

Q No.	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question	Date received	Date tabled
1	AAT	Barnett	REM Tribunal Determination funding	<p><b>Senator BARNETT</b>—It states in the additional estimates statement that the funds for outcome 1 [where the AAT was allocated \$653,000 in more funding] are for ‘supplementation for judicial and related offices salary increases’ and it says that additional expenditure is for members’ salary and per diem increases. Outcome 1 is very broad. Can you give an explanation as to why the extras were required and can you give a breakdown of the spending?</p> <p><b>Mr Kellow</b>—It follows a determination of the Remuneration Tribunal that took effect on 1 January this year, which increased the remuneration for the tribunal members by four per cent. The supplementation is to meet those costs. The calculations are based on the expected workload of the part-time members and it is an easier calculation for the full-time members.</p> <p><b>Senator BARNETT</b>—What about the per-diem increases? Have they gone up?</p> <p><b>Mr Kellow</b>—The increase was four per cent across the board. Within the determination, it provides for a set remuneration for the full-time members and a per-diem rate for part-time members. Both of those rates were increased pursuant to the determination of the Remuneration Tribunal.</p> <p><b>Senator BARNETT</b>—So that has gone up four per cent as well?</p> <p><b>Mr Kellow</b>—That is right.</p> <p><b>Senator BARNETT</b>—Can you provide further and better particulars of the breakdown of that \$653,000?</p> <p><b>Mr Kellow</b>—I will perhaps take that on notice, but we could attribute that part of the increase to the fulltime members and the balance would be for the part-time members’ remuneration.</p>	L&C 8 (22/2/11)	18/3/11	22/3/11
2	AAT	Barnett	Cost of finalised applications	<p><b>Senator BARNETT</b>—Moving on, the cost per completed application finalised with a hearing has increased almost \$1,000 from your first estimate in May... And how much extra is it? Have you done that analysis?... Can you take it on notice and let us know?</p> <p><b>Mr Kellow</b>—Yes.</p>	L&C 10 (22/2/11)	18/3/11	22/3/11
3	AAT	Barnett	Budgeted expenses and resources	<p><b>Mr Kellow</b>—Thank you for the opportunity to return to the table. I wanted to respond to Senator Barnett’s query arising from the budgeted expenses and resources in table 2.1 of the statement and to apologise to the committee and advise that there actually is an error in the table which is our responsibility. There was a change in methodology as to how the figures in the table are to be calculated. There is a difference between 2009-10 and 2010-11, and we in error applied the current 2010-11 methodology to our old figures, the 2009-10. The main difference relates to how we treated depreciation and the loss approval that we had in the previous year and how that is reported. The bottom line figure remains the same, but I can give the committee a breakdown as to those three elements and what they should read. The appropriation figure should be \$32.772 million; the section 31 revenue is \$1.122 million; and the expenses not requiring appropriation should be \$1.311 million. I apologise again for</p>	L&C 25-26 (22/2/11)	18/3/11	22/3/11

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				<p>the confusion we created with that error.</p> <p>....</p> <p><b>Senator BARNETT</b>—All right. If you can set out in a table or in a document what should have been in your budget statement, that would be helpful to the committee. I know you verbally expressed it, but we look at the papers to compare what we have in the budget statements and then we analyse those....So you will do that?</p> <p><b>Mr Kellow</b>—Yes, we will.</p> <p><b>Senator BARNETT</b>—Thank you.</p>			
4	ACBPS	Boswell	Prohibited imports	<p>Currently, boats can be imported into Australian which are not compliant with our own design standards- ie they do not possess a C-Tick certificate of approval. Non compliant engines including outboards are also imported into Australia. These can interfere with moderns and potentially life saving electronic equipment including radios and even heart pace-makers.</p> <p>These non compliant engines and boats are illegal under the Radio communications Act 1992, the Radiocommunications Labelling (Electromagnetic Compatability) Notice 2008 yet they are imported into Australia and sold here.</p> <p>Why does Australian Customs not enforce this important standard? What imports of non compliant boat engines have been seized by Australian Customs since 2008?</p>	L&C 118-119 (22/2/11) Written	30/3/11	12/5/11
5	AFP	Brandis	Christmas Island riot	<p><b>Senator BRANDIS</b>—Remind me of the date of the riot at the Christmas Island Detention Centre late last year.</p> <p><b>Mr Negus</b>—I do not have that at hand.</p> <p>...</p> <p><b>Senator BRANDIS</b>—I was going to ask you about the riot that occurred. How many officers were deployed in total to deal with the riot?</p> <p><b>Mr Negus</b>—I am just not sure whether we have that. We could certainly provide it to you on notice.</p> <p><b>Senator BRANDIS</b>—You might take that on notice.</p> <p><b>Mr Negus</b>—Yes.</p>	L&C 126 (22/2/11)	8/4/11	12/5/11
6	AFP	Brandis	Asylum seeker and crew interviews	<p><b>Senator BRANDIS</b>—It is interesting that you started keeping your statistics in September 2008. I think everybody in Australia now knows why that is; the significance of that date, I should say. Can you tell me, since September 2008, how many crew and asylum seekers in total you have interviewed?</p> <p><b>Mr Negus</b>—I would have to take that on notice. We could certainly give you a very close estimation if we do not have the exact figure.</p> <p><b>Senator BRANDIS</b>—All right, and would you disaggregate that for us, please, by years?</p>	L&C 128 (22/2/11)	8/4/11	12/5/11

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				<b>Mr Negus</b> —Certainly.			
7	AFP	Parry	Crimes Legislation Amendment (Serious and Organised Crime) Bill	<b>Senator PARRY</b> —Thank you. I will truncate mine by just asking one question and requesting that the answer be provided on notice. Commissioner Negus, in relation to the Crimes Legislation Amendment (Serious and Organised Crime) Bill passed through the parliament last year, could you provide on notice to the committee whether any action has been taken in relation to unexplained wealth, if you can do that without any operational sensitivity, and are there any impediments in relation to the legislation? Is the legislation robust enough for operational aspects in relation to unexplained wealth provisions that were provided in that legislation? <b>Mr Negus</b> —Thanks, Senator. I am happy to take that on notice.	L&C 131 (22/2/11)	5/4/11	12/5/11
8	AFP	Ryan	Purchasing of tuition fees	With reference to CN308216 – the Australian Federal Police purchased ‘tuition fees’ worth \$48,790.02 from Geelong Grammar School. Can you please outline exactly what these were for? Who were the beneficiaries of these “tuition fees”?	Written	8/4/11	12/5/11
9	AFP	Humphries	Visits to Australia	1. What was the operational cost of the visit of US Secretary of State, Hillary Clinton? 2. What was the operational cost of the visit of Oprah Winfrey? 3. What was the operational cost of the visit of the UK Foreign Secretary, Right Hon William Hague?	Written	8/4/11	12/5/11
10	AFP	Humphries	Press clippings	Last year, you requested from the Minister's office the daily press clippings from the Australian Federal Police. At first, the Minister's Chief-of-Staff responded to advise that clips were not prepared by the AFP. Later, the Minister responded to advise that clips were prepared by the AFP but not available to people outside the AFP's email network. 1. Does the AFP prepare press clippings internally? 2. Can the full distribution list be provided?	Written	18/4/11	12/5/11
11	AFP	Humphries	Cannes Film Festival	The AFP issued a media release on 20 October 2010 about a win at the Cannes Film Festival. 1. Did anyone from the AFP go to the Cannes Film Festival to collect the prize? 2. If so, who? 3. What was the cost of flights, accommodation and meals for those in attendance?	Written	8/4/11	12/5/11
12	AFP	Humphries	NRL hires AFP	Are you aware of the recent article <i>NRL players 'caught' in internet sex ruse</i> (Sunday Mail Adelaide 13/02/11, p79) which says that the National Rugby League hired an Australian	Written	8/4/11	12/5/11

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			officers	Federal Police officer to pose as an underage girl and flirt with football players on social networking websites? 1. Is it common practice for the AFP to have officers hired out by corporate organisations? If so, please provide other examples. 2. How many officers were hired by the NRL to conduct these seminars? 3. What was the remuneration paid to the Australian Federal Police by the NRL?			
13	AFP	Humphries	Security clearances	In Question on Notice 117, you advised that "staff without the required security clearance are escorted by appropriately cleared staff to and from their work area at all times". Given that there are, according to this answer, more than two and a half thousand staff at the AFP who don't have the appropriate level of clearance to be in the AFP building, 1. How many staff are being escorted to and from their workstation? 2. Would a staff member with say, Highly Protected clearance, require someone to escort them to and from the toilet? 3. Are there staff who have, as part of their role, to escort people to and from their workstation?	Written	8/4/11	12/5/11
14	AFP	Humphries	Leaks	Dylan Welch of the Age newspaper reported on 11 January about a group in the AFP called Special References. 1. What is the primary role of this group? 2. How many people work in this group? 3. Who does the group report to? 4. Can you please update us on the investigations into the 48 leaks referred by the Federal Government to the group? 4a. On Notice, a list of all references and the outcome	Written	8/4/11	12/5/11
15	AFP	Humphries	Software platforms	The Australian Financial Review reported on 24 January that the AFP is shopping around for a new case management system. 1. Can you please provide some more information about this? 2. Is the AFP building this from the ground up or finding a solution from the private sector? 3. How much and over how many years is this system being planned to transition into full operation?	Written	8/4/11	12/5/11
16	AFP	Humphries	Software platforms	In the data-security platform, I understand that a new anti-virus and anti-malware suites were deployed earlier this year. 1. How much did the new platform cost? 2. What was wrong with the old platform?	Written	8/4/11	12/5/11

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				3. Was there a cost in the transition?			
17	AFP	Humphries	Queensland and Victorian floods	<p>On 22 January, the Human Services Minister announced a taskforce to investigate people rorting Centrelink payments provided following the Queensland and Victorian floods. It is a cross agency taskforce including people from the AFP, ACC, the tax office and AUSTRAC and is being led by Centrelink.</p> <p>1. How many AFP staff are working on this taskforce? 2. Where are these staff based?</p>	Written	8/4/11	12/5/11
18	AFP	Humphries	Queensland floods and cyclones	<p>I understand that there have been a number of AFP officers and agents who have been sent to Queensland to assist following the floods and Cyclone Yasi.</p> <p>1. How many AFP officers have been sent to Queensland to date? 2. Have there been any problems on the ground with incompatible equipment eg. communication devices? 3. What tasks have AFP officers been fulfilling?</p>	Written	8/4/11	12/5/11
19	AFP	Humphries	Federal Police support to troops	<p>1. How big is the AFP's current contingent to Afghanistan? 2. Can a breakdown please be provided of the level of AFP officers deployed to Afghanistan at 6 monthly intervals over the last 4 years? 3. What are the primary roles for officers on the ground?</p> <p>Defence Minister Stephen Smith said on 17 November that the Government were considering sending an additional 15 additional AFP officers.</p> <p>1. Will this occur?</p>	Written	8/4/11	12/5/11
20	AFP	Humphries	Beaton Research and Consulting Review	<p>Following up from the last round of estimates (Supplementary Budget Estimates 2010), answer to Question on Notice number 46. You advised that the Beaton Research and Consulting report review of the AFP legal area had not, at the time, been finalised.</p> <p>1. Has the report now been finalised? 2. Can a copy be provided to the committee? 2a. If not, why not?</p>	Written	8/4/11	12/5/11
21	AFP	Humphries	Death penalty	<p>1. Can a copy of the AFP Practical Guide on International Police-to-Police Assistance in Potential Death Penalty Situations be provided to the committee? 2. Can the committee be provided with copies of the biannual report to the Minister on the number and nature of circumstances in which assistance is provided in potential death penalty cases? 2a. If not, is it possible for a redacted copy?</p>	Written	18/4/11	12/5/11

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				3. How many applications have been to Senior Management? 4. What have the outcomes been for each application?			
22	AFP	Humphries	Professional standards	Follow up from QoN 107 (Supplementary Budget Estimates 2010) 1. What is the workload of the Professional Standards Unit? 2. What are the sizes of similar units in each state and territory? 3. Does the unit uphold any other agencies' professional standards?	Written	5/4/11	12/5/11
23	AFP	Humphries	Commonwealth Games	Follow up from QoN 108 (Supplementary Budget Estimates 2010) Can a full breakdown be provided of all costs incurred by the AFP at the Dehli Commonwealth Games?	Written	8/4/11	12/5/11
24	AFP	Humphries	Christmas Island	Follow up from QoN 108 (Supplementary Budget Estimates 2010) Can a breakdown be provided of the AFP presence on Christmas Island at 6 monthly intervals over the last 4 years?	Written	8/4/11	12/5/11
25	AFP	Humphries	Christmas Island	Follow up from QoN 109 (Supplementary Budget Estimates 2010) Can a breakdown be provided of each of the people-smuggling related charges over the last 3 years? Including the date, the location of the arrest and the incident to which it related to as well as the charge?	Written	11/4/11	12/5/11
26	AHRC	Barnett	AMF Report on freedom of religion and belief	<b>Senator BARNETT</b> —We will flag that, thanks, Mr Wilkins, and we appreciate that contribution. Can we go now to the report on freedom of religion and belief, which has come up consistently at estimates and we get regular reports that it is still underway. I think it was due in June last year. I am wondering in terms of its progress and its status ....When was it provided to the commission? <b>Mr Innes</b> —I can take on notice the exact date on which I and the other commissioners received the report.	L&C 14 (22/2/11)	31/3/11	12/5/11
27	AHRC	Barnett	AMF Report on freedom of religion and belief	<b>Senator BARNETT</b> —What is the cost of the report to date? <b>Mr Innes</b> —I might take it on notice and we could provide you with costs, which would include launch costs et cetera.	L&C 15 (22/2/11)	4/4/11	12/5/11
28	AHRC	Barnett	WestWood Spice	<b>Senator BARNETT</b> —....WestWood Spice is the consultant for the purposes of monitoring and evaluation advice and support services for \$32,780 to conclude on 31 December.... <b>Ms Branson</b> —There is a very carefully specified list of tasks that they are required to undertake for purpose of assisting us to ensure that our monitoring and evaluation capacity	L&C 20 (22/2/11)	31/3/11	12/5/11

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				is strengthened. <b>Senator BARNETT</b> —...Would you like to take this on notice and provide a copy of the terms of reference and related material in terms of their work that is so important to the commission? <b>Ms Branson</b> —I will take it on notice.			
29	AIC	Ryan	Small business surveys	1. What data does the Australian Institute of Criminology collect on crimes against small business? 2. What was the cost of the 1999 Small Business Crime Survey? 3. Can the AIC please provide a breakdown of the costs, on a survey-by-survey basis of its most 10 recent surveys (on any issue, not just small business crime)? 4. Does the AIC have an estimate number of small business who are victims of crime, and those who are victims of crime but do not report it?	Written	24/3/11	12/5/11
30	AIC	Ryan	Data on Safer Suburbs Program/ National Community Crime Prevention Program	Does/Has the AIC collected data on the efficacy of the Safer Suburbs program or the National Community Crime Prevention Program?	Written	21/3/11	22/3/11
31	ALRC	Barnett	Rent	<b>Senator BARNETT</b> —I would like you to take on notice to advise this committee the exact rent costs in terms of worst case scenario if you cannot sublease it [your current premises] for the two lots of commitments through to September 2012. <b>Prof. Croucher</b> —Certainly, we have that budgeted. I do not have the figure immediately in my head but we can certainly give you all the details you need.	L&C 24 (22/2/11)	11/4/11	12/5/11
32	ASIO	(Bob) Brown	Headquarters building	Regarding the new ASIO headquarters being built in the Parliamentary Triangle: 1. What was the initial budgeted cost of the building? Has this figure changed as building has progressed? 2. What has it cost to date? 3. What is the estimated final cost of the building? When is it due to be completed? 4. Are the costs of the building being met from ASIO's operating budget? If not, where is the money coming from? 5. Have any alterations been made to the design since building began? If so, what have the alterations been and why were they made?	Written	8/4/11	12/5/11

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33	AUSTRAC	Barnett	Murphy Davis Consulting Group report	<p><b>Senator BARNETT</b>—Thanks very much, Mr Schmidt and others, for being here. In terms of consultancies, can I draw your attention to the Murphy Davis Consulting Group report that was due on 27 October last year, according to my advice. It cost \$175,000 and it was for research and project planning for cost recovery implementation—obviously a very substantial report. Do you have a copy that you can make available?</p> <p><b>Mr Schmidt</b>—We can provide one, yes.</p>	L&C 28 (22/2/11)	7/4/11	12/5/11
34	AUSTRAC	Ryan	Cost recovery measures	<ol style="list-style-type: none"> <li>1. What processes are in place to ensure that the revenue generated by this cost recovery measure does not exceed the costs incurred by AUSTRAC? How will excess revenue be returned to reporting entities?</li> <li>2. If the relevant legislation is not passed prior to the commencement of the 2011-12 financial year, will the government make the legislation retrospective?</li> <li>3. What is the proposed rate of interest payable for late or non-payment?</li> <li>4. What mechanisms will be in place to enable the review of administrative decisions?</li> <li>5. What is AUSTRAC's definition of a small business?</li> <li>6. How much revenue does AUSTRAC expect to generate from small businesses under AUSTRAC's definition of a small business?</li> <li>7. Is it possible that small businesses will generate more revenue for AUSTRAC than it costs to cover their regulatory costs?</li> <li>8. How many of these reporting entities are small businesses with less than 20 FTE employees? How many of these small business will pay reporting fees?</li> <li>9. How many businesses does AUSTRAC expect to cease providing financial transaction services due to the cost recovery measure?</li> <li>10. Is AUSTRAC planning on redeveloping its website?</li> <li>11. What specific measures will make the AUSTRAC website easier for small business?</li> <li>12. What are the criteria for the AUSTRAC CEO to alter/adjust for period of measurement for a reporting entity?</li> <li>13. What revenue does AUSTRAC expect to generate through the cost recovery measure in rural and regional areas?</li> <li>14. Which departments did AUSTRAC consult with regarding the cost recovery measure?</li> <li>15. Did Senator Sherry, as Small Business Minister, or his department, make any representations to AUSTRAC regarding the cost recovery measures?</li> <li>16. When will the CRIS be released?</li> <li>17. What was the total cost of the AUSTRAC activities in 09-10 and what was the total additional revenue raised in revenue due to AUSTRAC information?</li> </ol>	Written	1/4/11	12/5/11
35	Classificatio	Barnett	Call-in notices	<p><b>Senator BARNETT</b>—That is fine. We will deal with that shortly. I want to deal with the</p>	L&C 33-34	4/4/11	12/5/11



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	n Board			<p>issues we have dealt with before—the audits and the call-in notices....So seven have not complied [in the six month period to 31 December 2010] and they relate to what? Can you be more specific?</p> <p><b>Mr D McDonald</b>—They were adult magazines that were not classified. They were on sale and were not classified.</p> <p><b>Senator BARNETT</b>—And who was the distributor? You can provide on notice who they were. Were they separate distributors or the same distributor?</p> <p><b>Mr D McDonald</b>—They were different. We can supply those names to you.</p>	(22/2/11)		
36	Classification Board	Barnett	Call-in notices	<p><b>Senator BARNETT</b>—Thank you. The majority of the films called in you indicated were complied with; is that right?</p> <p><b>Mr D McDonald</b>—Were not.</p> <p><b>Senator BARNETT</b>—They were not complied with. Can you provide details of how many were called in in that six-month period [to 31 December 2010]?</p> <p><b>Mr D McDonald</b>—In that six-month period there were 32 films.</p> <p><b>Senator BARNETT</b>—And how many were complied with?</p> <p><b>Mr D McDonald</b>—None have complied.</p> <p>....</p> <p><b>Senator BARNETT</b>—So you will provide the details of those films? Again are the distributors different or are they broadly the same?</p> <p><b>Mr D McDonald</b>—Are they different distributors of the films within that number?</p> <p><b>Senator BARNETT</b>—Yes.</p> <p><b>Mr D McDonald</b>—Yes, I would say so.</p> <p><b>Senator BARNETT</b>—You can provide that on notice?</p> <p><b>Mr D McDonald</b>—We can.</p>	L&C 34 (22/2/11)	4/4/11	12/5/11
37	Family Court of Australia	Brandis	Family Law Courts Advisory Group meeting	<p><b>Senator BRANDIS</b>—Can there be produced for the committee, please, minutes of the meeting of 8 December [of the Family Law Courts Advisory Group]?</p> <p><b>Mr R Foster</b>—Can I take that on notice?</p> <p><b>Senator BRANDIS</b>—Yes.</p> <p>....</p> <p>[<b>Mr R Foster</b>—Can I correct that date—it was 13 December, I am sorry. The date changed.]</p>	L&C 45, 52 (22/2/11)	18/4/11	12/5/11
38	Family Court of Australia	Brandis	Meeting of Family Court judges in Melbourne	<p><b>Senator BRANDIS</b>—An outline [prepared for the meeting of Family Court judges in Melbourne on Friday 18 February 2011]. Can we have a copy of that produced, please?</p> <p><b>Mr R Foster</b>—I think I would like to take that on notice because I am not certain that a meeting of the judges is not a matter for the judges. Perhaps the outcomes in the public interest might be of interest to someone outside, but I think a meeting for the judges is for the judges' discussion only. It may not be for the public record. I would like to take that on</p>	L&C 47-48 (22/2/11)	18/4/11	12/5/11

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				notice and have a discussion with the Chief Justice about what might or might not be able to be released. <b>Senator BRANDIS</b> —I can understand your proper concern, but I am only interested in discussions about administrative arrangements in the future—administrative and structural issues which might comprise the Chief Justice’s vision for the court.			
39	Family Court of Australia	Brandis	Meeting of Family Court judges in Melbourne	<b>Senator BRANDIS</b> —Were any decisions made this meeting? <b>Ms Fillipello</b> —There were proposals put forward and suggestions made. .... <b>Mr R Foster</b> —My understanding about the meeting and what was discussed there was that it was in relation to the workings of the court, how the judges manage their cases, their docket system. It was a range of internal working policies which are a matter for the court. I do not know what the outcomes were and whether the Chief Justice thinks it is appropriate to publish such outcomes. That is something I would like to take on notice and have a discussion with her about that. But the meeting was primarily about the working of the court.	L&C 48 (22/2/11)	18/4/11	12/5/11
40	Family Court of Australia	Brandis	Meeting of Family Court judges in Melbourne	<b>Mr R Foster</b> —The Chief Justice has given me approval to provide a summary of the minutes from the judges meeting in October, just to demonstrate that her position had not changed. <b>Senator BRANDIS</b> —I am very grateful for that; that will be very helpful. Would you perhaps just table that document or summary. <b>Mr R Foster</b> —I do not have the document in a form that I could table, I don’t think, but I can certainly take that on notice. I have just a piece of paper with some notes on it, basically. <b>Senator BRANDIS</b> —Whose notes? <b>Mr R Foster</b> —A note that the Chief Justice sent to me. About tabling that, I would want to seek her approval to do so.	L&C 49	18/4/11	12/5/11
41	Family Court of Australia	Brandis	Meeting of Family Court judges in Melbourne	<b>Senator BRANDIS</b> —Did the Chief Justice give an address to start or conclude the proceedings or at any other time [at the meeting from five days ago on Friday 18 February 2011]? <b>Ms Fillipello</b> —The Chief Justice kindly made an opening statement, yes. <b>Senator BRANDIS</b> —Is a copy of that statement available? <b>Ms Fillipello</b> —I do not recall it being recorded. <b>Senator BRANDIS</b> —Did the Chief Justice speak from a text? <b>Ms Fillipello</b> —The Chief Justice would have had some notes. <b>Senator BRANDIS</b> —Mr Foster, can you please take on notice that I would like a copy of	L&C 50-51 (22/2/11)	18/4/11	12/5/11

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				the text of that statement or any relevant notes, please. <b>Mr R Foster</b> —I will take it on notice.			
42	Family Court of Australia	Brandis	Meeting of Family Court judges in Melbourne	<b>Senator BRANDIS</b> —I said: were they electronically recorded in any form? <b>Ms Fillipello</b> —I do not recall that there was an electronic recording of the events [of the meeting held five days ago on Friday 18 February 2011]. <b>Senator BRANDIS</b> —Can you check that out for me, Mr Foster? <b>Mr R Foster</b> —I will.	L&C 51 (22/2/11)	18/4/11	12/5/11
43	Family Court of Australia	Brandis	Proposed Court Restructure Bill	<b>Senator BRANDIS</b> —By reference to the date on which you received it, what is the most recent iteration of the draft legislation you have received? <b>Mr R Foster</b> —I would have to take that on notice.	L&C 55 (22/2/11)	18/4/11	12/5/11
44	AGD Program 1.1 (AJD) / Family Court of Australia	Brandis	Proposed Court Restructure Bill	<b>Ms Fillipello</b> —The court has actually responded to the exposure draft on the family law bill 2010 and has been given an opportunity to provide comment. I understand the department is in the process of drafting the relevant legislation and that the court was given an in-confidence copy of some of the provisions. <b>Senator BRANDIS</b> —I just did not understand your answer. Are you saying that the court has provided or has been invited to provide comment? <b>Ms Fillipello</b> —The court has provided comment in relation to the draft. .... <b>Senator BRANDIS</b> —Do you have a copy of the court's comments there? .... <b>Mr Wilkins</b> —As I said, we are happy to release it; it is just, I think, a question of courtesy, if nothing else, of asking the chief justice whether that is okay. <b>Senator BRANDIS</b> —I understand. You will take that on notice? <b>Mr Wilkins</b> —Yes. <b>Senator BRANDIS</b> —What I would like is for there to be produced to the committee a copy of the court's comment on this draft that has been mentioned by Ms Fillipello. <b>Mr Wilkins</b> —Yes.	L&C 55-56 (22/2/11)	18/4/11	12/5/11
45	FMC	Furner	FMC Pilot programs	<b>Senator FURNER</b> —That is correct. I understand that there have been some pilot programs working at the Brisbane Registry of the Federal Magistrates Court. I would like to hear some feedback in terms of the encouragement of parties to use practical measures other than conciliation and the success of those arrangements since that has occurred..... I would like to have some feedback, on notice of course, on how many cases the court has referred and what that has done in terms of the impact on the court workload and the benefits of those litigations that have been made. Lastly, I believe the Brisbane Registry has one as one of the highest volumes of filled	L&C 56 (22/2/11)	18/4/11	12/5/11

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				<p>contravention orders in the country and I would like to know how the court is handling that particular aspect.</p> <p><b>Mr Agnew</b>—There has been a pilot conducted in Brisbane in respect of contravention applications and registrars have been assisting in that pilot. I believe that pilot has also been very successful. I do not have the actual details on me, but I can take that on notice.</p>			
46	FMC	Brandis	Movement of funds between courts	<p><b>Mr Harriott</b>—My understanding is that following the announcement of the proposed military court and that the magistrates court would remain, there were also some issues raised by the Australian National Audit Office. There was an agreement made between the courts that we would transfer the funding back at the earliest opportunity. Depending on the passage of future legislation, there will be a transfer between the courts, depending on the final outcome under the FMA Act. So it will be agreed between the CFOs. But it is basically reverting to the position that existed before, then seeing what happens in terms of the passage of legislation. Depending on the outcome of that, then there would be some further transfers. You are absolutely correct. This is no new money.</p> <p>....</p> <p><b>Senator BRANDIS</b>—You spoke of an agreement between the courts. Can we have a copy of that, please?</p> <p><b>Mr Harriott</b>—I would have to take that on notice.</p>	L&C 58-59 (22/2/11)	18/4/11	12/5/11
47	Program 1.1 AJD	Barnett	Marriage Act	<p><b>Senator BARNETT</b>—...Can the minister rule out the abolition of the Marriage Act as an option for the future?</p> <p><b>Senator Ludwig</b>—I think I could, but I will certainly check with the Attorney-General as to his view.</p>	L&C 39 (22/2/11)	17/3/11	22/3/11
48	Program 1.1 AJD	Trood	Ethiopian intercountry adoption	<p><b>Senator TROOD</b>—Does that mean that that person or NGO agency will have some kind of formal arrangement with the Australian government?</p> <p><b>Mr Wilkins</b>—Yes. If you want to think of it this way, the way I try to think of it—but I am not sure that is the way the Ethiopians necessarily think of it—is that the person is more an agent than an outsourcing. I think other countries outsource it, in a sense, to NGOs. We are getting the message that they want somebody who is an ambassador or an agent on behalf of the Australian government rather than—</p> <p><b>Senator TROOD</b>—So do we have somebody who can fulfil that role?</p> <p><b>Mr Wilkins</b>—Yes, we do, apparently. I met a person who seemed to me okay who works at the moment for, I think, a US NGO in Ethiopia. He seemed like a fairly solid sort of character. I only met him briefly, but my people had extensive discussions with him, and I think we were thinking of using that individual.</p>	L&C 67 (22/2/11)	29/3/11	12/5/11

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				<p><b>Senator TROOD</b>—Is that person now able to act on our behalf to further these matters?</p> <p><b>Mr Wilkins</b>—I am not sure whether we have finally concluded an arrangement with them; that is the only thing. I would have to take that on notice. But I thought we were getting there.</p> <p><b>Senator TROOD</b>—Perhaps you would take on notice—</p> <p><b>Mr Wilkins</b>—Sure.</p> <p><b>Senator TROOD</b>—whether or not an arrangement has been concluded between that person—are you able to tell us who that person is or the organisation with which they are connected?</p> <p><b>Mr Wilkins</b>—I might be able to. Can I take that on notice too?</p> <p><b>Senator TROOD</b>—Yes.</p> <p><b>Mr Wilkins</b>—There is a name of a person. I just do not want to mislead.</p> <p><b>Senator TROOD</b>—I am happy for you take that on notice.</p> <p><b>Mr Wilkins</b>—Under the circumstances, I think that would be a very bad thing to do.</p> <p><b>Senator TROOD</b>—I am happy for you to take that on notice and, simultaneously, whether or not you are now in a position to have that person act as we would hope they would be able to do on the subject.</p> <p><b>Mr Wilkins</b>—Yes, okay.</p>			
49	Program 1.1: AJD	Trood	Ethiopian intercountry adoption	<p><b>Senator TROOD</b>—Have you identified the kinds of changes which need to be undertaken or made to the [Ethiopian intercountry adoption] 1994 agreement?</p> <p><b>Ms Kelly</b>—I understand that is the case, but I do not have any detail on that. We could perhaps come back to you at a later time.</p> <p><b>Senator TROOD</b>—Perhaps you would do that and perhaps you could identify for me the areas of the agreement which may need amendment or are under consideration for change. Is that possible?</p> <p><b>Ms Kelly</b>—Yes.</p>	L&C 69 (22/2/11)	29/3/11	12/5/11
50	Program 1.1: AJD	Boyce	Family violence	<p><b>Senator BOYCE</b>—I understand they are on 1.6. We were not entirely sure where to ask these questions, so I will ask them here and see what happens. They are related to what might be done to assist cult survivors, people who have been emotionally and psychologically broken, in some cases, by their involvement in cults. I wanted to start by asking what involvement attorneys-general had in the recently released <i>National plan to reduce violence against women and their children</i>, which is a COAG initiative released in the last couple of weeks.</p> <p><b>Mr Wilkins</b>—It is considerable. I will try to get somebody who is going to give you a fairly long brief on this, I suspect.</p> <p><b>Senator BOYCE</b>—A what?</p> <p><b>Mr Wilkins</b>—A long explanation about it.</p>	L&C 117-118 (22/2/11)	12/5/11	16/6/11

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				<p><b>Ms Kelly</b>—The department was involved in that initiative. Unfortunately, the officer with the detailed knowledge has been excused because this would have been under 1.1, but we can take it on notice and provide you with full information.</p> <p><b>Senator BOYCE</b>—That would be good. Do you agree with the definition at the beginning of the report which says that domestic violence includes physical, sexual, emotional and psychological abuse? Later, it says that psychological and emotional abuse can include a range of controlling behaviours such as control of finances, isolation from family and friends, continual humiliation, threats against children or being threatened with injury or death.</p> <p><b>Ms Kelly</b>—I do not have that document in front of me. I would obviously need to look at it in the context in which that definition appears, but I would be happy to do that and take it on notice and come back to you on that.</p> <p><b>Senator BOYCE</b>—I wanted then to go to the question of what, if anything, the department has done in relation to including definitions of psychological and emotional abuse into the definitions of violence in a way that would assist cult survivors.</p> <p>...</p> <p><b>Mr Minogue</b>—One of the aspects where we have been involved in relation to that national plan and the definitions of family violence is in relation to the family law system and those issues that the Family Court would deal with. There is a consultation process and exposure draft legislation that has been out for consultation I think since December of last year. They do look at expanding the definition of family violence to include controlling and intimidating patterns of behaviour. That process is still continuing. Where I cannot assist you though is in relation to the state regimes which would be relevant to the issue of cult survivors, which is more about the criminality of family violence—the assault and deprivation of liberty, those kinds of issues. That is not related to the family law system that we are involved in. There might be others who can address some of the more criminal elements in the state regimes but that is not something that I can directly assist you with. I am happy to take that on notice and see if there is something we can do with that.</p> <p><b>Senator BOYCE</b>—If you could take it on notice, because this plan was a COAG initiative.</p> <p><b>Mr Minogue</b>—Sure.</p>			
51	Program 1.1: AJD	Boswell	Child abduction	<p>We have received several representations from constituents who've had children abducted (by their Japanese mothers) in Japan. One man hasn't seen his child since 2005 when his ex-wife took their child on a 'holiday' to Japan after receiving joint-custody in which the Family Court allowed the mother take their child to Japan, even though Japan is not a signatory to the Hague Convention on the Civil Aspects of International Child Abduction. What is the Australian Government doing to encourage Japan to become a signatory and to recover these children?</p>	Written	29/4/11	12/5/11

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52	Program 1.1: AJD	Siewert	FRSA	<p><b>Funding cuts to post separation services</b></p> <p>1. When will post separation services know what changes to funding will apply from 1 July 2011?</p> <p>2. What will be the cumulative impact in terms of reduced service capacity and job losses across post separation services? Do you have any modelling which demonstrates how this will occur?</p> <p>3. Why increase funding to existing pathways networks while cutting funding to direct service delivery?</p>	Written	29/3/11	12/5/11
53	Program 1.1: AJD	Siewert	FRSA	<p><b>Investment across the Family Law system</b></p> <p>Please table a clear breakdown of funding per annum and throughput (ie number of clients/families/cases) for each of the following for 2009-10, 2010-11 and 2011-12:</p> <ul style="list-style-type: none"> <li>• Family Court of Australia</li> <li>• Magistrates Court – Family Law cases</li> <li>• Family Court of Western Australia</li> <li>• Legal Aid</li> <li>• Community Legal Centres</li> <li>• Family Relationship Centres</li> <li>• Family Counselling – AGD component</li> <li>• Children’s Contact Services</li> <li>• Other post separation services – Parenting Orders Programs, Cooperative Parenting Post Separation, Supporting Children after Separation etc</li> </ul>	Written	12/5/11	16/6/11
54	Program 1.1: AJD	Siewert	FRSA	<p><b>Changing Program Focus</b></p> <p>1. The change in focus to post-separation and subsequent decrease in AGD investment in other programs is a significant shift. What can you tell me about the impact of this shift on the service providers?</p> <p>2. Will the AGD be investing in any of the relationship education and counseling programs that FRC’s also undertake?</p>	Written	29/3/11	12/5/11
55	Program 1.1 CLD	Barnett	Classification call-in notices	<p><b>Senator BARNETT</b>—Could we move on to the Classification Board. Mr Wilkins, have you received feedback from the law enforcement agencies in the states and territories with respect to the call-in notices and, if so, could that be either tabled or provided to the committee?</p> <p><b>Mr Wilkins</b>—We do have some information, I think, on action taken. That will need to be</p>	L&C 41 (22/2/11)	4/4/11	12/5/11

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				<p>edited to make sure that we are not divulging names and disclosing operational issues, so it might not be something I can give you today. We would also need to liaise with the state police in providing that information.</p> <p><b>Senator BARNETT</b>—I am sure the question is not a surprise. It comes up at every estimates. It would be appreciated if you could take that on notice and provide the committee with that information. Thank you.</p>			
56	Program 1.1 CLD	Brandis	Legal services expenditure	<p><b>Senator BRANDIS</b>—I have some questions. Mr Wilkins, I note that the department's expenditure on legal advice in 2009-10—\$12,851,432.29—represented a 21 per cent increase over 2008-09. Can you explain why the cost of legal services required by the department increased by 21 per cent in a year?</p> <p><b>Mr Wilkins</b>—I cannot off the top of my head, but I do know that a considerable amount of that was involved in our appearing on behalf of the Commonwealth in relation to the Victorian bushfires royal commission. So that required quite a lot of expenditure; we were there on a permanent basis and we made representations on behalf of the entire Commonwealth. But I cannot give you the actual details. That was \$2.2 million.</p> <p><b>Senator BRANDIS</b>—If you have a breakdown there, which Ms Kelly seems to be showing you, perhaps you could read it into the record.</p> <p><b>Mr Wilkins</b>—I do not think we have a complete breakdown.</p> <p><b>Senator BRANDIS</b>—If you have the main items, perhaps.</p> <p><b>Mr Wilkins</b>—Legal services expenditure for 2009-10 increased by \$3.5 million to a total of \$12.9 million, and \$2.2 million of that was as a result of the Victorian bushfires royal commission. The rest of that was simply a return to normal activity levels if you project backwards, I am informed. Sorry; we are anticipating that we will return to normal activity levels in—</p> <p><b>Senator BRANDIS</b>—Allowing for the fact that the Victorian bushfires royal commission may have been a special expense, that is still an increase of \$1.2 million, or about five per cent or more, on the previous financial year's figure. Given the government's commitment to rein in legal services, I just wonder why it is that the costs of the Attorney-General's department, who I imagine would have less need for external lawyers than any other department of the government, are inflated by so much.</p> <p><b>Mr Wilkins</b>—I will have to take the additional million dollars on notice and give you some breakdown of it, but it may well simply be that these things fluctuate from year to year and there was a lot more work involved. I cannot give you an answer off the top of my head.</p>	L&C 72 (22/2/11)	18/4/11	12/5/11
57	Program 1.1: OIL	Bernardi	Plain packaging and	<p>I refer to the former Prime Minister's announcement of 29 April 2010 to introduce legislation to mandate plain packaging of tobacco products and I refer to his joint doorstep interview of 29 April where he states "the government will not be paying any compensation to any tobacco company anywhere."</p>	Written	18/4/11	12/5/11



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			compensation for retailers	<p>The IPA, in a recent report "Governing in ignorance: Australian governments legislating, without understanding, intellectual property" claim that "Stripping intellectual property from products is akin to stripping someone of their physical property and requires compensation under the Commonwealth Constitution and our free trade agreements". They say that "IPA calculations show that the taxpayer compensation could amount to as much \$3 billion for tobacco companies annually because of these laws".</p> <p>1. Has the Department received any advice in relation to the Government's exposure to compensation payments to companies arising out of the introduction of the plain packaging proposal?  2. If so, who provided that advice?  3. When was that advice received?  4. Has Minister Roxon and/or the Attorney General received or briefed on that advice, and if so, what date did this occur?  5. Did this advice categorically rule out compensation payments to tobacco companies? Please provide a full copy of this advice/s.  6. What has the Attorney General's Department budgeted for in relation to potential legal costs arising out of a possible action by tobacco companies suing the Commonwealth Government for compensation? Please provide full copies of budgetary estimates and costs.</p>			
58	Program 1.1 OIL	Birmingham	Whaling	What funds have been budgeted for International Court of Justice (ICJ) proceedings against Japan? What estimate does the Attorney-General's Department have regarding the length of time before this matter is heard and/or resolved? Would it be possible to seek an injunction to stop whaling activities?	Written	24/3/11	12/5/11
59	Program 1.1 PCD	Barnett	Constitutional advice on use of holy books	<p><b>Senator BARNETT</b>—The Department of Immigration and Citizenship have advised that their interpretation of the code—  <b>Mr Wilkins</b>—Which code is this?  <b>Senator BARNETT</b>—The code for citizenship ceremonies. The question I want to ask you is: does that actually infringe on our Constitution—the right to free speech and the right to practise one's religion? We have freedom of religion, not freedom from religion, in this country. The example I give you is that senators, when they are introduced and formally recognised in the Senate, receive a Bible. It is signed for and on behalf of the Governor-General of Australia. I have mine here. Obviously taxpayers' funds have been used to purchase this Bible. Other members of parliament use a holy book that is relevant to them—Josh Frydenberg, for example, with his Jewish background. I commend him and accept that, and he has received an appropriate holy book recognising his background. But we have all</p>	L&C 72 (22/2/11)	8/4/11	12/5/11

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				<p>received this and it has been paid for with taxpayers' money. Now we have the Department of Immigration and Citizenship, in their wisdom, interpreting the code to say that it is inappropriate. My question to the Attorney-General's Department is: is that unconstitutional? Is that entirely inappropriate advice?</p> <p><b>Mr Wilkins</b>—The question would be better directed to the Department of Immigration and Citizenship. I assume you have asked them. Have you?</p> <p><b>Senator BARNETT</b>—I have, and I have asked the minister, Mr Bowen, to intervene. I have written to him twice, and he has refused to respond. I find that contemptuous. I am now asking the department, through your constitutional experts, whether it is in fact constitutional or in breach of the Constitution?</p> <p><b>Mr Wilkins</b>—If we were to advise, it would be to that department.</p> <p><b>Senator BARNETT</b>—Have you provided advice to that department?</p> <p><b>Mr Wilkins</b>—We do not provide legal advice to the Senate in these sorts of situations, particularly not off the top of my head.</p> <p><b>Senator BARNETT</b>—Could you take that on notice.</p> <p><b>Mr Wilkins</b>—I will take on notice your views, Senator, but quite frankly we are not going to put ourselves into the position where we can now be required to provide constitutional advice on a regular basis to a Senate committee.</p> <p><b>Senator BARNETT</b>—I am bringing it to your attention and perhaps, through the minister, to the Attorney- General's attention. I find this extremely concerning. It is a development that only occurred last night, and I draw it to your attention. Perhaps you could take it on notice as to whether the government can quickly—I hope immediately—intervene to set the record straight so that the current practice with respect to the provision of gifts such as holy books and Bibles, for example, at citizenship ceremonies can continue. I would ask the minister to take that on notice.</p> <p><b>Senator Ludwig</b>—I note your views and I will certainly seek the views of the Attorney-General.</p>			
60	Program 1.1: PCD	Barnett	Constitutional advice	<p><b>Senator BARNETT</b>—All right. Can you table both those letters [the letter from the CEO of the MDBA of 26 November 2010, and the response of 3 December 2010]?</p> <p><b>Mr Wilkins</b>—I will take that on notice. It may actually do exactly what Mr Faulkner said we were trying to avoid, and that is disclose constitutional advice.</p> <p><b>Senator BARNETT</b>—I cannot see how that is possible.</p> <p><b>Mr Wilkins</b>—Because I think it actually talks about the content of the advice in some of the letters. But let us have a look and see if we can—</p> <p><b>Senator BARNETT</b>—I cannot see how that is possible if what Mr Faulkner is telling us is correct, that they are not releasing that constitutional advice to the authority.</p> <p><b>Mr Faulkner</b>—I think the point the secretary is making is that it may have been necessary</p>	L&C 79 (22/2/11)	8/4/11	12/5/11

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				to describe what was in the advice which we were suggesting ought not be disclosed. Prudence dictates that we just give that some consideration. <b>Senator BARNETT</b> —All right.			
61	Program 1.2 CrJD	Pratt	Reforms to criminal law on slavery and servitude	<b>Senator PRATT</b> —Okay. Concerning human trafficking, as I understand, late last year discussions began in relation to possible reforms to Australia’s criminal law on slavery and servitude. I understand that work started late last year and I am interested to know where that has progressed to. <b>Mr Wilkins</b> —I think the best thing to do might be to come back to you with some details about that, because the officers who have been involved in that are not here at the moment. I think that would be better. We might come back after lunch on that issue, Senator, if that is all right.	L&C 42 (22/2/11)	1/4/11	12/5/11
62	Program 1.2 CrJD	Barnett	Human trafficking	<b>Senator BARNETT</b> —On human trafficking, \$9.2 million was used to prevent trafficking last financial year, the 2009-10 year. I am checking the funds for this financial year and if they have been expended. Does the government support the ‘Human Trafficking: the Unfair Trade’ initiative, Don’t Trade Lives, which was launched yesterday by World Vision? I commend World Vision on the launch and those that were present, including Minister Brendan O’Connor. Nine point two million dollars was expended last year. Can you confirm how much the funds for this year are and what they will be expended on? <b>Mr Wilkins</b> —We will need to take that on notice.	L&C 71 (22/2/11)	1/4/11	12/5/11
63	Program 1.2: CrJD	Brandis	David Hicks’ book	<b>Senator BRANDIS</b> —There would be some record at least of the discussion [regarding David Hicks’ book], if only your own diary. You would be able to identify, by reference to your diary, the date and place of the meeting. <b>Ms Chidgey</b> —I do not know. I would need to check. <b>Senator BRANDIS</b> —Would you take that on notice, please. I would like to know the date and place of the meeting and—if you are able to, through further inquiry, assist me—the names of the participants at the meeting. As well, I would like to know if there was any document generated recording the discussion. I would like a copy of that document. You have told me you do not think there was, but I would like you to check, please. <b>Ms Chidgey</b> —It was not generated by the department. <b>Senator BRANDIS</b> —Was a document circulated by any of the other agencies which your department received? <b>Ms Chidgey</b> —Not that I am aware of. <b>Senator BRANDIS</b> —Just check that for me, would you, please.	L&C 106 (22/2/11)	29/3/11	12/5/11
64	Program 1.2:	Boyce	Emergency warnings	<b>Senator BOYCE</b> —Ms Perry just following up on that. For the 2.5 million [emergency alert telephone system] warnings [the number of which is not yet exact because they come in from states and territories as the messages go out from state and territory government] if you	L&C 92-93 (22/2/11)	5/4/11	12/5/11

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	NSRPD			are able to give us a break down by state on notice when those figures are finalised. <b>Ms Perry—Yes.</b>			
65	Program 1.2: NSRPD	Humphries	Early warnings	<ol style="list-style-type: none"> <li>1. Can you tell me a bit about the Federal Government's funding of early warning systems?</li> <li>2. How were these systems deployed in Queensland, Victoria and WA?</li> </ol>	Written	8/4/11	12/5/11
66	Program 1.2: NSRPD	Humphries	Yellow Bird	<ol style="list-style-type: none"> <li>1. How much have we invested in the SMS News Alert SMS phone technology, both to date and for future roll-out of the location-specific warning system?</li> <li>2. How dependent is the Telstra NEWS Alert system on intact power supply and telephone infrastructure? In light of the large scale disasters we have seen in the region, with flood, fire and cyclone in Australia and earthquake in New Zealand, how reliable is the existing system when power infrastructure fails?</li> <li>3. Looking at the IT disasters that have recently befallen NAB and Virgin Blue – how dependent is the current national warning system on IT resources and what guarantees can be offered that accidental faults or deliberate attack won't disable the system, the same way that NAB and Virgin Blue were almost completely shut down?</li> <li>4. I understand that YellowBird won this year's Community Resilience Award sponsored by the Insurance Council of Australia—have any steps have been taken to investigate or trial YellowBird? Have you any idea of the cost of this technology?</li> <li>5. I understand that YellowBird has been shown to emergency service organisations in WA, SA, NSW and the ACT(with strong support) and that there is extensive support for YellowBird from organisations such as ABC Radio, Vision Australia, Red Cross, the Australasian Fire and Emergency Services Council (AFAC), the Bushfire CRC. Have there been any steps taken to investigate the use of this technology for emergency situations in Australia?</li> <li>6. Given the extensive Federal Government investment in SMS News Alert, will AGD be making a submission to the QLD Floods Inquiry?</li> </ol>	Written	19/4/11	12/5/11
67	Program 1.2: EMA	Back	Emergency treatment of animals in natural disasters	<p><b>Senator BACK—</b>... My final question is totally unrelated to this, but there is a flow-on from natural disasters, starting with the bushfires in Victoria a couple of years ago and the recent floods. It is to do with the emergency treatment of livestock and wild animals particularly, especially with regard to those needing euthanasia by veterinarians or others. The question I have is: do we yet have an emergency management plan around the welfare of animals consequent to major disasters such as fires, floods et cetera?</p> <p><b>Mr Wilkins—</b>I am not sure specifically, but I would be surprised if there were not plans around those issues within each of the hazards that we deal with.</p>	L&C 84-85 (22/2/11)	5/4/11	12/5/11

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				<p><b>Senator BACK</b>—I understand that initially this is a states and territories issue, but there are other concerns, and that is across borders. As in the Queensland floods, emergency management coordinates the activities, for example, of the RAAF with air movement—again, veterinarians, drugs et cetera have got to be able to be mobilised and moved quickly. I guess what I am putting on notice is: if there is not yet a national plan or a national approach, I would certainly encourage this becoming part of the national planning process.</p> <p><b>Mr Wilkins</b>—We will take that on board. As you would appreciate, we have just been talking about the resilience strategy, so we can take that up through the NEMC with the states and territories. Clearly there would be extensive provisions in relation to quarantine issues, in relation to some of the hazards around pandemic.</p> <p><b>Senator BACK</b>—There are indeed. That is certainly part of it.</p> <p><b>Mr Wilkins</b>—But it would be more related to the particular hazards. We can certainly see what, if anything, is in there about the treatment of animals in relation to the floods, fires et cetera.</p> <p><b>Senator BACK</b>—Euthanasia is the big one in terms of the legal implications. Thank you. That completes my questions.</p>			
68	Program 1.2: EMA	Boyce	Category C grants	<p><b>Senator BOYCE</b>—The Prime Minister, the Premier, Senator Ludwig and someone else as well announced on 18 February that there would be grants of up to \$25,000 to not-for-profits. What changed?</p> <p><b>Mr Rheese</b>—The activation by the Queensland government would be a matter for Queensland. The activation of the category C grant was on the basis of a request by the Premier to the Prime Minister.</p> <p><b>Senator BOYCE</b>—When did that occur? Would that be a formal letter?</p> <p><b>Mr Rheese</b>—Yes, it would be a formal correspondence between the Premier and the Prime Minister.</p> <p><b>Senator BOYCE</b>—When did that occur?</p> <p><b>Mr Rheese</b>—I do not have the date with me. I suspect I would be able to get it for you in a short while.</p>	L&C 94 (22/2/11)	24/3/11	12/5/11
69	Program 1.3 SID	Barnett	Legal aid	<p><b>Senator BARNETT</b>—So this is based on feedback that you have had based on the fact that there will be an increased demand for those services in the area of drugs, terrorism and people smuggling. Correct?</p> <p><b>Ms Jones</b>—I think the ‘correct’ is in terms of anticipated demand.</p> <p><b>Senator BARNETT</b>—Yes. Based on your best estimates, it is an anticipation. It is an estimate and that is why you have made this allocation of \$7.6 [million]. Can you provide an indicative breakdown of that money to those three areas, please?</p>	L&C 75 (22/2/11)	29/4/11	12/5/11

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				<p><b>Ms Jones</b>—I would have to take that on notice.</p> <p><b>Senator BARNETT</b>—All right. What was it last financial year in terms of the breakdown? Is it a third, a third, a third. Give us a breakdown.</p> <p><b>Ms Jones</b>—We can obtain that information for you but I would have to take it on notice.</p>			
70	Program 1.3: SID Program 1.2: CrJD	Barnett	Legal aid	<p><b>Senator BARNETT</b>—What is the existing allocation? This is \$17.6 million extra because of the growing demand in these areas. What is the current—</p> <p><b>Mr Wilkins</b>—Because of the success of law enforcement agencies, too, Senator.</p> <p><b>Senator BARNETT</b>—Indeed. Of course, they are more active, aren't they, particularly in the area of people smuggling.</p> <p><b>Mr Wilkins</b>—And also in drugs and counterterrorism.</p> <p><b>Senator BARNETT</b>—Drugs, terrorism and people smuggling. We have seen a big growth. We had a whole day of it yesterday. We were hearing all about it.</p> <p><b>Mr Wilkins</b>—Drugs, Senator?</p> <p><b>Senator BARNETT</b>—No, people smuggling. Ms Jones, have you got those figures there?</p> <p><b>Ms Jones</b>—In terms of the breakdown of the different types of matters, I do not. I would have to take it on notice.</p> <p><b>Senator BARNETT</b>—Can you provide any more details in terms of people smuggling and the evidence that you have received to confirm that the government is using \$7.6 million extra of taxpayers' money to provide legal aid to people smugglers?</p> <p><b>Ms Jones</b>—In terms of the additional information you are looking for, perhaps if you can just—</p> <p><b>Senator BARNETT</b>—I would like you to take it on notice and provide further and better particulars regarding the reasons why the government has made the decision it has. Are you happy to take that on notice?</p> <p><b>Ms Jones</b>—I can take that on notice, yes.</p> <p><b>Senator BARNETT</b>—Mr Wilkins, you are chatting away there. Do you want to share your views with us?</p> <p><b>Mr Wilkins</b>—I was just saying that we do have the number of crew who are currently detained who are subject to possible prosecutions.</p> <p><b>Senator BARNETT</b>—How many are there?</p> <p><b>Mr Wilkins</b>—I think there are probably 500 or so. I have not got the exact numbers, but we can get—</p> <p><b>Senator BARNETT</b>—Can you provide the numbers for this time last year—a comparison?</p> <p><b>Mr Wilkins</b>—We could probably do that.</p> <p><b>Senator BARNETT</b>—Can you take that on notice?</p>	L&C 75 (22/2/11)	8/4/11	12/5/11

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				<b>Mr Wilkins</b> —Yes.			
71	Program 1.3: SID Program 1.2: CrJD	Barnett	Legal aid	<p><b>Senator BARNETT</b>—So for the 280 crew currently being prosecuted, that would be \$5.6 million. Is that your analysis—280 crew times \$20,000? And that comes out of the allocation of \$7.6 million. Does that sound about right?</p> <p><b>Ms Jones</b>—The amount in question is \$17.6 million. As I said previously, it is a reimbursement scheme. The amount that will be reimbursed to Legal Aid Western Australia or other legal aid commissions that are handling these matters will be based on actual costs incurred.</p> <p>....</p> <p><b>Senator BARNETT</b>—Can you take on notice to provide the average across the state and territory jurisdictions?</p> <p><b>Mr Wilkins</b>—We will see if we can do that.</p> <p><b>Senator BARNETT</b>—Just to assist the committee, you have indicated the 280, but could you just provide further and better particulars with regard to the approximately 500 that you indicated, where that gap is and if they are currently in detention.</p> <p><b>Mr Wilkins</b>—They are in detention.</p> <p><b>Senator BARNETT</b>—Right. If you could clarify that figure of 500 for us, that would assist.</p> <p><b>Mr Wilkins</b>—There are ongoing investigations in relation to those people.</p> <p><b>Senator BARNETT</b>—Of course.</p> <p><b>Mr Wilkins</b>—In due course, they may well be charged.</p> <p>....</p> <p><b>Ms Leon</b>—In relation to your assumption about the costs based on an assumption that everyone will contest the case, the current estimates based on the DPP's experience is that around 30 per cent will plead guilty, so it will not be the case that all of those cases require a full defended hearing.</p> <p><b>Senator BARNETT</b>—I am sure you will provide your best estimate on notice and that will come back to the committee. Thanks for that.</p>	L&C 76-77 (22/2/11)	8/4/11	12/5/11
72	Program 1.5: SID	Xenophon	Cape York Land Council	<p><b>Senator XENOPHON</b>—Let us go to that decision. I question the logic. But was the decision [that the Cape York Land Council's test case funding application was not approved] made by departmental officers or by the Attorney-General?</p> <p><b>Ms Jones</b>—By departmental officers.</p> <p><b>Senator XENOPHON</b>—If it was made by departmental officers, was the Attorney-General informed prior to the decision being made?</p> <p><b>Ms Jones</b>—I would have to take that on notice, but the delegation to make decisions under that scheme is made to departmental officers, so it would be departmental officers.</p> <p><b>Senator XENOPHON</b>—In terms of the decision made, was it made after input or</p>	L&C 98 (22/2/11)	8/4/11	12/5/11

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				<p>representations from other government departments? Can you provide us with the chain that led to the decision to reject the legal aid funding?</p> <p><b>Ms Jones</b>—We consulted within the department, as is usually the case with these types of applications, and arrived at the decision as a consequence of having those internal consultations. In terms of any consultations outside of the Attorney-General's Department, I would need to take that on notice and check on that.</p> <p><b>Senator XENOPHON</b>—On what date was the decision made to reject the legal aid funding?</p> <p><b>Ms Jones</b>—My briefing note gives me the date on which the Cape York Land Council was advised. I would need to check if that was the same date that the decision was made.</p> <p><b>Senator XENOPHON</b>—I have a letter here from Mr Peter Arnaudo, Acting First Assistant Secretary of the Social Inclusion Division of the Attorney's department, dated 8 November. Is that the date when there was formal notification of the decision?</p> <p><b>Ms Jones</b>—I would have to take that on notice and check. I do not have the exact information with me at present.</p> <p><b>Senator XENOPHON</b>—If you could take that on notice.</p>			
73	Program 1.5: SID	Xenophon	Cape York Land Council	<p><b>Senator XENOPHON</b>—You may wish to take this on notice: in how many other cases has test case funding been denied for similar reasons?</p> <p><b>Ms Jones</b>—I will have to take that on notice. It does relate to a specific provision in the Indigenous test case scheme guidelines that provide for that. But, as Mr Wilkins has indicated, we had indicated to the Cape York Land Council that they could reapply at any point if the circumstances changed.</p> <p>...</p> <p><b>Senator XENOPHON</b>—Can I suggest to you that there probably have not been any similar rejections in recent years.</p> <p><b>Mr Wilkins</b>—I do not know, but we can look into that.</p>	L&C 99-100 (22/2/11)	8/4/11	12/5/11
74	Program 1.5: SID	Xenophon	Cape York Land Council	<p><b>Senator XENOPHON</b>—I will finish up shortly so that I can get my iPad back. The application for legal aid was made on 27 April 2010—as I have been informed in correspondence from Mr Richie Ah Mat, the Chairperson of the Cape York Land Council Aboriginal Corporation—and a decision was made in November by the department. How long does it normally take to deal with these applications?</p> <p><b>Ms Jones</b>—In relation to that application, there was actually a significant amount of contact between the department and the Cape York Land Council around their application, seeking further information, seeking clarification of the nature of the application, so it was not simply that we received the application and then did a slow process of assessing it. There was actually quite a lot of discussion back and forth between us and the council.</p>	L&C 100-101 (22/2/11)	8/4/11	12/5/11



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				<p><b>Senator XENOPHON</b>—To save time, could you provide details on notice, even a chronology, of that? I do not necessarily need to see the documents. If I got permission from the applicants, maybe I could see the documents. Maybe that could resolve that issue. Normally these applications are dealt with in—what, two or three months?</p> <p><b>Ms Jones</b>—It will always depend on the amount of information that is provided with applications in relation to test-case type schemes. It is quite often the case that the department has to go back and forth quite a few times with the applicants to get additional information.</p> <p><b>Senator XENOPHON</b>—But can you give me a time frame, even a range, that it has normally taken? They are not that frequent, these test case applications, as I think Mr Wilkins has indicated. What is the time frame? What is the quickest an application has been dealt with previously and what is the longest an application has been dealt with previously, for test cases?</p> <p><b>Ms Jones</b>—I would have to take that on notice. We aim for an average turnaround of usually three to four weeks to assess an application like this, but it really will depend on the nature of the application. So I could take it on notice in terms of the average time for these types of applications.</p>			
75	Program 1.6: EMA	Back Humphries	AGDRP	<p><b>Senator BACK</b>—Would it be reasonable, then, Minister, to draw the conclusion that, had you and I not had our interchange and had there not have been an alerting of the community on 9 February and 10 February and then a decision by the Prime Minister on 11 February, then people in the Gascoyne would still not be receiving \$1,000 per adult and \$400 per child under the AGDPR? What I am trying to get to is that it appears as though it was not the flood that activated the necessity. It should have; it is the worst flood in the state's history.</p> <p><b>Senator Ludwig</b>—It is not a flood that activates. It is—</p> <p><b>Senator BACK</b>—It is the disaster resulting from the flood.</p> <p><b>Senator Ludwig</b>—There is uncertainty around this. It is what the impact that that has on individuals and communities—in other words, what the effect is. There has been a change where, in order to clarify it, it has followed the activation of category C. A state would normally declare an area a natural disaster. That would activate A and B—that is the way that it would generally work. It does not necessarily mean that the AGDPR will follow. Usually what happens is that the state would seek the activation of C, which is a higher level. That indicates that there is significant damage or the flooding event has created individual concerns and distress. In this instance—and correct me if I am wrong—the Western Australian government did not ask for an activation of category C. I think that I will take that on notice as to whether or not category C was activated.</p> <p><b>Senator BACK</b>—By all means, yes. I accept that.</p> <p><b>Senator Ludwig</b>—You would then have the Attorney-General engage with the Prime</p>	L&C 83-84, 85 (22/2/11)	2/5/11	12/5/11

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				<p>Minister to make the declaration. And that also depends on the advice that the Attorney-General has received during that intervening period. I do not know the level of information that has come from WA in relation to that in the period shortly before the activation or the information that the Attorney-General received that has caused him and the Prime Minister to activate the AGDRP. But I will take it on notice and see what additional information he can add.</p> <p>....</p> <p><b>Senator HUMPHRIES</b>—I acknowledge that there were state government payments available, but the criteria were different for them to be applied. Some of them at least are means-tested, as I understand it. So we are talking here about a non-means-tested payment for people who were distressed. My understanding of the nature of the AGPRP payments is that they are there for people to deal quickly with emergency situations, purchasing things they have lost or dealing with a relatively urgent need of some sort, and a payment made six to eight weeks after the initial crisis is not exactly meeting the needs of the people concerned, I would have thought. But if you could obtain that information about when the West Australian government effectively asked for payments to be authorised and let us know when you have those answers, that would be useful.</p> <p><b>Mr Wilkins</b>—We are looking for that, but you should bear in mind that the payments made under the NDRRA are not insignificant and they are Commonwealth payments as well as state payments. They are not exclusively state payments.</p> <p><b>Senator HUMPHRIES</b>—I acknowledge that. I appreciate that there are other payments available—</p> <p><b>Mr Wilkins</b>—Which are made by the Commonwealth as well.</p> <p><b>Senator HUMPHRIES</b>—Yes, which are supported by the Commonwealth. They are made by the states but supported by the Commonwealth.</p> <p><b>Mr Wilkins</b>—Exactly. They are for the purpose that you indicated just as much as the AGDRP is. It is not that these people were not getting some sort of payments under the NDRRA.</p> <p><b>Senator HUMPHRIES</b>—Mr Wilkins, I acknowledge that. But the point remains, which Senator Back was making before, that people in Queensland were receiving these \$1,000 payments within a few days of the crisis that hit their communities and in Western Australia, on my instructions, it was taking six to eight weeks before they were receiving entitlement to those payments. I just want to know why the two situations were different. Perhaps I am wrong, perhaps the Western Australian government was late in seeking those payments to be made, in which case I accept that. But that is not what I understand is the case.</p> <p><b>Mr Wilkins</b>—I understand, Senator.</p>			

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76	Program 1.6: EMA	Back	AGDRP	<p><b>Senator BACK</b>—I asked the question in relation to two instances in Queensland. You might be able to assist me. The first instance is in relation to a community about 40 kilometres south-east of Cairns. To remind people, the floods in and around Brisbane and Toowoomba and the Lockyer Valley occurred on about 11 January. The community of Yarrabah, some 1,700 kilometres north of Brisbane, received payments under the AGDRP of \$1,000 per adult and \$400 per child on or about 20 January—about 10 or 12 days after the Brisbane floods. ‘Floods’ is the right term, because cheques were flooding into Cairns from this community. Inquiries were made as to what disaster had befallen Yarrabah to cause them to receive these payments. I cannot validate the answer, but the answer given was ‘the floods’. The question was asked: ‘Which floods?’ The answer was, ‘The Brisbane floods.’ Is there any reasonable explanation why a community of people 1,700 kilometres away from these flooded areas would have received these Centrelink payments? Do you understand how that could have happened?</p> <p><b>Mr Wilkins</b>—Where did the information come from?</p> <p><b>Senator BACK</b>—It came from the local federal member of parliament.</p> <p><b>Mr Wilkins</b>—We will have to take that on notice. I do not have that information.</p>	L&C 84 (22/2/11)	8/4/11	12/5/11
77	Program 1.6: EMA	Back	AGDRP	<p><b>Senator BACK</b>—... I will not delay longer on this, but the second one relates to the same thing. It is a community in an area called Laura, which I understand to be about 250 kilometres north of Cairns. We have moved forward now. Cyclone Yasi was on 3 February. I understand the community of Laura to have been minimally affected, if at all, by Yasi. One quote in the local newspaper, the <i>Cairns Post</i>, was, I think, ‘Not a twig was lost.’ But that entire community also, upon request to Centrelink, received the \$1,000 per adult and \$400 per child.</p> <p><b>Mr Wilkins</b>—Are these AGDRP payments?</p> <p><b>Senator BACK</b>—Yes, the same payment—\$1,000 per adult and \$400 per child.</p> <p><b>Mr Wilkins</b>—They are not NDRRA payments?</p> <p><b>Senator BACK</b>—No. I understand them to have been AGDRP schedule payments.</p> <p><b>Mr Wilkins</b>—And the two communities?</p> <p><b>Senator BACK</b>—Yarrabah, on or around 20 January, and Laura, on or about 10 February—in the days after Cyclone Yasi. It perhaps causes you to understand the anxiety and concern of people in the Gascoyne, who actually were decimated, when stories of this nature came through.</p> <p><b>Mr Wilkins</b>—Let me take those on notice. A quick look did not identify them as communities under our schedules.</p>	L&C 84 (22/2/11)	18/4/11	12/5/11
78	Program	Humphries	AGDRP	<p><b>Senator HUMPHRIES</b>—I accept that state governments do not just put their hands out and</p>	L&C 88-89	2/5/11	12/5/11

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	1.6: EMA			<p>have the money start to flow—that is a fair point—but it has been put to me that with this letter and with other information which the state government provided to the Commonwealth government at this point in time it was signalling that it believed the circumstances warranted that those AGDRPs be made. If EMA was not satisfied at the end of December that the case had been made for those payments to begin to flow, can you describe to the committee what the gaps in the information you required were that meant that you could not authorise those payments until 11 February?</p> <p><b>Senator Ludwig</b>—As I indicated, I will have to take that on notice. I do not stand in the shoes of the Attorney-General—I am merely his representative here—and so I do not know what the information flow was and I do not know the context upon which the decision was made. But I do know it was made on 11 February and that prior to that personal hardship grants were also being paid, which include the provision of emergency assistance including emergency accommodation, food and essential clothing. The payment was up to \$388 per eligible adult and up to \$194 per eligible child. I know that temporary living expenses were paid up to \$110 per day in the metropolitan area and up to \$150 per day in the country area. There were also grants of up to \$5,000 to assist with the reconnection of electricity, grants of up to \$10,000 for the replacement of whitegoods and floor coverings and interest rate subsidies of up to \$150,000 for small businesses and primary producers in addition to professional advice that was provided. There were also the cleanup and recovery grants of up to \$25,000 for small businesses, which as I understand it are under category C. All of those would have already started to be paid through the NDRRA, which the Commonwealth is a substantive contributor to. We will take it on notice and see what else we can provide for you.</p> <p><b>Senator HUMPHRIES</b>—I am grateful for the information on all these other payments, but I am focusing on these relatively quick and accessible payments available through Centrelink from the Commonwealth, nonmeans tested, which Senator Back indicated were important to a number of his constituents. Again I am advised that Western Australia essentially provided all the information necessary to the Commonwealth around the end of December and that would have allowed those payments to be commenced. It is not clear to me what prevented that from occurring. If some information was not provided or there was some gap in what was provided by the Western Australian government, I assume that given the nature of these payments, which are emergency response payments, urgent steps would have been taken to clarify what was missing from Western Australia’s case for the payments. Could you put to us what those gaps were and how quickly you got answers to your questions about what those gaps were? I assume this is all in writing somewhere and</p>	(22/2/11)		

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				<p>you went back to the Western Australian government saying something along the lines of, 'This is missing,' or, 'We do not know about that,' or, 'Tell us about this.' As I said before, I am not aware that such requests were made, but I would be happy to be corrected on that.</p> <p><b>Senator Ludwig</b>—We have not indicated there were either requests from the Western Australian government or from Emergency Management Australia. What I have said is that I will take it on notice and have a look at what the lead-up to the activation of 11 February was. The act provides for a discretion that the minister can make on advice from EMA.</p> <p><b>Senator HUMPHRIES</b>—Can you confirm that the Attorney-General as well as the finance minister was copied into the letter from the Premier to the Prime Minister?</p> <p><b>Mr Wilkins</b>—I will have to take that on notice.</p>			
79	Program 1.6: EMA	Humphries	AGDRP payments	<ol style="list-style-type: none"> <li>1. How many people have claimed the Australian Government Disaster Recovery Payment? <ol style="list-style-type: none"> <li>a. Can I have a break down by state?</li> <li>b. Can I have a further break down by month? And if possible by day?</li> </ol> </li> <li>2. How much money has been distributed through the Natural Disaster Recovery Arrangements?</li> </ol>	Written	2/5/11	12/5/11
80	Program 1.6: EMA	Ryan	NDRRA	<p>The NDRRA Community Recovery Package Guidelines 2007 state that the recovery grants for a small business should only be made once for each business entity represented by an ABN. However exceptions can be made for bona-fide businesses that are significantly adversely affected and can demonstrate that they are sufficiently autonomous and viable.</p> <ol style="list-style-type: none"> <li>1. How many businesses (that have only one ABN) have been issued with multiple disaster recovery grants?</li> <li>2. How many small businesses operating under a single ABN have been refused multiple grants following an application?</li> </ol>	Written	24/3/11	12/5/11
81	Program 1.6: NSCDD	Humphries	Local government emergency management training	<p><b>Senator HUMPHRIES</b>—Okay. I understand there is money in the department's budget for training officers at local government level in managing emergency situations. How much money?</p> <p><b>Mr Wilkins</b>—I am not sure; I would have to take that on notice.</p> <p><b>Senator HUMPHRIES</b>—Can you give me any information on how much has been spent in recent years from that allocation?</p> <p><b>Mr Wilkins</b>—I will have to take that on notice too. I think the idea is that we are trying to provide, particularly for rural councils and councils that are not wealthy, an explicit subsidy—it used to be implicit—in relation to training at Mount Macedon. I will check that out and give you a proper response</p>	L&C 90-91 (22/2/11)	18/4/11	12/5/11

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				<p>....</p> <p><b>Senator HUMPHRIES</b>—Could you provide us with a list of those entities, whether people or organisations, which have been trained using the Commonwealth’s money over each of the last, say, four years, please?</p> <p><b>Mr Wilkins</b>—We can provide you with a list of the projects that the states will be using the money for. That is how it works.</p> <p><b>Senator HUMPHRIES</b>—So you do not actually know, when they have a project, who is being trained under that project?</p> <p><b>Mr Wilkins</b>—The idea of this and the whole idea of national partnership agreements is to say: ‘These are the outcomes. We want better training for local government officials. We want money expended. That is the outcome we want. Now, states, you tell us how you plan to achieve that. We are not going to tell you how to do it.’ They will give us a plan and we can make that available to you, Senator.</p> <p><b>Senator HUMPHRIES</b>—I appreciate that, but you still do not know what proportion, for example, of local government bodies in a particular state end up being trained using Commonwealth money.</p> <p><b>Mr Wilkins</b>—We can probably give you that information. What I am saying is that it is a state project but, yes, we are interested in that and we can give you information about the AEMI, the Australian Emergency Management Institute, and its programs as well, which may be similarly of interest in terms of training local government officials.</p> <p><b>Senator HUMPHRIES</b>—What I am trying to get at is: if the Commonwealth is investing in preparedness of local government personnel, how well has our investment dealt with that issue? That is the question I am trying to get at.</p> <p><b>Mr Wilkins</b>—Okay.</p> <p><b>Senator HUMPHRIES</b>—So anything you could provide that would assist in that regard would be useful.</p>			
82	SPCG	Barnett	Media monitoring	<p><b>Ms Leon</b>—The cost of media monitoring services in the department for 2009-10 financial year was \$268,918. The cost for this financial year so far is \$237,726, to February, almost to the current date.</p> <p><b>Senator BARNETT</b>—Have you got the costs for the minister’s office?</p> <p><b>Ms Leon</b>—I do not have the costs for the minister’s office, I am sorry. I will have to take that on notice.</p>	L&C 43 (22/2/11)	29/3/11	12/5/11
83	AFP	Joyce	Asylum seeker funerals	<p>(a) What was the total contribution of the Commonwealth to one of the funerals in Sydney in February, 2011 including the cost of travel and accommodation for family?</p> <p>(b) Please provide a detailed breakdown of what these costs were spent on.</p> <p>(c) How was the option to hold the funerals in Sydney determined? Were any other options</p>	Written	20/4/11	12/5/11

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				considered? If so, what were they and on what grounds were they ruled out?			
84	Program 1.1: OIL	Abetz	Elizabeth and Middleton Island Reefs	<p>I refer to the Question on Notice 69 from the October Estimates regarding Elizabeth and Middleton Islands.</p> <p>Further to the questions answered in QON 69:</p> <p>1. Has the additional legal advice that was sought by the Government been obtained?</p> <p>(a) If not, when does the Government expect the advice to be given and what is the reason for the advice not being received?</p> <p>(b) If so, please state when the advice was received, the source, nature, advice and the ramifications of the additional advice obtained.</p> <p>2. Understanding that the Department of Regional Australia, Regional Development and Local Government now administers the Territory of the Coral Sea Islands and consequently Elizabeth and Middleton Reefs (Islands), has the Attorney-General's Department taken any other action to satisfy the Government's Risk Assessment Policy?</p> <p>(a) if no, why not? Please list all legal and other reasoning considered when making that decision.</p> <p>(b) If so, please explain the nature of the action taken.</p>	Written	8/4/11	12/5/11
85	Program 1.1: PCD	Trood	Act of Settlement	<p>1. British plans to amend the Act of Settlement were first raised with Australia by the Brown government in early 2009. What position did the government take on the UK proposals?</p> <p>2. Has the Cameron government discuss with Australia its plans to amend the Act of Settlement?</p> <p>3. Is the government's intention to support these plans?</p>	Written	8/4/11	12/5/11
86	Program 1.2: NSLPD	Fierravanti-Wells	Habib	<p>1(a) Why was Mamdouh Habib refused an Australian Passport?</p> <p>1(b) Will he ever be able to hold one?</p> <p>2. When did Mamdouh Habib receive his secret compensation payment?</p> <p>3(a) Was Mr Habib told by any representative of the Attorney-General or his department to dismiss the lawyers who had represented him before he received a secret compensation payment. If so, who advised and when did this occur?</p> <p>3(b) Is the Attorney-General or his department aware when Mr Habib dismissed the lawyers who had represented him? If so, when were they dismissed?</p> <p>4. How much did it cost to get Mr Habib to drop his long-running civil suit in which he alleged misconduct by Australian Government officials in relation to his imprisonment in Pakistan, Egypt and Guantanamo Bay?</p> <p>5. Did the settlement include any payment for legal fees?</p> <p>6. Who helped Mr Habib negotiate the secret settlement?</p> <p>7(a) What is the state of the inquiry ordered by the Inspector-General of Security and Intelligence?</p>	Written	8/4/11	12/5/11

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				7(b) When will it be completed? 7(c) Will the report be made public?			
87	Program 1.6: EMA	Cash	Support to women affected by floods	a) What is the Federal Government doing to support women that have been impacted by the flooding crisis? b) It has been estimated that approximately 5000 jobs were lost in Queensland in January 2011 due to the floods. What support is being given to the casual employees (mostly women) who have lost an income temporarily? How many of the estimates 5000 jobs were held by women? What is being done to support these women?	Written	Transfer red to DEEWR	
88	AFP	Cash	People smuggling	a) Has the Australian government been in discussions with Indonesia about identified people smuggler Haydar Khani? If so, when did these discussion occur, what is the nature of these discussions? b) Has Haydar Khani been charged? If so, with what has he been charged? If not, why not? c) Will Haydar Khani be extradited to Australia? Will his Australian citizenship be revoked? If not why not? d) What was Haydar Khani's involvement with SIEV 221? If he was involved will he be charged following the deaths that occurred? If so, with what will he be charged, if not why not? e) How many people living in Australia have been identified by the authorities as operating people smuggling networks? Have any had their visas or citizenship cancelled?	Written	8/4/11	12/5/11
89	Program 1.1: AJD	Trood	Ethiopia Intercountry adoption program	According to the Update on the Ethiopia-Australia Intercountry Adoption Program- February 2011 “a new fee structure is being finalised based on the costs of administering the Program. There will be an increase to the total amount of fees in order to meet the standards and expectations of the Program and respond to inflationary pressures in Ethiopia.”  a. Has the new fee structure been finalised? b. When will it be implemented? c. How much has it increased by? d. What specific changes have occurred to warrant the change in	Written	21/4/11	



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				<p>fees?</p> <p>e. Where is the money collected in fees paid?</p> <p>f. Have the families involved in the Ethiopian Program been notified about the change in fees? How were they notified?</p> <p>g. Is any support being offered to the families to assist them with the increase in fees?</p>			
90	Program 1.6: EMA	Trood	Crisis Coordination Centre	<p>A. The Counter-Terrorism White Paper 2010 p. 62 states that “This will be demonstrated through the establishment in 2010 of a Parliament House Briefing Room and a National Crisis Coordination Centre to provide holistic, real-time support to senior decision makers during a crisis.” Was the Crisis Coordination Centre completed in 2010 as stated in the Counter-Terrorism White Paper?</p> <p>a. When did the centre open?</p> <p>B. Is the Crisis Coordination Centre fully functional and operational?</p> <p>C. Was either the Parliament House Briefing Room or the Crisis Coordination Centre used during the Queensland Floods and Victorian Floods and the West Australian bushfires? If so, on what dates were they used?</p> <p>D. During a Press Conference on 2 February 2011, the Prime Minister, Julia Gillard, made reference on two occasions to the “Australian Crisis Coordination Committee.” Is this a new Committee or was the Prime Minister referring to either the Australian Government Crisis Committee (AGCC) or the National Crisis Committee (NCC)? If so, which</p>	Written	10/5/11	12/5/11

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				<p>committee was she referring to?</p> <p>a. Who are the members of these committees?</p>			
91	Program 1.2: NSLPD	Trood	CVE: Consultancy	<p>A. In responding to questions on notice (Q 64) in relation to the CVE Framework the response makes reference to “Development of a comprehensive Program Evaluation Framework to ensure the program remains appropriate, efficient and effective. The cost of this consultancy will be up to \$80,000 and the evaluation framework will be finalised in March 2011.”</p> <p>a. Who is responsible for the Framework?</p> <p>b. What consultancy firm is being employed?</p> <p>c. How many people are working on the framework?</p> <p>d. What advice to-date has the Department received about the framework?</p>	Written	18/4/11	12/5/11
92	Program 1.2: NSLPD	Trood	CVE: Youth Mentoring Grants Program	<p>A. How many staff from the Attorney-General’s Department were involved in processing the applications? Did this number increase due to the demands of processing the applications?</p> <p>B. What sorts of organisations/groups submitted applications? Can a list be provided?</p> <p>C. What criteria was used to determine successful applicants?</p>	Written	12/4/11	12/5/11

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				<p>D. What measures are in place to monitor the program?</p> <p>E. According to the Budget Measures Papers 2010-11 “The programs will focus on high-risk hotspot areas.” How have these “high-risk hotspot areas” been determined?</p>			
93	Program 1.2: NSLPD	Trood	CVE: Community engagement forums	<p>A. According to an answer to a question on notice (Q64) the Department spent approximately \$25 000 on Community Engagement Forums in Sydney and Melbourne in July and December of 2010.</p> <p>a. How was this money spent?</p> <p>b. What was achieved/ what were the outcomes of the forums?</p> <p>c. How many participants attended these forums?</p> <p>B. How many additional community forums will the Department conduct in 2011?</p> <p>a. Where will these take place?</p> <p>b. How much are they expected to cost?</p>	Written	12/5/11	16/6/11
94	Program 1.2: NSLPD	Trood	CVE: Staffing	In answers to questions on notice (Q64) states that “a number of other staff have been recruited to the CVE Taskforce from existing departmental funding while others have been seconded to the Taskforce from other agencies.”	Written	12/4/11	12/5/11

Q No.	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question	Date received	Date tabled
				<p>a. How many staff have been seconded from other agencies?</p> <p>b. From which agencies have these staff been seconded?</p>			
95	Program 1.1: OIL	Trood	Afghanistan: Detainee Management Arrangements	<p>On p.63 of the <i>Incoming Brief</i> for Attorney-General's states "The interim detainee management arrangement involves the transfer of most detainees to Afghanistan"</p> <p>a. Why does it state "the transfer of most detainees to Afghanistan"? Where else are they being transferred?</p> <p>b. By whom are they being transferred?</p>	Written	8/4/11	12/5/11
96	Program 1.2: CrJD	Trood	People smuggling before the Courts	<p>A. How many people smuggling crew are currently before the Australian courts?</p> <p>B. How many suspected people smuggling crew in immigration detention are being investigated for prosecution?</p> <p>C. How many states have agreed to accept people smuggling cases for prosecution? Which states have agreed?</p> <p>D. What is the process for determining the transfer of crew for prosecution?</p> <p>E. Have any states raised issues regarding the additional funding for courts and prisons to meet the demands arising from increasing crew prosecutions? If so, please detail the concerns raised.</p> <p>F. re there any plans to include more states to people smuggling cases for prosecution? What are those plans?</p>	Written	8/4/11	12/5/11

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97	AFP	Trood	Detachment 88	<p>A. In response to questions on notice (62 g) states” The AFP notes that, similar to Australian law enforcement, the INP is responsible and accountable for the behaviour of its members.” If the Australian Government is providing funds/ training etc... to Indonesia’s counter-terrorism unit, Detachment 88, what measures does the AFP have in place to monitor this?</p> <p>B. Does the Australian Embassy or the AFP vet Indonesian individuals applying for training?</p> <p style="padding-left: 40px;">a. How?</p> <p style="padding-left: 40px;">b. What criteria is used to assess the suitability?</p> <p style="padding-left: 40px;">c. Who is responsible for this?</p> <p>C. Is the AFP aware that in response to torture allegations, the United States suspended aid to the Detachment 88 force in Ambon as early as 2008? Has the AFP considered taking the same action?</p>	Written	8/4/11	12/5/11
98	ASIO	Trood	Security assessment of refugees	<p>A. How many staff from ASIO are currently working directly and indirectly on processing security assessments for asylum seekers (including illegal maritime arrivals and others)?</p> <p>B. Is a specific section within ASIO responsible for the processing of these assessments? What is that section?</p> <p>C. In Senate estimates hearings in May 2010, Mr Irvine acknowledged that in order to deal with the processing of security assessments “We have had to rationalise some of our activities in other areas.” Is this still occurring?</p>	Written	12/5/11	16/6/11

Q No.	Program: Division or Agency	Senator	Broad Tropic	Question	Proof Hansard Page and Hearing Date or Written Question	Date received	Date tabled
				<p>a. What other areas/programs have had to be rationalised?</p> <p>D. Has ASIO received complaints from DIAC with regards to the length of time it is taking to process security assessments?</p> <p>a. How has ASIO responded?</p> <p>E. Is ASIO able to manage the workload of processing security assessments with existing resources?</p> <p>F. Has ASIO requested extra resourcing to combat this issue? Have those resources been provided?</p> <p>G. How many security assessments has ASIO conducted in the year-to-date for asylum seekers?</p> <p>a. How does this compare with previous years?</p> <p>H. What is the current average processing time for assessments?</p> <p>a. How does this compare with previous years?</p> <p>I. To-date, how many asylum seekers are waiting in detention for to decide their security status?</p> <p>J. How many cases are there where a negative security check has been provided by ASIO who has already been granted refugee status?</p> <p>K. Why have these cases occurred? Is the usual practice to grant refugee status after the security assessment has been completed?</p>			

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99	ASIO	Trood	Exchange of information with foreign liaisons	<p>A. Does ASIO have in place protocols for the exchange of information with foreign liaisons?</p> <p style="padding-left: 40px;">a. What are those protocols?</p> <p>B. According to the IGIS Annual Report 2009-2010 “Mr Carnell was generally satisfied that the internal policy guidance which ASIO developed in 2006 provided a sound basis for the passage and receipt of information, however, the inspections which this office carried out in 2008-09 and 2009-10 revealed that there are some deficiencies in record keeping. In some instances there is a lack of documentary evidence that the considerations articulated in the policy are being given effect.”</p> <p style="padding-left: 40px;">a. What were the deficiencies?</p> <p style="padding-left: 40px;">b. How were they allowed to occur?</p> <p style="padding-left: 40px;">c. Have these been addressed?</p> <p style="padding-left: 40px;">d. How have they been addressed?</p>	Written	18/4/11	12/5/11
100	Program 1.1: AJD	Adams	Family Relationship Services	<p>1. I am concerned about the proposed changes to the Government’s Family Relationship Services Program. This Program assists couples and families to develop and sustain strong and supportive relationships. I understand the Government is planning to retarget family relationship counseling and education courses to “at risk” and “disadvantaged” children and their families. These services are currently available to everyone and may prevent major difficulties from occurring. I understand there will be funding cuts to programs assisting separated and divorced couples leading to longer waiting times for help. In 2010, the Budget included cuts in the order of \$48 million to the Family Relationship Services Program including cuts to Family Relationship Services, Family Dispute Resolution and Family Counseling.</p> <p>a) How are these cuts justified in the face of a 5% increase in divorce (ABS Social Trends)?</p>	Written	29/4/11	12/5/11

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				<p>b) How will these cuts be applied and what impact will they have on services, e.g job losses, waiting lists, reduced capacity and other services?</p> <p>c) What analysis or modeling has been done on the impact of cuts? What data is available?</p> <p>2 Currently Service Agencies know generally which service types will be subject to cuts but not necessarily the percentage of cuts across program types and regions</p> <p>a) When will Services Agencies know what changes to funding will apply from 1 July 2011?</p> <p>b) What will be the cumulative impact in terms of reduced service capacity and job losses across post separation services?</p> <p>3 I understand that a 'Means Test' is to be introduced in relation to the Family Dispute Resolution through the Family Relationship Centres.</p> <p>a) How will the 'Means Test' be applied?</p> <p>b) What modeling was used to inform that decision?</p> <p>c) What modeling has been undertaken by the Department on:</p> <p>i) The projected take-up rate of mediation sessions beyond the first free session now that families themselves will have to pay?</p> <p>ii) The impact on children and families of reducing the number of free mediation sessions from 3 to 1?</p>			
101	FMC	Brandis	Police checks	<p>1. To what extent does the Court rely on police check information provided by the Australian Federal Police when employing new staff?</p> <p>2. What process does the Court follow when inaccurate information is provided by the AFP regarding police checks?</p> <p>3. What measures has the court implemented to ensure these errors do not happen in the</p>	Written	18/4/11	12/5/11



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				future? 4. What compensation measures has the Court considered for personnel who have had to rectify incorrect reports provided about them by the AFP?			
102	ASIO	Trood	Hizb ut-Tahrir conference	<p>1. According to media reports, speakers at the conference organised by Hizb ut-Tahrir (HUT) in Sydney on 4 July 2010 year included two leaders of HUT in Britain, Burhan Hanif and Salim Atchia.</p> <p>Why did the government decide to allow these individuals to visit Australia to participate in the Hizb ut-Tahrir conference?</p> <p>Did the government consider Hizb ut-Tahrir's violently anti-semitic views and the risk of such individuals encouraging extremist views and stirring up community tensions?</p>	Written	10/5/11	12/5/11
103	ASIO	Trood	Visiting overseas preachers	<p>2. <i>The Australian</i> reported on 15 January 2011 that, according to Sheik Taj Din al-Hilali, radicalism in the Australian Muslim community is on the rise and one reason for this was 'overseas preachers', over whom he said there was 'no control'.</p> <p>How many foreign individuals who intended to preach to the Muslim community has the government permitted to visit Australia over the past two years?</p> <p>What factors does the government take into account before allowing such individuals entry to Australia?</p> <p>Has the government ever refused entry to any such applicants?</p>	Written	20/4/11	12/5/11
104	ASIO	Trood	Visiting overseas preachers	<p>3. British Prime Minister Cameron has committed his government to banning preachers of hate from visiting the UK.</p> <p>Is the Australian government also committed to banning preachers of hate from visiting Australia?</p> <p>In what circumstances when foreign individuals plan to visit Australia for political reasons does the government refuse to grant entry?</p>	Written	20/4/11	12/5/11