

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS
NATIONAL NATIVE TITLE TRIBUNAL

Question No. 189

Senator Ludwig asked the following question at the hearing on 24 May 2007:

Budget papers 1 from 2006-07 and 2007-08 indicate that the estimated staffing level was 250 and the forecast staffing level for 2006-07 was put at 240 – which was a decrease of 10 from the previous year. However, instead it fell to 214.

a) Where these cuts fell – what positions were cut or cut back?

i) Why were the staffing level cuts made?

ii) Have the staffing cuts resulted in an increased workload for the remaining staff, or is it a case of certain functions of the NNTT just not being performed anymore?

iii) How has this affected the ability of the Tribunal to deal with Native Title matters?

iv) Why were these cuts not forecast in the previous Estimates?

v) How much was saved in staffing costs as a result of the fall in staffing levels?

v.1) What happened to these savings – were they returned to government or allocated to another area of the NNTT?

vi) Is it intended to return the staffing numbers to the pre-2006-07 levels in the future, or are the staffing cuts permanent?

b) Has the NNTT conducted any analysis or has any opinion on whether additional staff will be required under the recently passed amendments, the proposed *Technical Amendments* or any of the Recommendations of the Hiley-Levy report?

i) If so, give details.

ii) If not:

1) Why not?

2) Does the NNTT predict that there will be an increase in workload under the new amendments? Will the additional workload be passed on to existing staff?

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

a). The original figure in February 2007 of 214 did not include Holders of Public Office (President, Members and Registrar of the NNTT). It was revised in April to be 225 including the Holders of Public Office. This is still a decrease on the original forecast and was due to some vacancies not being filled pending the outcome of amendments to the Native Title Act. Overall workloads decreased during the period in anticipation of amendments to the Native Title Act and what the amendments would mean for clients (claimants and respondents).

i) Positions were not filled until the workload implications of the changes to the Native Title Act were known.

ii) There are no NNTT functions which are not being performed in 2006/07 which were performed in 2005/06. There were fewer activities under some functions. This was due to decreased workloads as identified in (a) above.

iii) The Tribunal's ability to deal with native title matters has not changed. The Tribunal's overall workload was reduced in anticipation of changes to the Native Title Act and is expected to increase over the next 12 months.

iv) The decrease was not forecast in previous estimates as it was not known how the changes in the Native Title Act might affect workloads.

v) \$1.4 million.

v.1) The savings will be retained by NNTT as equity.

vi) Staffing is expected to increase above the current Full Time Equivalents (FTE) as workload increases to give effect to the amended Native Title Act and some current vacancies are filled.

b) yes – see i) below.

i) The Tribunal has determined that there will be a substantial initial increase in workload for registration testing and re-registration testing of native title applications as a result of changes to the Native Title Act. It is expected there will also be increased work in claims management but that increase will not be as immediate as the registration test workload. Some of this will be absorbed within the capacity of current staff and some current vacancies will be filled. For example, in the past two months 13 new registration delegate positions have been identified which have been filled by internal transfers and additional staff. The overall increase is expected to be 10 FTE, including the addition of some administration staff.

ii) Not Applicable

2) see i) above