58	MHA	AFP	Brandis	Since last Estimates (19 October 2009), how have the numbers of the People Smuggling Strike Team on Christmas Island changed? What were the numbers in the last two financial years?	78-9	
59	MHA	2.2.2	Barnett	What is the status of the three Interpol red notice people smuggling organisers' case with regard to extradition?	79	
60	MHA	AFP	Barnett	People Smuggling: How many convictions have resulted from arrests made in: a. Indonesia (since September 2008) b. Malaysia (since 2 March 2009) c. Sri Lanka (since April 2009)?	79-80	
61	MHA	AFP	Back	How many people smugglers a. have been arrested b. are on remand c. are serving sentences in each state or territory in Australia?	81	

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62	MHA	AFP	Barnett	<p>The Australian Crime Commission's Outlaw Motorcycle Gang National Intelligence Taskforce was disbanded by the Government in June 2008. Following the release of the Beale Report, the Government has announced that the AFP would be re-structured to create a specialised division investigating criminal syndicates such as Outlaw Motorcycle Gangs:</p> <p>a. Why has this division been set up?</p> <p>b. How many AFP members will be assigned to the division?</p> <p>c. How many will be investigators?</p> <p>d. What threat does AFP believe outlaw motorcycle gangs pose to Australia?</p> <p>e. Is AFP familiar with the tasks that the former ACC OMCG National Intelligence Taskforce will be undertaking?</p> <p>f. Will the AFP taskforce be investigating the same crimes and criminal syndicates the ACC used to under the OMCG NIT?</p>		Writing
63	MHA	AFP	Humphries	<p>Regarding external contractors/service providers at the AFP:</p> <p>a. What probity checks does the AFP conduct?</p> <p>b. In what year did these checks commence?</p> <p>c. What form do these checks take? What aspects are covered in these checks?</p> <p>d. Have these checks ever shown a prospective contactor/service provider to be a serving officer of a state, federal or territory police force, or the spouse of a serving officer?</p> <p>e. If so, what action was taken?</p> <p>f. Does the AFP believe a contract with such an officer could constitute a conflict of interest?</p>		Writing
64	MHA	AFP	Humphries	<p>Regarding the contracting of scribes in 2008/09 and 2009/10 to date for assistance in AFP's recruiting:</p> <p>a. How many contractors were/are contracted for these services?</p>		Writing

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				b. What was the annual cost of these services for each of these periods? c. By what process were the contractors/service providers engaged? In particular, were they engaged through an open and competitive process?		
65	MHA	2.2.1	Barnett	a. How much money is in the proceeds of crime Confiscated Assets Trust Fund? b. Please provide the balance as at various dates of the last few months. c. How much was drawn down for the purposes of trial and surveillance of the Aerial Surveillance Platform? d. What projects does it fund? e. Where does the money come from? f. What other proceeds of crime type funds exist?	82-83	
66	MHA	2.2.1	Barnett	In relation to the grants program made to communities for crime prevention programs under the <i>Proceeds of Crime Act 2002</i> : a. How much revenue was raised under proceeds of crime last financial year? b. How much has been raised this financial year to date? c. What percentage of this revenue was used under the POCA funding program? d. For what is the remainder of the revenue used?		Writing
67	AG	2.2.1	Barnett	Last June, the Crimes Legislation Amendment (Serious and		Writing

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				<p>Organised Crime) Bill 2009 was introduced into the Parliament:</p> <p>a. Has the bill been enacted, ie has it received Royal Assent?</p> <p>b. If so, since the introduction of this legislation, have any restraining orders been placed on criminal assets or properties using unexplained wealth provisions?</p> <p>c. If so, what is the approximate value of the assets under the restraining order?</p> <p>d. Where will the proceeds from these assets go? Will it simply be absorbed into the Government's consolidated revenue?</p>		
68	MHA	ACBPS	Hanson-Young Fielding	Regarding the 240 asylum seekers who boarded a boat in Merak, when was the ACBPS first aware that the boat was heading towards Australian waters?	84-5, 101	
69	MHA	ACBPS	Hanson-Young	How long was the ACBPS aware of the boat which had departed from Merak with 240 asylum seekers on it before Indonesian authorities intercepted it?	84	
70	MHA	ACBPS	Humphries	Did ACBPS advise Minister O'Connor of the presence of the Merak vessel in Indonesian waters prior to it being intercepted by Indonesians?	88	
71	AG	ACBPS	Xenophon	<p>Regarding the initial ACBPS investigation: <i>REP 138 – Toilet Paper Exported from the People's Republic of China and the Republic of Indonesia</i>:</p> <p>a. Who made submissions?</p> <p>b. Were the business interests of the authors of the submissions taken into account in ACBPS's assessment of whether or not dumping had caused material injury?</p> <p>c. How was this weighted against ACBPS's independent assessment of the impact these imported toilet paper products were having on the Australian industry?</p>	90	In writing

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				d. Were/are the majority of the parties which made submissions in both reviews subsidiaries of the Indonesian company 'Sinar Mas' (an Indonesian paper company) or ABC (an Australian industry member)? e. Was this taken into account in ACBPS's assessment?		
72	AG	1.2.4	Brandis	Regarding the toilet paper investigation, a. Is there a point in the process where the party adversely affected by the vacation of the original decision entitled to be heard to argue why the decision ought not to be vacated? b. At what stage in this procedural sequence were representations received by the Trade Measures Review Officer?	94	
73	AG	ACBPS	Xenophon	Regarding the toilet paper reinvestigation: Was there consideration in either decision given to the fact that the No. 4 domestic producer, Merino, went into liquidation in 2008?	99	
74	MHA	ACBPS	Colbeck	Can ACBPS advise on the operation of the <i>Oceanic Viking</i> for the first half of this financial year (2009/10)?		Writing
75	MHA	ACBPS	Fielding	Have any other vessels been intercepted by Indonesia after ACBPS has provided intelligence?	101	
76	MHA	ACBPS	Barnett	What is the cost of the lease for the <i>Oceanic Viking</i> ?	102	
77	MHA	ACBPS	Colbeck	What was the total cost of leasing the <i>Oceanic Viking</i> during the period of it being in Northern Waters?		Writing
78	MHA	ACBPS	Colbeck	In the 2009-10 budget, funds were set aside for the vessel: "More than \$6 million over two years will also be provided for the <i>Oceanic Viking</i> to undertake an additional 80 days of surveillance and patrol in Australia's northern waters." (12 May 2009 media release from the Minister for Home Affairs). I understand the vessel was in Northern Waters on 20 September and remained there until early- to mid-December. This would put its time in Northern Waters at 80 days or well over. Can ACBPS confirm this? If not,		Writing

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				<p>what amount of days was the <i>Oceanic Viking</i> in Northern Waters? What were the exact dates?</p>		
79	MHA	ACBPS	Barnett	<p>Regarding the <i>Oceanic Viking</i>:</p> <ol style="list-style-type: none"> a. What are the current patrol plans for the <i>Oceanic Viking</i>? Have these plans deviated from the <i>Oceanic Viking</i>'s regular patrol path? b. How much does it cost to run the <i>Oceanic Viking</i> on a regular patrol day? c. What is the regular amount of patrol days the <i>Oceanic Viking</i> does before there is a crew change? d. What is the breakdown of the crew on board the <i>Oceanic Viking</i> on a regular patrol day? ie. How many are ACBPS staff, how many are P&O crew? 		Writing
80	MHA	ACBPS	Barnett	<p>Regarding ACBPS crew on board the <i>Oceanic Viking</i> during the October incident:</p> <ol style="list-style-type: none"> a. How many ACBPS crew were on board the <i>Oceanic Viking</i> during this incident? b. What kind of training had they received for dealing with this kind of situation? c. What weapons were available to the crew on board the <i>Oceanic Viking</i>? d. Did they receive any additional equipment for dealing with the situation? e. Were staff aware of any items being thrown on board to the asylum seekers other than a mobile phone? f. At what point was there a crew change? 		Writing

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81	MHA	ACBPS	Barnett	What was the cost of running the <i>Oceanic Viking</i> , including crew costs and crew changeover during the whole month?		Writing
82	MHA	ACBPS	Colbeck	What was the total cost (excluding lease costs) of operating the <i>Oceanic Viking</i> during the period in the Northern Waters?		Writing
83	MHA	ACBPS	Colbeck	Has ACBPS made any requests for additional funding to operate the <i>Oceanic Viking</i> in Northern Waters for this or future financial years? When were these requests made and to whom?		Writing
84	MHA	ACBPS	Back	What port did the vessel that the <i>Oceanic Viking</i> rescued depart from?	104	
85	MHA	ACBPS	Barnett	Were any other asylum seekers picked up on the way back from Singapore before this vessel in October was intercepted by <i>Oceanic Viking</i> ?		Writing
86	MHA	ACBPS	Back	Please provide the operational order given to the crew on the <i>Oceanic Viking</i> .	105	
87	MHA	ACBPS	Barnett	What communications did ACBPS have with the Government and what communications did the Government have with ACBPS with respect to the passengers aboard the <i>Oceanic Viking</i> ? Please provide the dates and the nature of the communications.	107-8	
88	MHA	ACBPS	Barnett	Which department was the lead agency in co-ordinating the response during the month long standoff with asylum seekers on <i>Oceanic Viking</i> ?		Writing
89	MHA	ACBPS	Barnett	Please advise on the timeline of events and the nature of the arrangements on board the <i>Oceanic Viking</i> in October. In your answer, provide details of the passengers, staff, crew and ACBPS staff, and the timeline of when persons boarded and departed the vessel, and the events which happened on the vessel.	108-9	Writing
90	MHA	ACBPS	Barnett	Regarding negotiations with the asylum seekers on board <i>Oceanic Viking</i> :		Writing

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				<ul style="list-style-type: none"> a. What was ACBPS's involvement in the deal negotiated with the asylum seekers? b. What advice was provided to the Australian Government representatives involved in negotiating with the asylum seekers? 		
91	MHA	ACBPS	Barnett	<p>Regarding procedures and notifications after vessels are intercepted:</p> <ul style="list-style-type: none"> a. How long after unauthorised vessels are intercepted does the Minister for Home Affairs report them? Provide figure for the last 12 months. b. What is the usual procedure after a vessel has been intercepted? When is the Minister informed and who reports the interception to the Minister? c. On 3 December 2009, the Minister for Home Affairs issued a Media release announcing the interception of an unauthorised vessel carrying 53 passengers and 4 crew. How long after the vessel was intercepted was it reported by the Minister for Home Affairs? d. Would there be any reason to hold off reporting an interception? What circumstances would call for this? 	109, 116	Writing
92	MHA	ACBPS	Barnett	Was the <i>Oceanic Viking's</i> reported monitoring of illegal fishing in the Southern Ocean over January 2010 in any way connected to the presence of Japanese whaling vessels in the same vicinity?		Writing
93	MHA	ACBPS	Barnett	If the ACBPS vessels <i>Triton</i> and <i>Ashmore Guardian</i> were not occupied with boat arrivals off Northern Australia, would a vessel be deployed to monitor Japanese whalers?		Writing
94	MHA	ACBPS	Brandis	When was the nomenclature changed from SIEV meaning "suspected illegal entry vessel" to "suspected irregular entry	109	

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				vessel"? Who made the decision to change it?		
95	MHA	ACBPS	Brandis	Since the 2007-08 financial year, what movement of staff wholly or primarily concerned with illegal entrant and suspect illegal entry vessel activity has there been?	113	
96	AG	SPCG	Barnett	How many meetings of the Border Protection Committee of Cabinet has the Attorney-General attended? Where and when were those meetings?	115	
97	MHA	ACBPS	Feeney	Over what periods in the last 30 years have there been the highest rates of suspected irregular entry vessels? Provide comment on the push factors behind these trends.	116	
98	MHA	ACBPS	Xenophon	What communications did you have with Allan Kessing when the article in <i>The Australian</i> was published?		In writing
99	MHA	ACBPS	Xenophon	Was any attempt made to speak to Mr Kessing by ACBPS before the matter was referred to the Australian Federal Police?		In writing
100	MHA	ACBPS	Xenophon	Does ACBPS acknowledge that the Wheeler Review on airport security was at least in part directly attributable to the leaking of the report into airport security prepared by Mr Kessing?		In writing
101	MHA	ACBPS	Xenophon	Since the Supplementary Budget Estimates on 19 October 2009, what further steps have been taken to fully implement the recommendations in the Wheeler Report?		In writing
102	MHA	2.2.2	Brandis	Regarding Gabe Watson: a. Has the Queensland Government asked the Commonwealth about the possibility of his extradition? b. Provide the Committee with all correspondence between the Queensland Government and the Commonwealth concerning the case. If correspondence has to be redacted, please explain this. c. At what date did the Queensland Government, by correspondence or orally at officials level, first raise the Gabe Watson case with the Commonwealth?	119	
103	AG	1.1.2	Barnett	Provide the Committee with the costs associated with the	122	

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Q. No.	AG/ MHA	Agency/ Sub Program	Senator	Question	Asked at hearing (Hansard Proof Pg No.)	Asked in writing
				captioning of video material from the public hearings held at Parliament House from the National Human Rights Consultation, and any further costs since testimony at the Additional Estimates hearing.		
104	AG	2.1.4	Ludlam	Please confirm the total number of submissions received, including a breakdown of how they were submitted (via e-mail, mail etc), as part of the national security legislation public consultation. Please explain any major discrepancy.	126	
105	AG	2.2.1	Ludlam	When collecting information for domestic data and intelligence gathering activities, is material shared with third parties overseas that might have completely different privacy regimes? Are there particular data sharing agreements with countries in our region that handle bilateral exchanges of material that is collected on individuals here?	128	
106	AG	2.1.4	Ludlam	What legislation—state, territory or Commonwealth—guides the use, storage and dissemination of images from legitimate political protests, demonstrations and so on recorded by surveillance cameras?	129-30	
107	AG	1.1.2	Barnett	What is the total cost to date, including a breakdown of costs, of the legal aid provided to the nine Sydney terrorists arrested in November 2005?	138-9	
108	AG	1.2.5	Payne	Regarding a referendum on state and federal relations: a. Is the Department working with the Department of Prime Minister and Cabinet on producing a series of national referendum questions to secure a mandate for constitutional change that would better define federal and state government powers, propose the introduction of a republic and formally recognise Indigenous Australian and Local Government? b. Does that Government have plans to take these questions to the next COAG meeting? c. Will the Government present these questions to the public before		Writing

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				the next election?		
109	AG	1.2.1	Barnett	<p>In relation to Government plans to increase the Australian Government Solicitor's influence through changing the Agency's relationship with the Attorney-General's Department:</p> <p>a. Other than the report released by the Attorney-General in January 2010, what other factors have prompted this decision? How does the Government propose ensuring a level playing field is maintained between the AGS and private firms under these proposed changes?</p> <p>b. How was the AGS consulted in relation to the Government's decision? Please provide details including a status report on current arrangements and proposed arrangements.</p>		Writing
110	AG	1.1.1	Barnett	Is the Department currently involved in preparing for any changes to the current shared parenting legislation? What is the Department's position? Please provide details.		Writing
111	AG	1.1.1	Barnett	<p>In relation to the Access to Justice report issued by the Legal and Constitutional Affairs References Committee late last year, the report noted that legal aid in this country is underfunded.</p> <p>a. How does the Attorney-General's Department see the situation where millions of dollars are made available for a single case such as the Sydney terrorism case, but thousands of Australians can't get legal aid for matters that are of great importance to them, such as family law matters?</p> <p>b. Is this an appropriate balance in the use of government funds for the purposes of delivering good legal outcomes in this country?</p> <p>c. Should further action be taken in response to the Access to Justice Report?</p>		Writing

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Q. No.	AG/ MHA	Agency/ Sub Program	Senator	Question	Asked at hearing (Hansard Proof Pg No.)	Asked in writing
				d. Does the Department have comment on any other aspect of the Access to Justice report?		
112	AG	SPCG	Barnett	<p>Since Supplementary Budget Estimates:</p> <ul style="list-style-type: none"> a. How many permanent staff have been recruited in the Department? b. What level are these staff? c. How many temporary positions exist or have been created? d. How many employees have been employed on contract and what is the average length of their employment period? 		Writing
113	AG/MHA	SPCG	Eggleston	<p>Regarding Average Staffing Level (ASL):</p> <ul style="list-style-type: none"> 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 current staffing levels for SES and non-SES officers? What is the breakdown by location? 		Writing
114	AG/MHA	SPCG	Eggleston	<p>Regarding: Average Staffing Level (ASL) since November 2007</p> <ul style="list-style-type: none"> a. What changes have occurred? b. Why have these changes occurred? c. What have been the budgetary implications of any changes? d. If any reductions have occurred: <ul style="list-style-type: none"> 1. how have they been absorbed by the Department? 2. what functions were 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 many staff have been identified for such offers? 		Writing

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				Are there such plans for the future?		
115	AG/MHA	SPCG	Barnett	What communications programs has the Department, or the Department's portfolio agencies, undertaken, or are planning to undertake? For each program, what is the total spend?		Writing
116	AG	SPCG	Eggleston	How much has the Department spent on advertising and marketing since November 2007? Please justify this expenditure.		Writing
117	AG/MHA	SPCG	Eggleston	Please provide a complete list of contracts for the Department and its portfolio agencies for this financial year to date. Please indicate the rationale for each service and its intended use.		Writing
118	AG/MHA	SPCG	Barnett	Regarding hospitality: a. What is the Department's hospitality spend FYTD? Please detail date, location, purpose and cost of all events. b. What is each Minister's Offices' hospitality spend FYTD? Please detail date, location, purpose and cost of each event.		Writing
119	AG/MHA	SPCG	Barnett	What is the gender ratio on each board and across the portfolio?		Writing
120	AG/MHA	SPCG	Barnett	Since Budget Estimates: a. What was the cost of Ministers' travel and expenses for the Community Cabinet meetings held since Budget Estimates? b. How many Ministerial Staff and Departmental officers travelled with the Minister for the Cabinet meeting? What was the total cost of this travel? c. What was the total cost to the Department and the Ministers office?		Writing
121	AG/MHA	SPCG	Barnett	Regarding reviews: a. How many Reviews are currently being undertaken across the		Writing

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				<p>portfolio? When will each of these reviews be concluded?</p> <p>b. Which Reviews have been completed since Budget Estimates? When will the Government be responding to the respective reviews that have been completed?</p> <p>c. What is the total number of Reviews <i>both completed and ongoing</i> in the portfolio since November 2007? What is the estimated cost of these Reviews?</p> <p>d. What further reviews are planned for 2009-10 FY?</p>		
122	AG/MHA	SPCG	Barnett	<p>Regarding Freedom of Information for the financial year to date (09/10):</p> <p>a. Has the Department received any advice on how to respond to FOI requests?</p> <p>b. How many FOI requests has the Department received?</p> <p>c. How many received FOI requests have been granted or denied?</p> <p>d. How many conclusive certificates have been issued in relation to FOI requests?</p>		Writing
123	AG	SPCG	Barnett	<p>Regarding the efficiency dividend and/or other budget cuts:</p> <p>a. Have staffing numbers been reduced as a result of the efficiency dividend and/or other budget cuts? If so, where and at what level?</p> <p>b. Are there any plans for staff reduction? If so, please advise details ie. reduction target, how this will be achieved, services/programs to be cut etc.</p> <p>c. What changes are underway or planned for graduate recruitment, cadetships or similar programs? If reductions are envisaged please explain including reasons, target numbers etc.</p>		Writing

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Q. No.	AG/ MHA	Agency/ Sub Program	Senator	Question	Asked at hearing (Hansard Proof Pg No.)	Asked in writing
124	AG/MHA	SPCG	Barnett	Regarding consultancies: a. Please provide an update to the figures provided at May 2009. Please identify the name of the consultant, the subject matter of the consultancy, the duration and cost of the arrangement, and the method of procurement (ie. open tender, direct source, etc). Please also include total value for all consultancies. b. How many consultancies are planned for this calendar year? Have these been published in your Annual Procurement Plan (APP) on the AusTender website and if not, why not? In each case please identify the subject matter, duration, cost and method of procurement as above, and the name of the consultant if known.		Writing
125	AG/MHA	SPCG	Eggleston	How much has the Department spent on consultancy services since November 2007? How can the Department justify this expenditure?		Writing
126	AG/MHA	SPCG	Eggleston	Provide a complete list of the Department's and its portfolio agencies' consultancy services for this financial year to date. For each consultancy please indicate: a. The rationale for the project and its intended use. b. Why the Department or its agencies could not have undertaken the work themselves.		Writing
127	AG/MHA	SPCG	Barnett	Has the Department complied with interim requirements relating to the publication of discretionary grants?		Writing
128	AG/MHA	SPCG	Eggleston	Please provide a list of all discretionary grants, including ad hoc and one-off grants since November 2007. Please provide the details of the recipients, the intended use of the grants and what locations benefited from the grants.		Writing
129	AG/MHA	SPCG	Eggleston	Regarding Commissioned Reports: a. How many Reports have been commissioned by the Government		Writing

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Q. No.	AG/ MHA	Agency/ Sub Program	Senator	Question	Asked at hearing (Hansard Proof Pg No.)	Asked in writing
				<p>in the Attorney-General portfolio since November 2007?</p> <p>b. Please provide details of each report including</p> <ol style="list-style-type: none"> 1. Date commissioned 2. Date reported handed to Government 3. Date of public release 4. Terms of Reference and Committee members 5. Cost 6. Number and level of Departmental staff involved. 7. Current status 8. Date Government intends to respond 		
130	AG/MHA	SPCG	Eggleston	Are there plans to publish a full suite of electoral reports on the Department's website? If not, why not? If so, when, and what data will be included?		Writing
131	AG/MHA	SPCG	Eggleston	<p>Does the Department prepare electorate-level reports for Ministers?</p> <p>If so:</p> <ol style="list-style-type: none"> a. What data is included in these reports? b. How often is this updated? c. Why is this material not publicly available? d. Please provide copies of the latest reports. 		Writing
132	AG/MHA	SPCG	Eggleston	Has electoral-specific data been used by the current Government in any grants scheme since November 2007?		Writing
133	AG/MHA	SPCG	Eggleston	<p>What is the status of each election commitment within the portfolio? Please identify which election commitments are experiencing slippages, noting:</p> <ol style="list-style-type: none"> a. Why they are experiencing slippages b. What their revised implementation dates are, where relevant c. What the implications are of the slippage. 		Writing
134	MHA	ACC	Barnett	<p>Regarding staffing:</p> <ol style="list-style-type: none"> a. How many staff seconded from other agencies are currently 		Writing

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				<p>with the ACC?</p> <p>b. What is the total staffing level for the ACC?</p> <p>c. What is the breakdown of these staff, i.e. what areas are the remaining staff working on?</p> <p>d. How many redundancies have there been since December 2007?</p> <p>e. How much have the redundancy packages taken up by ACC personnel cost?</p>		
135	MHA	ACC	Barnett	<p>The ACC's Outlaw Motorcycle Gang National Intelligence Taskforce was disbanded by the Government in June 2008. Following the release of the Beale Report, the Government has announced that the AFP would be re-structured to create a specialised division investigating criminal syndicates such as OMCGs:</p> <p>a. What tasks did the ACC OMCG National Intelligence Taskforce undertake?</p> <p>b. How many staff were working on the ACC taskforce?</p> <p>c. When the taskforce was disbanded, what happened to the members assigned to the taskforce? Were they offered redundancy packages, or were they re-assigned?</p> <p>d. If they were offered redundancy packages, did these costs come out of the ACC's budget? What was the cost to the ACC?</p> <p>e. Is the ACC familiar with the tasks that the new AFP taskforce will be undertaking?</p> <p>f. Will the AFP taskforce be investigating the same crimes and criminal syndicates the ACC used to under the OMCGNIT?</p>		Writing

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Q. No.	AG/ MHA	Agency/ Sub Program	Senator	Question	Asked at hearing (Hansard Proof Pg No.)	Asked in writing
136	AG	1.1.2	Barnett	<p>In relation to the Expensive Commonwealth Criminal Cases Fund:</p> <ol style="list-style-type: none"> a. What is this fund and how much money is in it? b. How is it decided which cases or individuals will be supported? Who decides? c. Provide examples of other cases it has been used to support. d. Is there an emphasis on any particular type of case: corporate, terrorism, <i>human rights</i> etc? e. How much has been distributed by the fund since its inception? f. Is money spent through this fund is included in the tally of overall Government legal spending? g. What main factors have contributed to an increase in spending through this fund? 		Writing
137	MHA	ACBPS	Nash	<p>The Government has announced that they will <i>establish a regulated shipper scheme, which will allow for the identification of high-risk cargo for technical examination</i>. I understand that the Government cut \$17.1 million over four years for risk-based air cargo inspections in the 2009-10 Budget. Are there plans to restore funding for risk-based air cargo inspections?</p>		Writing
138	MHA	1.2.2	Barnett	<p>Has the template for making an electronic submission to the inquiry into a proposed R18+ classification for computer games been changed recently? If so, what changes have been made and why?</p>		Writing
139	AG	1.1.2	Boyce	<p>Regarding the Australian Human Rights Commission receiving an application for a Temporary Exemption under section 55 of the Disability Discrimination Act from complaints in relation to the provision of captions and audio description from the Hoyts Corporation, Greater Union Organisation, Village Cinemas and</p>		Writing

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Q. No.	AG/ MHA	Agency/ Sub Program	Senator	Question	Asked at hearing (Hansard Proof Pg No.)	Asked in writing
				Reading Cinemas: a) Does the Disability Discrimination Act have as its objective the right to all people to have access to goods and services? b) Would granting this application demonstrate double standards or ignorance of the impact it would have on people with vision and hearing disabilities?		
140	AG	2.2.1	Boyce	One of the actions already implemented in relation to the National Action plan is the establishment of the Attorneys General standing committee working group on domestic and family violence. a) What has been agreed to/achieved to date? b) What is the expenditure for the committee?		Writing
141	AG	1.1.1	Boyce	By July 2009 family dispute resolution practitioners were required to have skills in domestic and family violence and family law environment. a) How many practitioners are there? b) How many have completed training and/or already qualified c) How much funding was allocated and how much has been spent?		Writing
142		NCA	B. Brown	New ASIO building in Canberra When did the NCA first see the plans for the design, footprint and height of the ASIO building? Did the NCA suggest any other sites for the building at any stage of the process? On what dates was the NCA notified of any changes to the building plans for the ASIO building? Were these notifications informing the NCA of changes to the plans or asking for responses to changes? How many times did the NCA request changes to the plans? How many of these requests were adopted?		