



**Australian Government**  
**Attorney-General's Department**

13/16692-04

19 December 2013

Ms Sophie Dunstone  
Committee Secretary  
Senate Standing Committee on  
Legal and Constitutional Affairs  
Parliament House  
CANBERRA ACT 2600

Dear Ms Dunstone

**Clarifications and corrections to Hansard**

Following the Supplementary Budget Estimates hearing of 18 November 2013, officers from the Attorney-General's Portfolio who provided evidence to the Committee have identified the following clarifications:

Attorney-General's Department

*Evidence of Mr Kym Duggan PSM*

In an exchange with Senator Wright regarding the Government's announcement of a reduction of \$42 million from the Indigenous Legal Aid and Policy Reform Program, on page 109 of the transcript Mr Duggan stated "There was a time, about five years ago, when the program had a separate allocation for policy reform activities. That was around \$2.1 million".

The Attorney-General's Department wishes to clarify that, as identified in the Portfolio Budget Statements, the separate allocation for policy reform activities was \$2.580 million in 2009-10. Of this amount, \$2.086 million was allocated to Aboriginal and Torres Strait Islander Legal Services.

*Organisational Chart*

Senator Marshall asked if there were an organisational chart (page 9 of the transcript). While this was not taken on notice as a question the department has provided an overview identifying its structure and reporting lines of portfolio agencies. This is at Attachment A.

Administrative Appeals Tribunal

*Evidence of Mr Philip Kellow*

On page 49 of the transcript, Senator Singh asked how many Administrative Appeals Tribunal (AAT) members have been appointed to deal with National Disability Insurance Scheme (NDIS) matters.

Mr Kellow indicated that at this stage the AAT has 21 members and senior members. He also stated that "I would need to do a quick count but there would probably be around 25 presidential members including the judges".

The AAT would like to clarify that there are 30 presidential members of the AAT (including the AAT President) who can deal with NDIS matters; in addition there are 8 Senior Members and 13 Members who have been assigned to the NDIS Division.

### Australian Institute of Criminology

#### *Evidence of Dr Adam Tomison*

In an exchange with Senator Wright regarding the Australian Institute of Criminology's (AIC's) collection of data on the number of people received into prison each year, Dr Tomison conflated data collected on persons in police custody with those in custody in correctional settings. The AIC wishes to clarify that it is developing an annualised set of data on persons in police custody across the nation from an existing police custody census study conducted every five years. While correctional services data exist, at the present time the AIC is not collecting that data. The following specific clarifications are provided by the AIC:

On page 53 of the transcript Dr Tomison said "One of the outcomes of the royal commission into Aboriginal deaths in custody was that the AIC would conduct a five-yearly census of the number in corrections." The AIC wishes to clarify that it conducts a five-yearly census of the numbers in police custody, not of numbers in corrective services.

On page 53 of the transcript, Dr Tomison stated that "The AIC in the last six months has written to all corrective services agencies around the country, asking them to change the census survey into an annual monitoring program'. The AIC wishes to clarify that has written to all policing agencies regarding the change of the police census survey to an annual monitoring program.

On page 54 of the transcript, Dr Tomison stated "So all I can say to you is that we have not seen that data yet, but we do know, from a number of negotiations with corrective services agencies, that the data is available". The AIC wishes to clarify that while data on police custody is available, correctional services data has not been sought.

On page 54 of the transcript, Dr Tomison stated "What we are going to do is start small in the sense that we are going to ask for a broad set of data – essentially, some very broad numbers on the number of prisoners who are being kept in remand and who have already been sentenced". The AIC wishes to clarify that it will collect broad data on the number of persons kept in police custody and some broad demographical information, not correctional data at this stage.

### Screen Australia

#### *Evidence of Ms Fiona Cameron*

On page 21 of the transcript, Ms Cameron said "In total, to date, there has been nearly \$8.6 million allocated to independent Australian games studios for the development of Australian intellectual property, which hopefully will help employment and original IP stay in Australia and allow Australian independent games studios to take a slice of the \$80 billion world audiovisual market."

Screen Australia would like to clarify that Ms Cameron meant to say "...a slice of the \$80 billion world market."

Finally, officers have identified a number of corrections to the *Hansard* of 18 November 2013 and these are indicated at Attachment B.

Yours sincerely

Simon Kelly  
Director  
Legislation and Parliamentary Liaison Section