

SENATE STANDING COMMITTEE ON LEGAL AND CONSTITUTIONAL AFFAIRS  
ATTORNEY-GENERAL'S DEPARTMENT

**People, Information and Technology Division**

**Question No. 179**

**Senator Barnett asked the following question at the hearing on 27 May 2009:**

In relation to staffing;

- a) What is the current total staffing for the Department/Agency - permanent and temporary?
- b) What was the total Full Time Equivalent (FTE) staffing level for the Department/Agency on 1 July 2008?
- c) How many permanent staff were recruited in calendar year 2008 and in FY 2008-09 to date?
- d) What level are these staff?
- e) How many temporary positions exist or have been created CY 2008 and FY 2008-09 to date?
- f) For CY 2008 and FY 2008-09, how many employees have been employed on contract and what is the average length of their employment period?

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

a) and b) Information pertaining to these questions is in the below table.

	Current total staffing for Department/Agency (permanent and temporary)	Contractors/ Consultants engaged	Total FTE for the Department/Agency on 1 July 2008
<b>Attorney-General's Department (AGD)</b>	1553	Unable to report as this data is not captured.	1467.3
<b>Administrative Appeals Tribunal (AAT)</b>	158	Nil reported	133.88
<b>Australian Commission for Law Enforcement Integrity (ACLEI)</b>	19	Nil reported	13
<b>Australian Crime Commission (ACC)</b>	542	9	575.74
<b>Australian Customs and Border Protection Service (Customs)</b>	5945	Nil reported	5855.4
<b>Australian Federal Police (AFP)</b>	6289 (plus 221 secondees)	364	6391.3 (exclusive of secondees)
<b>Australian Government Solicitor (AGS)</b>	696 (FTE)	Nil reported	742
<b>Australian Institute of</b>	62.78 (FTE)	Nil reported	55.58

<b>Criminology (AIC) and HR functions for Criminology Research Council (CRC)</b> (CRC is a nil response)			
<b>Australian Law Reform Commission (ALRC)</b>	17.71(FTE)	The ALRC employs an IT consultancy firm to provide IT network support and web hosting services.	16.04(FTE)
<b>Australian Security Intelligence Organisation (ASIO)</b>	1691	41	1374
<b>Australian Transaction Reports and Analysis Centre (AUSTRAC)</b>	334	67	327
<b>CrimTrac</b>	187	24	141.23
<b>Family Court of Australia</b>	712	-	637.2
<b>Federal Magistrates Court</b>	272	-	240.1
<b>Federal Court of Australia</b>	378	2	366.07
<b>High Court of Australia</b>	102	Nil reported	84.9
<b>Australian Human Rights Commission</b>	125	Nil reported	116
<b>Insolvency and Trustee Service Australia (ITSA)</b>	287 (headcount) 277 (FTE)	51	310.4
<b>National Capital Authority</b>	58	The NCA has a number of contracts and consultancy agreements in place for the delivery of various services. These contracts do not specify how many employees, contractors or subcontractors are to be engaged.	52.04
<b>National Native Title Tribunal (NNTT)</b>	246	2	215
<b>Office of the Commonwealth Director of Public Prosecutions (CDPP)</b>	676	Nil reported	573.02
<b>Office of Parliamentary Counsel (OPC)</b>	51	Nil reported	47.1

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c) and d) Information pertaining to this question is in the below table.

	Permanent staff recruited 1/01/08 – 31/12/08	Level of staff recruited 1/01/08 – 31/12/08	Permanent staff recruited 1/07/08 – 31/05/09	Level of staff recruited 1/07/08 – 31/05/09
<b>Attorney-General's Department (AGD)</b>	292	Graduates = 55 APS 1/2 = 5 APS 3 = 20 APS 3/4 = 1 APS 4 = 17 APS 4/5 = 7 APS 5 = 22 APS 5/6 = 6 APS 6 = 48 LO = 25 EL 1 = 53 SLO = 8 EL 2 = 16 PLO = 4 SES 1 = 3 SES 2 = 2	188	Graduates = 42 APS 1/2 = 15 APS 3 = 12 APS 3/4 = 1 APS 4 = 11 APS 4/5 = 6 APS 5 = 11 APS 5/6 = 6 APS 6 = 31 LO = 16 EL 1 = 19 SLO = 7 EL 2 = 3 PLO = 1 SES 1 = 4 SES 2 = 2 SES 3 = 1
<b>Administrative Appeals Tribunal (AAT)</b>	9	APS 3 = 4 APS 4 = 2 APS 6 = 1 EL1 = 1 EL2 = 1	5	APS 3 = 1 APS 6 = 2 EL1 = 1 EL2 = 1
<b>Australian Commission for Law Enforcement Integrity (ACLEI)</b>	3	APS 6 = 2 EL2 = 1	4	APS 4 = 1 ASP 6 = 2 EL1 = 1
<b>Australian Crime Commission (ACC)</b>	51	APS 3 = 7 APS 4 = 8 APS 5 = 8 APS 6 = 8 EL1 = 13 EL2 = 5 SES 1 = 2	39	APS 3 = 4 APS 4 = 6 APS 5 = 4 APS 6 = 10 EL1 = 12 EL2 = 3
<b>Australian Customs and Border Protection Service (Customs)</b>	387	Graduate = 9 Trainee = 180 CL1 = 29 CL2 = 45 CL3 = 57 CL4 = 37 CL5 = 21 SES = 9	172	Graduate = 5 Trainee = 41 CL1 = 33 CL2 = 22 CL3 = 25 CL4 = 26 CL5 = 15 SES = 5

<b>Australian Federal Police (AFP)</b>	483 (Does not include 50 paid and 150 non-paid secondees)	Band 2 = 104 Band 3 = 52 Band 4 = 128 Band 5 = 62 Band 6 = 49 Band 7 = 37 Band 8 = 28 Band 9 = 20 SES = 3	144 (Does not include 14 paid and 49 non-paid secondees)	Band 1 = 2 Band 2 = 9 Band 3 = 29 Band 4 = 25 Band 5 = 15 Band 6 = 20 Band 7 = 19 Band 8 = 19 Band 9 = 4 SES = 2
<b>Australian Government Solicitor (AGS)</b>	88	APS 1-6 = 75 EL1&2 = 10 SES = 3	39	APS 1-6 = 26 EL1&2 = 10 SES = 1
<b>Australian Institute of Criminology (AIC)</b>	Nil	N/A	Nil	N/A
<b>Australian Law Reform Commission (ALRC)</b>	Nil	N/A	Nil	N/A
<b>Australian Security Intelligence Organisation (ASIO)</b>	234	AO1 = 17 AO2 = 5 AO 3 = 60 AO 4 and equivalent = 82 AO 5 and equivalent = 31 AEO1 and equivalent = 19 AEO 2 and equivalent = 11 AEO 3 = 3 SES 1 = 5 SES 2 = 1	244	AO1 = 16 AO2 = 4 AO 3 = 57 AO 4 and equivalent = 83 AO 5 and equivalent = 51 AEO1 and equivalent = 24 AEO 2 and equivalent = 4 AEO 3 = 1 SES 1 = 4
<b>Australian Transaction Reports and Analysis Centre (AUSTRAC)</b>	91	APS 3 = 7 APS 4 = 26 APS 5 = 15 APS 6 = 16 EL1 = 19 EL2 = 7 SES 1 = 1	46	APS 3 = 3 APS 4 = 8 APS 5 = 9 APS 6 = 6 EL1 = 15 EL2 = 4 SES 1 = 1
<b>CrimTrac</b>	62	APS 4 = 11 APS 5 = 4 APS 6 = 13 EL1 = 30 EL2 = 3 SES 1 = 1	57	APS 4 = 7 APS 5 = 4 APS 6 = 17 EL1 = 25 EL2 = 3 SES 1 = 1
<b>Family Court of Australia</b>	96	APS 2 = 9 APS 3 = 26 APS 4 = 12 APS 5 = 17 APS 6 = 14 EL1 = 13	81	APS 2 = 10 APS 3 = 19 APS 4 = 10 APS 5 = 10 APS 6 = 10 EL1 = 17

		EL2 = 5		EL2 = 4 SES = 1
<b>Federal Magistrates Court</b>	70	APS 3 = 4 APS 4 = 35 APS 5 = 22 E:1 = 7 EL2 = 2	56	APS 3 = 3 APS 4 = 37 APS 5 = 13 EL1 = 3
<b>Federal Court of Australia</b>	20	APS 3 = 1 APS 4 = 2 APS 5 = 1 APS 6 = 5 EL1 = 5 EL2 = 3 Legal 2 = 3	9	APS 4 = 1 APS 5 = 1 APS 6 = 4 EL1 = 2 EL2 = 1
<b>High Court of Australia</b>	12	HCO 3 = 1 HCO 4 = 1 HCO 5 = 1 HCO 6 = 4 EL1 = 2 EL2 = 3	12	HCO 3 = 3 HCO 4 = 1 HCO 5 = 1 HCO 6 = 3 EL1 = 1 EL2 = 2 SES = 1
<b>Australian Human Rights Commission</b>	13	APS 3 = 1 APS 4 = 5 APS 6 = 5 EL1 = 2	6	APS 3 = 1 APS 4 = 1 APS 6 = 3 EL1 = 1
<b>Insolvency and Trustee Service Australia (ITSA)</b>	33	APS 2 = 6 APS 3 = 10 APS 5 = 5 APS 6 = 7 EL1 = 3 EL2 = 2	19	APS 3 = 3 APS 5 = 4 APS 6 = 6 EL1 = 3 EL2 = 2 CE = 1
<b>National Capital Authority</b>	7	APS 1-2 = 2 APS 6 = 3 EL1 = 1 EL2 = 1	13	APS 1-2 = 4 APS 5 = 1 APS 6 = 5 EL1 = 3 The above figures include existing APS employees who transferred or were promoted to ongoing positions in the NCA.
<b>National Native Title Tribunal (NNTT)</b>	23	APS 2 = 5 APS 3 = 2 APS 4 = 2 APS 5 = 1 APS 6 = 10 EL1 = 3	8	APS 2 = 1 APS 6 = 5 EL1 = 2
<b>Office of the</b>	104	APS 2 = 3	91	APS 2 = 9

<b>Commonwealth Director of Public Prosecutions (CDPP)</b>		APS 3 = 32 APS 4 = 9 APS 5 = 3 EL 1 = 3 LO 1 = 15 LO 2 = 27 SLO = 10 PLO = 2		APS 3 = 30 APS 4 = 2 APS 5 = 5 EL 1 = 5 LO 1 = 17 LO 2 = 14 SLO = 7 PLO = 2
<b>Office of Parliamentary Counsel (OPC)</b>	2	APS 4 = 3 APS 5 = 1	4	APS 4 = 3 APS 5 = 1

e) Information pertaining to this question is in the below table.

	Temporary positions existing/created 1/01/08 – 31/12/08	Temporary positions existing/created 1/07/08 – 31/05/09
<b>Attorney-General's Department (AGD)</b>	The Department created 55 non-ongoing and casual (temporary) positions, with a total number of 200 non-ongoing and casual positions existing and occupied by non-ongoing employees on 31 December 2008.	The Department created 45 non-ongoing and casual (temporary) positions, with a total number of 162 non-ongoing and casual positions existing and occupied by non-ongoing employees on 31 May 2009.
<b>Administrative Appeals Tribunal (AAT)</b>	34 existing, 3 created	36 existing, 3 created
<b>Australian Commission for Law Enforcement Integrity (ACLEI)</b>	2	6
<b>Australian Crime Commission (ACC)</b>	On 1 July 2008 the ACC moved to a position based system. As at 1 July 2008, 32 temporary positions existed.	10 existing, 1 created
<b>Australian Customs and Border Protection Service (Customs)</b>	Customs and Border Protection's HR information system is people-based rather than position-based and therefore is unable to accurately report on this.	
<b>Australian Federal Police (AFP)</b>	The AFP does not currently designate positions as temporary. The existing business practice is to engage employees on a non-ongoing basis as required to meet operational and support requirements.	
<b>Australian Government Solicitor (AGS)</b>	AGS does not manage establishments or position numbers in the same way as the APS. AGS's workforce profile is typically 90% to 95% ongoing employees, and the remainder split between term (non-ongoing) and casual employees based on the needs of the business.	
<b>Australian Institute of Criminology (AIC)</b>	49	Nil
<b>Australian Law Reform Commission</b>	19	3 new non-ongoing positions created making a total of 22 non-

<b>(ALRC)</b>		ongoing positions
<b>Australian Security Intelligence Organisation (ASIO)</b>	159 (38 created)	156 (35 created)
<b>Australian Transaction Reports and Analysis Centre (AUSTRAC)</b>	11	13
<b>CrimTrac</b>	9	8
<b>Family Court of Australia</b>	There are currently 125 existing temporary positions. There were a total of 8 temporary positions created since January 2008.	
<b>Federal Magistrates Court</b>	There are currently 43 existing temporary positions. These positions were all created in the period from January 2008.	
<b>Federal Court of Australia</b>	1	0
<b>High Court of Australia</b>	29 existing, 2 created	29 existing, 2 created
<b>Australian Human Rights Commission</b>	8	9
<b>Insolvency and Trustee Service Australia (ITSA)</b>	ITSA does not create or maintain temporary positions. It does however recruit non ongoing employees for the reasons specified under the Public Service Act 1999. There are currently 18 non ongoing employees engaged by ITSA.	
<b>National Capital Authority</b>	11	13
<b>National Native Title Tribunal (NNTT)</b>	27	35
<b>Office of the Commonwealth Director of Public Prosecutions (CDPP)</b>	The CDPP does not create temporary positions but fills all positions on an ongoing or non-ongoing basis depending on operational requirements.	
<b>Office of Parliamentary Counsel (OPC)</b>	Nil	Nil

f) Information pertaining to this question is in the below table.

	# of employees employed on contract 1/01/08 – 31/12/08	Average length of employment contract 1/01/08 – 31/12/08	# of employees employed on contract 1/07/08 – 31/05/09	Average length of employment contract 1/07/08 – 31/05/09
<b>Attorney-General's Department (AGD)</b>	379 non-ongoing The number of contractors is not recorded in the HRIS.	167 days (contract length varies from 1 day to 748 days) for non-ongoing employees Unable to report on contractors' contract length	317 non-ongoing employees The number of contractors is not recorded in the HRIS.	193 days (contract length varies from 1 day to 1079 days) for non-ongoing employees Unable to report on contractors

		as this is not recorded		contract length as this is not recorded
<b>Administrative Appeals Tribunal (AAT)</b>	40 non-ongoing contracts 6 identifiable consultants	1.33 years for non-ongoing employees	44 non-ongoing contracts 9 identifiable consultants	1.56 years for non-ongoing employees
<b>Australian Commission for Law Enforcement Integrity (ACLEI)</b>	7	6 months	12	6 months
<b>Australian Crime Commission (ACC)</b>	56	9.45 months	28	10.15 months
<b>Australian Customs and Border Protection Service (Customs)</b>	151 non-ongoing	Unable to provide data as the system does not capture this information	102 non-ongoing	
<b>Australian Federal Police (AFP)</b>	277 non-ongoing employees 490 contractors	7 months (for non-ongoing) 9 months (for contractors)	229 non-ongoing employees 442 contractors	5 months (for non-ongoing) 9 months (for contractors)
<b>Australian Government Solicitor (AGS)</b>	82	29.46 weeks	51	34.98 weeks
<b>Australian Institute of Criminology (AIC)</b>	15	3 years	4	3 years
<b>Australian Law Reform Commission (ALRC)</b>	All employees at the ALRC are non-ongoing. The average length of the employment period is three years, as outlined in our Union Collective Agreement. In CY 2008 the ALRC employed 19 non-ongoing employees on contract. The ALRC also employed three consultancies.		In FY 08-09 there are 22 non ongoing employees on contract. The ALRC also employed three consultancies.	
<b>Australian Security Intelligence Organisation (ASIO)</b>	76 non-ongoing, 30 contractors/ consultants	-	68 non-ongoing, 41 contractors/ consultants	-
<b>Australian Transaction Reports and Analysis Centre (AUSTRAC)</b>	127 non-ongoing contracts	10.04 months	62 non-ongoing contracts	9.35 months
<b>CrimTrac</b>	24	331.32 days	19	273.49
<b>Family Court of Australia</b>	216 non-ongoing	2 months for non-ongoing	261 non-ongoing	3 months for non-ongoing



	employees, 34 contractors	employees, 23 months for contractors	employees, 27 contractors	employees, 25 months for contractors
<b>Federal Magistrates Court</b>	Not recorded	Not recorded	83 non-ongoing, not recorded for contractors	2 months for non-ongoing
<b>Federal Court of Australia</b>	25 non-ongoing 11 contractors	10 months and 12 days for non-ongoing employees Please note that each Federal Court judge has an associate who are non-ongoing employees generally employed for a period of 12 months.	45 non-ongoing 9 contractors	10 months and 12 days for non-ongoing employees
<b>High Court of Australia</b>	21 non-ongoing on contract, 24 non-ongoing casual employees	12 months	19 non-ongoing on contract, 19 non-ongoing casual employees	12 months
<b>Australian Human Rights Commission</b>	32	1.4 years	36	1.4 years
<b>Insolvency and Trustee Service Australia (ITSA)</b>	31	176 days	17	176 days (based on Public Service Act contracts that have ceased only data is not maintained on the engagement and length of common law contracts arrangements and it would be very difficult to obtain such information)
<b>National Capital Authority</b>	Not available in full. In regards to IT contractors: In 2008 the equivalent of	91 working days	As at 15 June 2009, the equivalent of 1.4 FTE staff were provided to the NCA, as	56 working days

	1.4 FTE staff were provided to the NCA, as part of its outsourced IT Service contract.		part of its outsourced IT Service contract.	
<b>National Native Title Tribunal (NNTT)</b>	27 non-ongoing, 13 contractors	Average length of non-ongoing is 18 months Average length of contractors is 5 months	35 non-ongoing, 19 contractors	Average length of non-ongoing is 18 months Average length of contractors is 5 months
<b>Office of the Commonwealth Director of Public Prosecutions (CDPP)</b>	203	6.6 months	171	4.9 months
<b>Office of Parliamentary Counsel (OPC)</b>	1 contractor	12 months	Nil	N/A