

SENATE LEGAL AND CONSTITUTIONAL LEGISLATION COMMITTEE
ATTORNEY-GENERAL'S DEPARTMENT

Output 2.4

Question No. 82

Senator Ludwig asked the following question at the hearing on 24 May 04:

In relation to the 2004-05 budget for the protection of foreign diplomats:

- a) What are the amounts of the draw-down amount and the base guarding amount?
- b) What are the changes in the drawdown account (due to changes in threat levels) from last year to this year?
- c) Regarding the intention to replace the fleet of 10 armoured vehicles, what is the timeframe for the tender?

The answer to the honourable senator's question is as follows:

- a) The Protective Security Coordination Centre administers guarding funds for the protection of diplomatic and consular communities and Australian holders of high office assessed to be at risk (including the Prime Minister, Governor-General and certain members and senators). The base guarding amount of \$21.2m for 2004-05 ensures the protection of those interests (both domestic and foreign) whose level of risk and guarding requirements can be anticipated on an annual basis. The draw-down account for 2004-05 is \$5.0m.
- b) The draw-down account for the previous financial year was \$10.4m. A lesser amount was requested for the 2004-05 financial year based on the stabilisation of the threat environment and a change in the risk profile of a number of foreign diplomatic and consular missions and certain holders of high office.
- c) A contract for the provision of the armoured VIP limousines was signed on 24 May 2004 following a tender process.

The supplier is required to deliver the vehicles to the Department progressively, with the first vehicle due for delivery by mid November 2004 and the final vehicle by mid April 2005.

SENATE LEGAL AND CONSTITUTIONAL LEGISLATION COMMITTEE
ATTORNEY-GENERAL'S DEPARTMENT

Output 2.4

Question No. 83

Senator Ludwig asked the following question at the hearing on 24 May:

In relation to Olympic security:

- a) How many trips did the one officer from PSCC undertake to Athens?
- b) What are the dates for these trips?
- c) Did the officer go alone or as part of a taskforce? If as part of a taskforce, advise which other departments were represented on that task force.
- d) Provide details of other Commonwealth agencies involved in the advance security missions to Athens.
- e) Have the recommendations made by the Attorney-General's department regarding the (Olympic) security in Athens been shared with foreign governments or international organisations?

The answer to the honourable senator's question is as follows:

- a) Two
- b) 17 – 21 November 2003 and 22 – 26 March 2004
- c) The trips were undertaken under the auspices of an Inter-Departmental Committee (IDC) chaired by the Department of Foreign Affairs and Trade. Other agencies represented on this IDC are the Australian Federal Police, the Australian Security Intelligence Organisation, the Department of Defence, the Department of the Prime Minister and Cabinet, the Australian Olympic Committee and the Australian Paralympic Committee.
- d) For the November trip the PSCC accompanied officers from the Department of Foreign Affairs and Trade and the Australian Federal Police. On the March trip the delegation was expanded to include representatives from the Australian Security Intelligence Organisation and the Department of Defence.
- e) The advance delegation discussed Greek security preparedness with representatives from the United States, United Kingdom and Canadian Governments while in Athens. The Attorney-General's Department has also held discussions with representatives from the New Zealand Government. No discussions have been held with the International Olympic Committee or other international organisations.

The Greek government is responsible for security for the Games and for the security of all competing nations' representatives. Australian officials will have no operational role in the provision of security.

SENATE LEGAL AND CONSTITUTIONAL LEGISLATION COMMITTEE
FEDERAL COURT OF AUSTRALIA

Question No. 84

Senator Ludwig asked the following question at the hearing on 24 May 2004:

In relation to the results of the S157 remittals and the Muin and Lie remittals, provide detailed information about the results of what would be described as the regular cases.

The answer to the honourable senator's question is as follows:

The Court's case management system can only provide figures on the outcomes for all migration matters. These figures include those relating to the S157 and Muin and Lie remittals.

The outcomes of migration matters finalised at first instance (including S157 and Muin and Lie remittals) in 2001-02, 2002-03 and 2003-04 (to 30 April 2004) are set out in the following table:

Outcome	2001-02	2002-03	2003-04 (to 30 April 2004)
Application granted	104	46	65
Application dismissed	789	526	1,751
Application discontinued	239	196	344
Application settled	237	90	99
Application transferred to another court	167	658	308
TOTAL	1,536	1,516	2,567

The outcomes of migration matters finalised on appeal (including any S157 and Muin and Lie remittals that have been heard on appeal) in 2001-02, 2002-03 and 2003-04 (to 30 April 2004) are set out in the following table:

Outcome	2001-02	2002-03	2003-04 (to 30 April 2004)
Appeal allowed	26	45	53
Appeal dismissed	174	282	286
Appeal discontinued	56	66	40
Appeal settled	16	17	9
Appeal transferred to another court	0	1	2
TOTAL	272	411	390

The Court does have information on the outcomes of the finalised S157 and Muin and Lie remittals, but this has not been collected by financial year. In brief, of the 2,166 S157 and Muin and Lie matters remitted by the High Court since February 2003;

- 9 have been allowed;
- 1,769 have been dismissed or discontinued; and
- 199 have been transferred to another court.

SENATE LEGAL AND CONSTITUTIONAL LEGISLATION COMMITTEE
FEDERAL COURT OF AUSTRALIA

Question No. 85

Senator Ludwig asked the following question at the hearing on 24 May 2004:

What about cases other than migration matters?

The answer to the honourable senator's question is as follows:

The number of non-migration matters transferred by the Federal Court to the Federal Magistrates Court in 2001-02, 2002-03 and 2003-04 (to 30 April 2004) is set out in the table:

	2001-02	2002-03	2003-04 (to 30 April 2004)
Non-migration cases transferred	72	64	31

SENATE LEGAL AND CONSTITUTIONAL LEGISLATION COMMITTEE
HIGH COURT OF AUSTRALIA
FEDERAL MAGISTRATES COURT

Question No. 86

Senator Ludwig asked the following question:

Please advise of the time taken to have matters resolved over the last 12 months and any trend data.

The answer to the honourable senator's question in relation to the High Court of Australia is as follows:

The time taken to have matters resolved during the years ended 30 June 2002 and 30 June 2003 is outlined in Tables 23 to 28B, inclusive, at pages 108 to 116 of the High Court's Annual Report 2002-2003. No information beyond 30 June 2003 is currently available but will become available when the statistics are compiled for the Annual Report 2003-2004.

The answer to the honourable senator's question in relation to the Federal Magistrates Court is as follows:

The time taken from filing to disposition in 2002-03 was less than 6 months in 90% of the total caseload.

In that year 72% of family law final order applications were completed within 6 months and 91.6% within 12 months. In general federal law, 86.6% were completed within 6 months and 97.2% within 12 months.

The next report on the timeliness of proceedings, for the period to 30 June 2004, will be published in the Court's Annual Report 2003-04. The trend has been that the number of matters in excess of the 6 month and 12 month benchmark has been increasing as workload increases. Recent appointments of additional federal magistrates are expected to have a favourable effect on trend data.

SENATE LEGAL AND CONSTITUTIONAL LEGISLATION COMMITTEE
FEDERAL MAGISTRATES COURT

Question No. 87

Senator Kirk asked the following question at the hearing on 24 May 2004:

Do you have available for us the figures that can show the number of migration cases?

The answer to the honourable senator's question is as follows:

Migration filings for the Federal Magistrates Court

2002-2003 & 2003-2004

		ADE	BRI	CAN	DAR	HOB	MEL	SYD	PER	Total	
2003	Jul	4	0	0	0	1	33	129	0	167	
	Aug	0	0	0	0	0	18	210	0	228	
	Sep	0	1	0	0	0	44	129	0	174	
	Oct	0	0	0	0	1	40	179	1	221	
	Nov	2	0	0	0	0	43	159	1	205	
	Dec	5	0	0	0	0	91	214	0	310	
6mths Total		11	1	0	0	2	269	1020	2	1305	
2004	Jan	1	1	1	0	0	29	155	2	189	
	Feb	0	1	0	0	0	32	157	1	191	
	Mar	1	0	1	0	0	44	325	1	372	
	Apr	0	1	0	0	0	36	205	0	242	
	May	-	-	-	-	-	-	-	-	-	0
	Jun	-	-	-	-	-	-	-	-	-	0
6mths Total		2	3	2	0	0	141	842	4	994	
12mths Total		13	4	2	0	2	410	1862	6	2299	
inc/Dec		0.6%	0.2%	0.1%	0.0%	0.1%	17.8%	81.0%	0.3%	100.0%	
		ADE	BRI	CAN	DAR	HOB	MEL	SYD	PER	Total	
2002	Jul	6	1	0	0	0	22	71	9	109	
	Aug	6	1	0	0	0	25	54	11	97	
	Sep	6	0	0	0	0	39	62	14	121	
	Oct	1	0	0	0	0	25	45	6	77	
	Nov	0	1	0	1	0	43	51	1	97	
	Dec	0	1	0	0	0	17	35	3	56	
6mths Total		19	4	0	1	0	171	318	44	557	
2003	Jan	1	0	0	0	0	14	19	1	35	
	Feb	0	0	0	0	0	25	74	4	103	
	Mar	0	0	0	0	0	30	97	12	139	
	Apr	0	0	0	0	0	50	131	0	181	
	May	2	0	0	0	0	35	172	2	211	
	Jun	0	0	0	0	0	32	138	1	171	
6mths Total		3	0	0	0	0	186	631	20	840	
12mths Total		22	4	0	1	0	357	949	64	1397	
inc/Dec		1.6%	0.3%	0.0%	0.1%	0.0%	25.6%	67.9%	4.6%	100.0%	

SENATE LEGAL AND CONSTITUTIONAL LEGISLATION COMMITTEE
FEDERAL MAGISTRATES COURT

Question No. 88

Senator Ludwig asked the following question at the hearing on 24 May 2004:

When the ANAO report is available, can it be made available to the Committee?

The answer to the honourable senator's question is as follows:

The ANAO report on Client Service in the Family Court of Australia and the Federal Magistrates Court was tabled on 20 May 2004.

SENATE LEGAL AND CONSTITUTIONAL LEGISLATION COMMITTEE
FEDERAL MAGISTRATES COURT

Question No. 89

Senator Ludwig asked the following question at the hearing on 24 May 2004:

Is there a breakdown of how many support staff, how much for additional staff into the FMS and how much for capital expenditure anywhere?

The answer to the honourable senator's question is as follows:

The additional funding included in the 2004-05 Budget includes amounts for 16 staff working directly with the new federal magistrates in chambers and court, and 7 staff in national co-ordination and administration.

The amount of capital funding is \$4.2m, as shown on page 309 of the Attorney-General's Portfolio Budget Statements 2004-05.

SENATE LEGAL AND CONSTITUTIONAL LEGISLATION COMMITTEE
FEDERAL MAGISTRATES COURT

Question No. 90

Senator Ludwig asked the following question at the hearing on 24 May 2004:

Is there a breakdown of the 1397 migration applications filed in 2002-03? Also, 2003-04 (to April 2004)?

The answer to the honourable senator's question is as follows:

		ADE	BRI	CAN	DAR	HOB	MEL	SYD	PER	Total	
2003	Jul	4	0	0	0	1	33	129	0	167	
	Aug	0	0	0	0	0	18	210	0	228	
	Sep	0	1	0	0	0	44	129	0	174	
	Oct	0	0	0	0	1	40	179	1	221	
	Nov	2	0	0	0	0	43	159	1	205	
	Dec	5	0	0	0	0	91	214	0	310	
6mths Total		11	1	0	0	2	269	1020	2	1305	
2004	Jan	1	1	1	0	0	29	155	2	189	
	Feb	0	1	0	0	0	32	157	1	191	
	Mar	1	0	1	0	0	44	325	1	372	
	Apr	0	1	0	0	0	36	205	0	242	
	May	-	-	-	-	-	-	-	-	-	0
	Jun	-	-	-	-	-	-	-	-	-	0
6mths Total		2	3	2	0	0	141	842	4	994	
12mths Total		13	4	2	0	2	410	1862	6	2299	
inc/dec		0.6%	0.2%	0.1%	0.0%	0.1%	17.8%	81.0%	0.3%	100.0%	

Migration		ADE	BRI	CAN	DAR	HOB	MEL	SYD	PER	Total
2002	Jul	6	1	0	0	0	22	71	9	109
	Aug	6	1	0	0	0	25	54	11	97
	Sep	6	0	0	0	0	39	62	14	121
	Oct	1	0	0	0	0	25	45	6	77
	Nov	0	1	0	1	0	43	51	1	97
	Dec	0	1	0	0	0	17	35	3	56
6mths Total		19	4	0	1	0	171	318	44	557
2003	Jan	1	0	0	0	0	14	19	1	35
	Feb	0	0	0	0	0	25	74	4	103
	Mar	0	0	0	0	0	30	97	12	139
	Apr	0	0	0	0	0	50	131	0	181
	May	2	0	0	0	0	35	172	2	211
	Jun	0	0	0	0	0	32	138	1	171
6mths Total		3	0	0	0	0	186	631	20	840
12mths Total		22	4	0	1	0	357	949	64	1397
inc/dec		1.6%	0.3%	0.0%	0.1%	0.0%	25.6%	67.9%	4.6%	100.0%

SENATE LEGAL AND CONSTITUTIONAL LEGISLATION COMMITTEE
ATTORNEY-GENERAL'S DEPARTMENT

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Question No. 91

Senator Ludwig asked the following question at the hearing on 24 May 2004:

When do you expect the Judicial Complaints protocol to be finalised?

The answer to the honourable senator's question is as follows:

The development of a protocol is a complex matter that requires close and serious consideration. The Government has consulted the courts (most recently, the Attorney-General met with the Chief Justice of the Federal Court to discuss the matter) and is considering the views it has received.

SENATE LEGAL AND CONSTITUTIONAL LEGISLATION COMMITTEE
ATTORNEY-GENERAL'S DEPARTMENT

Output 1

Question No. 92

Senator Ludwig asked the following question at the hearing on May 24 2004:

If funding issues are finalised for the return of questions could you please make them available to the committee?

The answer to the honourable senator's question is as follows:

Funding issues for courts' security measures have not been finalised.

SENATE LEGAL AND CONSTITUTIONAL LEGISLATION COMMITTEE
OFFICE OF FILM & LITERATURE CLASSIFICATION

Question No. 93

Senator Harradine asked the following questions at the hearing on 24 May 2004:

How many of the lower classifications have been provided in the last six months? How many of those were referred for OFLC assessment rather than company assessment?

The answer to the honourable senator's question is as follows:

Between 24/11/03 – 24/5/04, the Classification Board classified 258 computer games in the lower classifications – G (136), G8+ (67) and M15+ (55).

All applications for the classification of computer games are submitted to the Classification Board. All classifications for computer games are made by the Board.

Section 17 of the *Classification (Publications, Films and Computer Games) Act 1995* deals with applications for the classification of computer games. Under this section the Director may authorise a person who has been trained by the Office of Film and Literature Classification to make assessments as to the recommended classification of a computer game. These assessments form part of the application for the classification of that computer game.

If an applicant is of the opinion that the computer game would be likely to be classified G, G8+ or M15+, the applicant can submit an application for the classification of a computer game accompanied by an assessment of the computer game that has been prepared by a person authorised by the Director. The assessment can include the authorised assessor's recommended classification of the game and any consumer advice that the assessor considers appropriate for the game.

An authorised assessor's report is part of the information considered by the Board in classifying that computer game.