

Questions on Notice, Standing Committee on Justice and Community Safety, Annual & Financial Reports 2010/11

Identifier	Date of hearing	Question on Notice	Answered	Dated	Accepted by Committee
JCS-1	02/11/2011	Mrs Dunne: Re. alcohol-related violence: -QoN - number of fines against individuals?	Yes	11/11/2011	Mtg 109, 30/11/2011
JCS-2	02/11/2011	Mrs Dunne: Temporary shut-down provisions - how many times used?	Yes	28/11/2011	Mtg 109, 30/11/2011
JCS-3	02/11/2011	Re. Courts backlog: -QoN - breakdown of factors in older, intractable cases;	Yes?	22/11/2011	Mtg 109, 30/11/2011
JCS-4	02/11/2011	<i>Re. Government Solicitor - Human Rights-related advices: - QoN for more information;</i>	NA – not taken as QoN		NA
JCS-5	02/11/2011	Mrs Dunne: Re. the Courts - energy efficiency upgrades at Magistrates Court -Chair: was there any assessment done before measures taken? Was there a business case put forward? -Attorney - business-case was put forward - taken as QoN;	Yes	15/11/2011	Mtg 109, 30/11/2011
JCS-6	02/11/2011	<i>Mrs Dunne: Re. the Courts backlog: 'when could Courts back-log be expected to begin decreasing?' QoN taken by Attorney;</i>		Answered by response for JCS-14 below, 13/12/2011	Mtg 112, 18/01/2012

Questions on Notice, Standing Committee on Justice and Community Safety, Annual & Financial Reports 2010/11

Identifier	Date of hearing	Question on Notice	Answered	Dated	Accepted by Committee
JCS-7	02/11/2011	Ms Hunter: Re. WorkSafe - bullying -QoN taken for more detail on figures re. 'young workers' entry in Table 10, p.43 of Annual Report, Vol 1	Yes	15/11/2011	Mtg 109, 30/11/2011
JCS-8	02/11/2011	Mrs Dunne: Re. Transport regulation –	Yes	23/11/2011	Mtg 109, 30/11/2011
JCS-9	02/11/2011	Mr Coe: safety and speed-camera vans: 'Are you aware of sites that have been taken off-line?' -Ms Greenland - QoN taken;	Yes		Mtg 109, 30/11/2011
JCS-10	02/11/2011	Mr Coe: Reporting requirements and data for hire cars and taxis;	Yes	25/11/2011	Mtg 109, 30/11/2011
JCS-11	02/11/2011	Mrs Dunne: work done to combat the misuse of disabled parking vouchers;	Yes	23/11/2011	Mtg 112, 18/01/2012
JCS-12	02/11/2011	Mrs Dunne: Efficiency dividend / Other savings / Balance sheet / Statement of performance	Yes	15/12/2011	Mtg 112, 18/01/2012
JCS-13	02/11/2011	Mrs Dunne: Single registry (p.72) / Reducing backlog in the courts (p.73) / Fine enforcement program (p.74).	Yes	15/12/2011	Mtg 112, 18/01/2012
JCS-14	02/11/2011	Progress on reducing backlog of outstanding fines \ performance measures on backlog	Yes	13/12/2011	Mtg 112, 18/01/2012

Questions on Notice, Standing Committee on Justice and Community Safety, Annual & Financial Reports 2010/11

Identifier	Date of hearing	Question on Notice	Answered	Dated	Accepted by Committee
JCS-15	02/11/2011	Mrs Dunne: Strategic Indicator 1 (p.228); Strategic Indicator 2 (p.229); Strategic Indicator 4 (p.235)	Yes	13/12/2011	Mtg 112, 18/01/2012
JCS-16	02/11/2011	Mrs Dunne: Sexual Assault Reform Program - implementation	Yes	06/12/2011	Mtg 112, 18/01/2012
JCS-17	02/11/2011	Mrs Dunne: community legal centres / single court study	Yes	1/12/2011	Mtg 112, 18/01/2012
JCS-18	02/11/2011	Mrs Dunne: ORS / WorkSafe ACT/ Fire safety / Fair trading compliance	Yes	1/12/2011	Mtg 112, 18/01/2012
JCS-19	07/11/2011	Ms Hunter: use-of-force statistics over the last few years; taken as a QoN by the Attorney;	Yes	22/11/2011	Mtg 109, 30/11/2011
JCS-20	07/11/2011	Mrs Dunne: statistical information on ice usage in ACT and ice-related crime, taken as a QoN by CPO;	Yes	22/11/2011	Mtg 109, 30/11/2011
JCS-21	07/11/2011	Mrs Dunne - average cost per day for prisoners - \$416 per day - how does this compare with other jurisdictions; comparison with NSW taken as a QoN by Ms Mitcherson;	Yes	22/11/2011	Mtg 109, 30/11/2011

Questions on Notice, Standing Committee on Justice and Community Safety, Annual & Financial Reports 2010/11

Identifier	Date of hearing	Question on Notice	Answered	Dated	Accepted by Committee
JCS-22	07/11/2011	Ms Dunne: How much was held back, how much was payed and how much to be payed, which was separate from the liquidated damages? - taken as a QoN by the Attorney;	Yes	07/12/2011	Mtg 112, 18/01/2012
JCS-23	07/11/2011	<i>Mr Smyth: station upgrades for Fire and Ambulance services, QoN for Mr Doverty;</i>	NA – not taken as QoN		NA
JCS-24	07/11/2011	Mrs Dunne: re. ESA Headquarters -What was the cost of the repairs and who bears those costs? QoN on breakdown of costs.	Yes	22/11/2011	Mtg 109, 30/11/2011
JCS-25	07/11/2011	Mr Smyth; ambulance response times - table in Annual Report. Breakdown of four priorities and what percentage of calls were met within the limit, and what on the 50th and 90th percentile, taken as a QoN by Mr Foot;		22/11/11	Mtg 112, 18/01/2012
JCS-26	07/11/2011	Mr Hargreaves - question of jurisdiction / responsibilities in suspension of licence in case-study; taken as a QoN by the Ombudsman's Office.	Yes	22/11/2011	Mtg 109, 30/11/2011

Questions on Notice, Standing Committee on Justice and Community Safety, Annual & Financial Reports 2010/11

Identifier	Date of hearing	Question on Notice	Answered	Dated	Accepted by Committee
JCS-27	11/11/2011	Mrs Dunne: question re. liquidity, liquidity ratios; projected to go down over the out years (p.13 of report); Mr Taylor: Auditor-General has advised not to include table. QoN taken - to elaborate on liquidity ratios table.	Yes	22/11/2011	Mtg 109, 30/11/2011
JCS-28	11/11/2011	Ms Hunter asked a question about the Mitchell industrial fire. Mr McCabe answered that it is too early in the inquiry to be able to share details. Ms Hunter: how many times was site inspected? Five visits to former sites. QoN taken re. this.	Yes	01/12/2011	Mtg 112, 18/01/2012
JCS-29	11/11/2011	Mrs Dunne, question to Mr McCabe: re. table 11, p.45 - how is it that there were no visits to forestry sites? QoN taken - when did you last visit forestry operations, agricultural operations?	Yes	01/12/2011	Mtg 112, 18/01/2012

Questions on Notice, Standing Committee on Justice and Community Safety, Annual & Financial Reports 2010/11

Identifier	Date of hearing	Question on Notice	Answered	Dated	Accepted by Committee
JCS-30	11/11/2011	Mrs Dunne, re. Bimberi inquiry – were there discussions with JACS or Community Services about resourcing? What date did you have people on the ground?	Yes	23/11/2011	Mtg 109, 30/11/2011
JCS-31	23/11/2011	Mr Hargreaves asked a question, regarding the number of people involved in addressing the backlog. P.12 and 13 tables in annual report - re. fluctuations in figures. Also chart p.15 goes back further: 'Can you tell me numbers of staff, by type of staff, so that it can be matched-up against workload and types of workload for earlier years, to compare with current years, over five years? Prosecutors, paralegals, and so forth. To see a progression - how resources match-up to workload.' Mr White responded, and took the question as a QoN.	Yes	06/12/2011	Mtg 112, 18/01/2012

Questions on Notice, Standing Committee on Justice and Community Safety, Annual & Financial Reports 2010/11

Identifier	Date of hearing	Question on Notice	Answered	Dated	Accepted by Committee
JCS-32	23/11/2011	<i>Mrs Dunne question on 'outlook' section in annual report. What is the expected budget for the operation of the election? Mr Green responded, saying that there is a budget, but he did not have it with him. He took the question as a QoN.</i>	NA– answered in hearing, pp.154-155.		NA
JCS-33	23/11/2011	Ms Hunter asked about money provided for re-distribution, and whether all this money was spent. Mr Green took this as a QoN. The Attorney also responded.	Yes	06/12/2011	Mtg 112, 18/01/2012
JCS-34	23/11/2011	Mrs Dunne commented on 32 per cent of children in foster care not seen by officers - not reported as a separate quantity. Ms Phillips took a QoN on the number of children not seen by care and protection officers.	Yes	19/12/2011	Mtg 112, 18/01/2012
JCS-35	23/11/2011	Mrs Dunne - re. table on p.73 - what these descriptors mean and a rundown on how many are legal officers and how many are administrative. Taken as a QoN by Mr Crockett.	Yes	13/12/2011	Mtg 112, 18/01/2012
JCS-36	23/11/2011	Mr Rattenbury - Assaults on police – how many taken to court &c.	Yes	6/12/2011	Mtg 112, 18/01/2012

Questions on Notice, Standing Committee on Justice and Community Safety, Annual & Financial Reports 2010/11

Identifier	Date of hearing	Question on Notice	Answered	Dated	Accepted by Committee
JCS-37	02/11/2011	Mrs Dunne: Legislative and policy-based reporting; Advisory boards and committees; Learning and development; workplace health and safety	Yes	3/1/2012	Mtg 112, 18/01/2012
JCS-38	07/12/2011	Ms Le Couteur: compliance with requirements for wheelchair taxi operation	Yes	19/12/2011	Mtg 112, 18/01/2012



JCS-1

Simon Corbell MLA

ATTORNEY GENERAL
MINISTER FOR POLICE AND EMERGENCY SERVICES
MINISTER FOR THE ENVIRONMENT AND SUSTAINABLE DEVELOPMENT
MINISTER FOR TERRITORY AND MUNICIPAL SERVICES

MEMBER FOR MOLONGLO

Answer to Question Taken on Notice

Mrs Vicki Dunne MLA asked the Attorney General, during the Standing Committee on JACS Inquiry into Annual and Financial Reports 2010-11 on Monday, 2 November 2011:

[In relation to Liquor Laws and Fees]

Could you provide on notice the number of fines and the like that have been taken out against individual drinkers?

Mr Corbell – the answer to the Member's question is as follows:

Criminal Infringement Notices (CINs) were introduced as an efficient means of dealing with lower-level offences at the time of the occurrence, permitting more effective use of police and court resources. ACT Policing has been using CINs for a number of minor street offences since December 2009. Since then the range of offences to which CINs applies has been increased with the passage of liquor reforms in 2010.

CINs are on-the-spot fines for the offences of:

- Abuse Threaten Intimidate Staff – *Liquor Act 2010* \$220
- Consume Liquor at Certain Public Places – *Liquor Act 2010* \$110
- Consume Liquor In Public Place – *Liquor Act 1975* \$100
- Deface Private Premises – *Crimes Act 1900* \$200
- Deface Public Premises – *Crimes Act 1900* \$200
- Fail To Cease Noise From Premises – *Crimes Act 1900* \$200
- Fail to Keep Incident Register – *Liquor Act 2010* \$220
- Fail To Leave Premises When Directed – *Liquor Act 2010* \$440
- Supply Liquor to Intoxicated Person – *Liquor Act 2010* \$110
- Supply Liquor to Intoxicated Person – Employee – *Liquor Act 2010* \$220
- Urinating In A Public Place – *Crimes Act 1900* \$200
- Fail to Keep Licence or Permit at Premises *Liquor Act 2010* \$110



Approved for circulation to the Member

Simon Corbell MLA

Minister for Police and Emergency Services

Date:.....

The following table indicates the number of CINS issued against individuals since the changes to the liquor laws in December 2010:

CINs Type	Date Issued							Total
	Dec-10	Jan-11	Feb-11	Mar-11	Apr-11	May-11	Jun-11	
Abuse Threaten Intimidate Staff	0	1	0	0	1	0	0	2
Consume Liquor In Public Place	20	14	8	7	19	8	4	80
Consume Liquor at Certain Public Places	30	22	4	5	6	1	0	68
Deface Private Premises	0	2	0	0	0	0	0	2
Deface Public Premises	0	0	3		1	3	2	9
Fail To Cease Noise From Premises	0	0	1	1	1	0	0	3
Fail To Leave Premises When Directed	0	1	0	0	8	6	10	25
Supply Liquor to Intoxicated Person	1	0	0	0	0	0	1	2
Urinating In A Public Place	25	11	20	10	21	44	31	162



JCS - 2

Simon Corbell MLA

ATTORNEY GENERAL
MINISTER FOR POLICE AND EMERGENCY SERVICES
MINISTER FOR THE ENVIRONMENT AND SUSTAINABLE DEVELOPMENT
MINISTER FOR TERRITORY AND MUNICIPAL SERVICES

MEMBER FOR MOLONGLO

Answer to Question Taken on Notice

Ms Dunne MLA asked the Attorney General, during the Standing Committee on Justice and Community Safety Inquiry into Annual and Financial Report 2010-11 on 2 November 2011:

[In relation to liquor laws and fees]

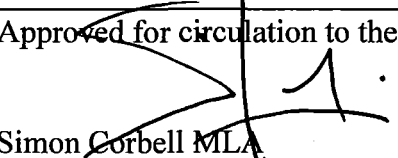
How many times have temporary shutdown provisions been used?

Mr Corbell MLA – the answer to the Member's question is as follows:

ACT Policing has not used temporary powers, as outlined in the new liquor laws, to shut down any licensed premises.



Approved for circulation to the Member


Simon Corbell MLA
Attorney General

28.11.11

Date:.....



TCS - 3

Simon Corbell MLA

ATTORNEY GENERAL
MINISTER FOR POLICE AND EMERGENCY SERVICES
MINISTER FOR THE ENVIRONMENT AND SUSTAINABLE DEVELOPMENT
MINISTER FOR TERRITORY AND MUNICIPAL SERVICES

MEMBER FOR MOLONGLO

QUESTION TAKEN ON NOTICE

Mrs Dunne MLA asked the Attorney General during Standing Committee on Justice and Community Safety inquiry into Annual and Financial Reports 2010-11 on Wednesday, 2 November 2011:

[In relation to aged court matters]

Are these matters a combination of things that have not been heard or matters that are awaiting judgement? Can we have a breakdown on the figures?

Mr Corbell MLA – the answer to the Member's questions is as follows:

Yes, these matters are a combination of things that have not been heard and matters awaiting judgement. For both criminal and civil matters in the Supreme Court, the breakdown is approximately 10% of matters were matters awaiting judgement.



Approved for circulation to the Member

Simon Corbell MLA
Attorney General

22.10.11

Date:.....



JCS - 5

Simon Corbell MLA

ATTORNEY GENERAL
MINISTER FOR POLICE AND EMERGENCY SERVICES
MINISTER FOR THE ENVIRONMENT AND SUSTAINABLE DEVELOPMENT
MINISTER FOR TERRITORY AND MUNICIPAL SERVICES

MEMBER FOR MOLONGLO

Answer to Question Taken on Notice

Ms Dunne MLA asked the Attorney-General during the Standing Committee on JACS inquiry into the Annual and Financial Reports Hearing on Wednesday, 2 November 2011:

In regards to the energy efficiency upgrades to the ACT Magistrates Court. Was there any assessment done before measures taken? Was a business case put forward?

Mr Corbell – the answer to the Member's questions is as follows:

In 2009 an energy and water audit was completed at the ACT Magistrates Court. A number of material and management recommendations were made. The Courts and Tribunal prepared a case and were allocated funding from the JACS Directorate 2010/11 Capital Upgrade Program to implement a number of the recommendations.

Once funding was allocated an additional in depth audit was completed in 2011 that provided a further range of efficiency options.

From these audits a strategy was developed, which outlined both the physical upgrade of the Magistrates Court building and a program of change management to improve environmental efficiency outcomes.



Approved for circulation to the Member

Simon Corbell MLA
Attorney General

Date: 15.11.11



JCS - 7

Simon Corbell MLA

ATTORNEY GENERAL
MINISTER FOR POLICE AND EMERGENCY SERVICES
MINISTER FOR THE ENVIRONMENT AND SUSTAINABLE DEVELOPMENT
MINISTER FOR TERRITORY AND MUNICIPAL SERVICES

MEMBER FOR MOLONGLO

Answer to Question Taken on Notice

Ms Hunter MLA asked the Attorney General, during the Standing Committee on Justice and Community Safety Inquiry into Annual and Financial Reports 2010-11 on Wednesday, 2 November 2011:

Please explain in more detail the figures regarding the 'young workers' entry on Page 43 of Annual Report Volume 1, Table 10.

Mr Corbell MLA – the answer to the Member's question is as follows:

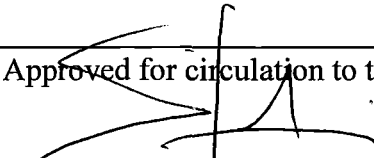
The questions asked during the Take-away Food Outlet Safety Campaign regarding young workers were:

- Are young workers closely supervised?
- Are young workers buddied up with experienced workers?
- Are young workers trained how to perform tasks safely?
- Do young workers always work with other staff members?

The findings reveal a high level of recognition by take-away food outlets of the importance of supporting young workers in respect of health and safety in the workplace.



Approved for circulation to the Member


Simon Corbell MLA
Attorney General

15.11.11

Date:.....



JCS-8

Simon Corbell MLA

ATTORNEY GENERAL
MINISTER FOR POLICE AND EMERGENCY SERVICES
MINISTER FOR THE ENVIRONMENT AND SUSTAINABLE DEVELOPMENT
MINISTER FOR TERRITORY AND MUNICIPAL SERVICES

MEMBER FOR MOLONGLO

Answer to Question on Notice

Ms Dunne MLA asked the Attorney General, during the Standing Committee on Justice and community Safety Inquiry into Annual and Financial Reports on Wednesday, 2 November 2011:

Output 1.8 -Transport regulation (p54)

(1) What work has the government done or is planning to do to combat the misuse of disabled parking vouchers?

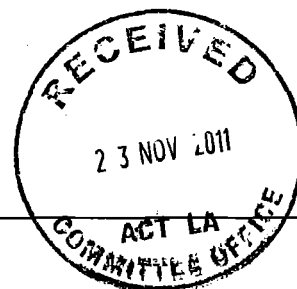
Mr Corbell MLA – the answer to the Member's question is as follows:

During 2011 parking inspectors have closely monitored the use of disabled parking spaces in government car parks, resulting in fines for people who were found to be parking illegally.

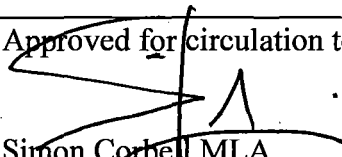
The close monitoring of disabled spaces has been undertaken to ensure that disabled car spaces are available for those who are authorised to use them. Disabled car spaces are located on street and within government car parks so that motorists, or passengers with a disability do not have to travel long distances to access these spaces. Parking and information officers also regularly speak with motorists, educating them about disabled parking use.

The number of fines issued to motorists for disobeying disabled parking signs in 2011 is:

- Jan 72
- Feb 139
- Mar 131
- Apr 104
- May 162
- June 136
- July 172
- Aug 141
- Sep 178
- Oct 123



Approved for circulation to the Member


Simon Corbell MLA
Attorney General

Date: 23.11.11

At the same time the ACT Government has been participating in the Australian Government initiative to harmonise accessible parking schemes across Australia. This initiative indirectly addresses misuse of disability parking schemes by promoting the importance of the scheme to those most in need. The scheme introduces a national permit with security features preventing fraudulent duplication. The initiative has been based upon working collaboratively with medical practitioners, allied health professionals and disability peak bodies in the development of the national eligibility criteria and national minimum standards for parking concessions. Further information about this initiative is available at www.disabilityparking.gov.au

Within the ACT, the new permit consists of the existing ACT mobility parking permit being inserted into the plastic pocket of the new Australian disability parking permit with the permit number and expiry date clearly visible from outside the vehicle. The transition to the new permit was completed in the ACT on 1 May 2011.

New national minimum standards for parking concessions and national eligibility criteria will also be progressively introduced in each State and Territory. However, existing parking concessions provided in the ACT will continue to be provided and are not affected by the national minimum standards for disability parking. In addition, to ensure that the disability community is not disadvantaged, the ACT Government will not narrow grounds to establish eligibility.

As part of the national project to harmonise disability parking schemes across Australia, the suggestion of placing the permit holders' photo onto the permit was considered. It was decided not to explore the option further due to enforcement difficulties. For example, the driver who parks a vehicle in a reserved mobility parking space may not be the permit holder but may be picking up the permit holder from shopping or a medical appointment. Also, if the driver is the permit holder, a photo on the permit is only useful if the driver is at the vehicle at the same time as the parking inspector.



JCS - 9

Simon Corbell MLA

ATTORNEY GENERAL
MINISTER FOR POLICE AND EMERGENCY SERVICES
MINISTER FOR THE ENVIRONMENT AND SUSTAINABLE DEVELOPMENT
MINISTER FOR TERRITORY AND MUNICIPAL SERVICES

MEMBER FOR MOLONGLO

Answer to Question Taken on Notice

Mr Alistair Coe MLA asked the Attorney General, during the Standing Committee on JACS inquiry into Annual and Financial Report 2010-11 on 2 November 2011:

[In relation to camera van sites]

- 1) Are sites reassessed for OH&S issues?
- 2) Have any sites been removed?

Mr Corbell MLA – the answer to the Member's question is as follows:

- 1) Yes. Incident report forms are provided in all camera vans for staff to report incidents and accidents. This information is reviewed on a regular basis to ensure any OH&S matters are resolved.
- 2) On some occasions sites have been moved to a more appropriate location on the same road. No roads have been removed from operation.

Approved for circulation to the Member

Simon Corbell MLA
Attorney General

Date: 15.11.11





JCS - 12

Simon Corbell MLA

ATTORNEY-GENERAL
MINISTER FOR POLICE AND EMERGENCY SERVICES
MINISTER FOR THE ENVIRONMENT AND SUSTAINABLE DEVELOPMENT

MEMBER FOR MOLONGLO

Answer to Question on Notice

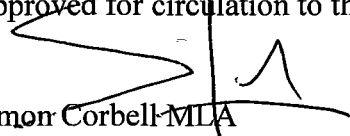
Mrs Vicki Dunne MLA asked the Attorney-General, during the Standing Committee on Justice and Community Safety inquiry into Annual and Financial Reports on 2 November 2011:

- (1) Efficiency Dividend
 - (a) What was the budgeted efficiency dividend for the directorate for 2010-11 and was that budget met?
 - (b) If no, by how much did the actual vary from the budget and why?
 - (c) What measures did the directorate adopt to achieve the actual efficiency?
- (2) Other savings
 - (a) What other savings were budgeted for the directorate for 2010-11 and did the directorate meet that budget?
 - (b) If no, by how much did the actual vary from the budget and why?
 - (c) What measures were adopted to achieve the actual savings?
- (3) Balance Sheet (p19)
 - (a) As at 30 June 2011, what was the ageing of the payables (\$10.973m) as to current (i.e. within agreed terms of trade), 0-30 days overdue, 30-60 days overdue, 60-90 days overdue and 90+ days overdue?
 - (b) Was interest paid on overdue payables? If yes, how much? If no, why?
- (4) Statement of Performance (p 117)
 - (a) Output 3.1- Courts and tribunals (p128)
 - (i) Accountability Indicators d and e - Reasonable cost efficiency - what is the comparison between the ACT and other small jurisdictions (ref Notes 3 and 4, p129)
 - (ii) Accountability Indicator f - Criminal case backlog indicator - what is this ratio when broken down to the "types of things" as listed in Note 5 (p129)?

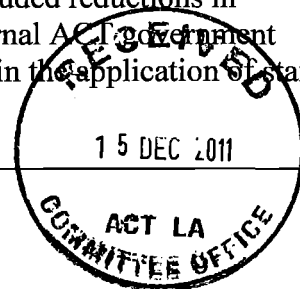
Mr Corbell MLA – the answer to the Member's question is as follows:

- (1) Justice and Community Safety's budgeted efficiency dividend for 2010-11 was \$1.842 million. The savings and efficiency initiatives were targeted across a broad range of administrative and employee expenses. Efficiency measures included reductions in administrative expenses and other supplier costs, savings in internal ACT Government expenses (for example, Shared Services ICT costs), efficiencies in the application of staffing, and cost recovery measures.

Approved for circulation to the Member


Simon Corbell MLA
Attorney-General

Date: 15.12.11



As the Directorate managed within approved budget for 2010-11, including an approved Treasurer's Advance to partially fund the unanticipated higher workers compensation premium for 2010-11, the efficiency requirements as a whole were met for the Directorate.

(2) Justice and Community Safety did not have any further savings targets in 2010-11.

(3) Balance Sheet (p19)

(a) As at 30 June 2011, the Directorate's total payables was \$10.973m. Of this amount, the estimated aging of payables to external parties based on 2010-11 financial statement reporting papers, is shown below:

Account Description	Total Payables \$'000	Overdue to External Parties (non-ACT Govt)				Total \$'000
		0-30 Days \$'000	30-60 Days \$'000	60-90 Days \$'000	90+ Days \$'000	
Trade Payables	1,409					-
Other Payables	5,642					-
Accrued Expenses	3,922	6	6	-	-	12
Total Payables	10,973	6	6	-	-	12

Note:

1 Accrued expenses mainly relate to goods and services received, however, associated invoices have not been received by the Directorate prior to end of financial year close-off.

(b) The entitlement to interest only arises where the goods or services have been received, and there is receipt of a correctly rendered invoice. In the event that the above conditions are satisfied, under the *Government Procurement Act 2001*, suppliers are entitled to request in writing that the Territory pay interest on the amount of the account unpaid after the due payment date. A review by Shared Services Finance, on behalf of the Directorate, did not identify any interest paid on outstanding payables during 2010-11.

(4) (a) In relation to the Courts and Tribunal performance measure variances:

(i) In relation to Notes 3 and 4 on page 129, the comparison of actual lodgement and finalisation figures for smaller jurisdictions including ACT, Tasmania and the Northern Territory are outlined in the *Report on Government Services*. Relevant figures from tables 7.2, 7.3, 7.5 and 7.6 in the *2011 Report on Government Services* (released in January 2011 for the 2009-10 year) are provided in the table below.

2009-10 Court lodgements and finalisations ('000) for ACT, NT and TAS:

2009-10	ACT	NT	TAS
Civil Lodgements (Table 7.3)	4.4	7.3	10.9
Civil Finalisations (Table 7.6)	4.8	6.9	11.4
Criminal Lodgements (Table 7.2)	6.7	14.3	24.3
Criminal Finalisations (Table 7.6)	6.8	13.8	23.1

Source: 2011 Report on Government Services (Tables 7.2, 7.3, 7.5 and 7.6)

Total court costs for criminal and civil matters are calculated using the *2011 Report on Government Services* tables 7A.9 and 7A.10 which shows 'real recurrent expenditure' for each court. These tables are available at <http://www.pc.gov.au/gsp>.

(ii) To calculate a ratio would require a manual examination of each file to ascertain the reason for each matter and this would not be an efficient deployment of available resources.



JCS-13

Simon Corbell MLA

ATTORNEY-GENERAL
MINISTER FOR POLICE AND EMERGENCY SERVICES
MINISTER FOR THE ENVIRONMENT AND SUSTAINABLE DEVELOPMENT

MEMBER FOR MOLONGLO

Answer to Question on Notice

Mrs Vicki Dunne MLA asked the Attorney-General, during the Standing Committee on Justice and Community Safety Inquiry into Annual and Financial Reports on Wednesday, 2 November 2011:

- (1) Single registry (p72)
 - (a) What organisation structural changes were made or are planned as a result of the establishment of the single registry?
 - (b) What cost savings are anticipated by the new system?
- (2) Reducing backlog in the courts (p73)
 - (a) What is the government's response to the call of magistrates for higher salaries?
 - (b) To what extent would the need for court reform, the call for higher salaries for magistrates or the cost of refurbishing the two magistrates court hearing rooms been averted if the government's had appointed a fifth Supreme Court judge when it was first recommended?
 - (c) What is the government's position in relation to the future appointment of acting Supreme Court judges?
- (3) Fine enforcement program (p74)
 - (a) What did it cost to establish the fine enforcement unit and what is the annual recurrent cost?
 - (b) What is the structure of the unit?
 - (c) What was the number and total amount of fines outstanding as at 1 July 2010 and what was the number and total amount outstanding at 30 June 2011?
 - (d) What is the breakdown of the extent to which the legislated levels of recovery sanctions were employed during 2010-11?

Mr Corbell MLA – the answer to the Member's question is as follows:

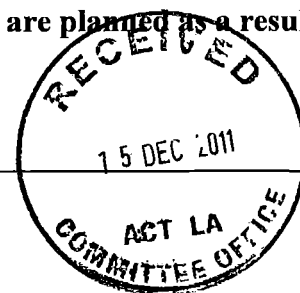
(1) Single registry (p72)

- (a) What organisation structural changes were made or are planned as a result of the establishment of the single registry?

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Simon Corbell MLA
Attorney-General

Date: 15-12-11



Registry Staff relocated from the Supreme Court building to the Magistrates Court building in July and August 2011. Internal staffing structures are currently being reviewed in relation to the integration of functions with the view of realigning team responsibilities and reporting.

(b) What cost savings are anticipated by the new system?

The amalgamation of the registries and provision of a single courts counter located within the Magistrates Court is expected to result in range of service improvements for clients and the Courts. For clients, the current cross training of counter staff will allow for a one stop shop for all enquiries, lodgements and payments. For the Courts, the integration of registries will support succession planning of registry staff, improvements in multi-skilling, improved ability to cover workloads when staff are on leave, leading to improvements in the continuity of business across both Court jurisdictions.

(2) Reducing backlog in the courts (p73)

(a) What is the government's response to the call of Magistrates for higher salaries?

This is a matter for the ACT Remuneration Tribunal. Submissions made to the Tribunal, including the ACT Government's submission are available at <http://www.cmd.act.gov.au/governance/remtrib/home>.

(b) To what extent would the need for court reform, the call for higher salaries for magistrates or the cost of refurbishing the two magistrates court hearing rooms been averted if the government's had appointed a 5th Supreme Court judge when it was first recommended?

None.

(c) What is the government's position in relation to the future appointment of acting Supreme Court judges?

The appointment of acting judicial officers is appropriately considered where there is a temporary special need.

(3) Fine enforcement program (p74)

(a) What did it cost to establish the fine enforcement unit and what is the annual recurrent cost?

Funding for the Fine Enforcement Unit at the Courts was provided as part of the 2009-10 Budget. In 2009-10, \$300,000 was made available for legislative reform, an ASO 4 position at the Courts and funding for the administration of a volunteer program. In 2010-11 \$364,000 was made available on a recurrent basis to cover staffing costs (1 x ASO4 and 2 x ASO3 positions), a leased vehicle and funding for the administration of a program that would provide suitable volunteer activities related to community service orders.

(b) What is the structure of the unit?

The staffing within the Fine Enforcement Unit is 1 x ASO4 and 2 x ASO3 positions. These positions are managed by the Unit Manager of the Criminal Section.

(c) What was the number and total amount of fines outstanding as at 1 July 2010 and what was the number and total amount outstanding at 30 June 2011?

Fines Outstanding	2009-10	2010-11
Number	26,142	24,298
Amount	\$ 4.2m	\$ 4.2m

The above figures are extracted from the Courts Case Management system MAX and are a 'snapshot' of outstanding amounts for 30 June of each year. These amounts reflect the actual balance of the Territorial Criminal Debtors as at 30 June, comprising various debt components including administration charges resulting from non-payment of debt by the due date, victims of crime levy, criminal injuries compensation levy, court costs, fees, bail, surety, fines and traffic related penalties.

(d) What is the breakdown of the extent to which the legislated levels of recovery sanctions were employed during 2010-11?

Active direct debit and pay by instalment payees are summarised below.

- Number of people with a direct debit agreement in place: 451
- Number of pay by instalments excluding direct debit agreements (including compensation): 292
- Number of pay by instalments under compensation payments: 39



JCS-14.

Simon Corbell MLA

ATTORNEY-GENERAL
MINISTER FOR POLICE AND EMERGENCY SERVICES
MINISTER FOR THE ENVIRONMENT AND SUSTAINABLE DEVELOPMENT

MEMBER FOR MOLONGLO

Answer to Question Taken on Notice

Mrs Vicki Dunne MLA asked the Attorney-General during the Standing Committee on Justice and Community Safety inquiry into Annual and Financial Report 2010-11 on 2 November 2011:

[In relation to the Fine Enforcement Scheme]

- 1) What inroads have been made in reducing the backlog of outstanding fines?
- 2) Are there any performance measures on when you would expect to see the backlog coming back and the rate at which you would expect to see it coming back?

Mr Corbell MLA – the answer to the Member's question is as follows:

- 1) When the revised fine enforcement scheme commenced in July 2010, a significant backlog of fines had accrued. Since that time, staff in the Fine Enforcement Unit have concentrated on clearing that backlog by issuing fresh reminder notices with 6732 reminder notices sent in 2010-11.

Fines Outstanding	2009-10	2010-11
Number	26,142	24,298
Amount	\$ 4.2m	\$ 4.2m

During 2010/11 6446 fines were imposed for a total amount of \$1,321,536.

The next stage of enforcement is driver licence sanctioning. IT systems changes required to Rego.ACT are being actioned. The Fine Enforcement Unit will proceed with sanctioning once those IT changes are complete.

- 2) Performance measures would include improvements over time on the rates of recovery of court imposed fines. There is limited performance information currently available without manual reporting. The ACT Law Courts and Tribunal is undertaking a feasibility study into the replacement of the MAX case management system currently in use. This feasibility study will consider whether improved reporting measures for fine enforcement can be incorporated into a new system.



Approved for circulation to the Member

Simon Corbell MLA
Attorney-General

Date: 13.12.11



JCS-15

Simon Corbell MLA

ATTORNEY-GENERAL
MINISTER FOR POLICE AND EMERGENCY SERVICES
MINISTER FOR THE ENVIRONMENT AND SUSTAINABLE DEVELOPMENT

MEMBER FOR MOLONGLO

Answer to Question on Notice

Mrs Vicki Dunne MLA asked the Attorney General, during the Standing Committee on Justice and Community Safety Inquiry into Annual and Financial Reports on Wednesday, 2 November 2011:

(1) Strategic Indicator 1- Accessible civil justice system (p228)

(a) Tables 83 and 84 (p228) - With the implementation of court reform legislation and the appointment of acting Supreme Court judges:

(i) why did the civil case finalisation period blow out from 592 in 2009-10 to 612 in 2010-11; and

(ii) why did the backlog of civil cases extending over two years blowout from 368 in 2009-10 to 381 in 2010-11?

(2) Strategic Indicator 2 - Safe community (p229)

(a) Table on p231- What is the directorate doing to arrest the decline in the number of people who feel safe or very safe walking or jogging in their own neighbourhood after dark (11.4% down), or catching public transport (6.2% down for daytime and 5.5% down for after dark)?

(3) Strategic Indicator 4- Effective regulation and enforcement (p235)

(a) What is ORS doing to address the declining level of workplace compliance with OH&S legislation (54% in 2009-10 to 48% in 2010-11), against a target of 80%?

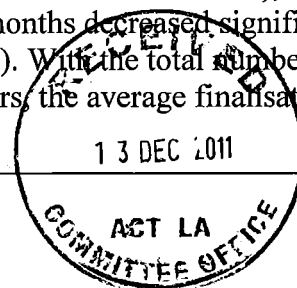
Mr Corbell MLA – the answer to the Member's question is as follows:

- (1) The total number of pending civil cases in the Supreme Court decreased from 2009-10 to 2010-11. While the number of civil cases in the Supreme Court for more than 24 months increased marginally from 368 in 2009-10 to 381 in 2010-11 (an increase of 3.53%), the number of civil cases in the Supreme Court for more than 12 months decreased significantly, from 437 in 2009-10 to 357 in 2010-11 (a reduction of 18.30%). With the total number having decreased, and this decrease being composed of younger matters, the average finalisation period increased marginally.

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Simon Corbell MLA
Attorney-General

Date: 13.12.11



Appointments of acting judges for periods totalling the equivalent of one judge a day for nine months were made during the 2010-11 financial year.

The acting Judges have dealt with new matters. Older matters remain with the permanent Judges and have received increased attention. Additional time out of court in the order of five months was provided to assist the permanent judicial officers to complete reserved judgments. In addition, during this period the Chief Justice took long service leave from 13 October to 17 December 2010, and the Master took recreational leave for 3 weeks in November 2010.

I note also that the *Courts Legislation Amendment Act 2011*, which was the primary legislative reform to affect the civil list commenced on 25 July 2011, after the 2010-11 reporting period.

- (2) The National Survey of Community Satisfaction with Policing (NSCSP) changed survey providers in 2010-11, which may explain a decrease in the 2010-11 results. I note, however, that the ACT results still remained above the national average for all perception of safety indicators in 2010-11. I also note that the NSCSP showed a small increase in the proportion of people who felt 'safe' or 'very safe' walking or jogging in their own neighbourhood during the day (91.3% in 2009-10 up to 91.6% in 2010-11).

Perceptions of community safety are important. However, as the Chief Police Officer noted in the recent Annual Report Hearings on 11 November 2011, there can be a gap between good operational performance by police and community perceptions of crime. The Chief Police Officer also acknowledged that "you can have the best police service in the world, but unless you are telling the community about it, you are only doing half the job". The Government's recent acknowledgement, in the Legislative Assembly, of the outstanding performance delivered by ACT Policing for the Canberra community may also have a positive impact on people's perceptions of crime.

- (3) During 2010-11 the Office of Regulatory Services undertook 949 initial visits to workplaces. A significant number of WorkSafe ACT attendances in relation to OHS arise from an identified safety issue, so it can be expected that the level of compliance in businesses when WorkSafe ACT first attends a matter will be assessed as low.

During 2010-11 454 workplaces (48%) of those inspected were found to comply with the legislation. The outcome for this is due to a significant focus in the reporting period on an area of non-compliance in the construction sector in order to improve compliance in this area.

WorkSafe ACT is confident that the responses of the businesses visited to date indicate that the level of compliance of those businesses have improved as a result of WorkSafe ACT's intervention. WorkSafe ACT believes that a focus on identified areas of non compliance is an effective strategy for achieving incremental improvement in safety compliance across the community over time.



JCS-16

Simon Corbell MLA

ATTORNEY-GENERAL
MINISTER FOR POLICE AND EMERGENCY SERVICES
MINISTER FOR THE ENVIRONMENT AND SUSTAINABLE DEVELOPMENT

MEMBER FOR MOLONGLO

Answer to Question on Notice

Mrs Dunne MLA asked the Attorney-General, during the Standing Committee on Justice and Community Safety Inquiry into Annual and Financial Reports on Wednesday, 2 November 2011:

- (1) Why has it taken six years for only 85% of the SARP Report to be implemented?
- (2) When will the remaining 15% of recommendations be implemented and what are the associated programs?

Mr Corbell MLA – the answer to the Member's question is as follows:

There were 105 recommendations within the *Responding to sexual assault: the challenge of change* published Report.

These recommendations have been considered by the SARP Reference Group (membership of this group consists of high-level representatives from relevant organisations) and are being progressively implemented by the Director of Public Prosecutions, ACT Policing, Courts and the Justice and Community Safety Directorate. Many of the recommendations are complex and there are different views amongst the stakeholders in the Reference Group.

The Report has provided for significant reform. In particular legislative amendments which took effect in 2009 (commonly referred to as the SARP legislation). The impact of those reforms has been evident. An example of this is in relation to child complainants in sexual or other violent offences, whose evidence in chief can now be tendered in the form of a recording of an interview between the child and the police. This means the child's evidence is taken at court in a separate hearing prior to the trial and the child then does not have to attend the trial.

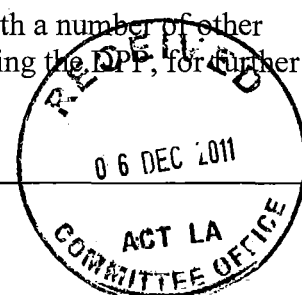
The SARP legislative reforms are currently being evaluated. The evaluation Report will address issues previously raised by stakeholders such as improving the processes and support for victims of sexual assault as they progress through the criminal justice system and improving coordination and collaboration between agencies involved in the criminal justice system. This will assist in further consideration of the remaining report recommendations.

The Government is considering remaining recommendations along with a number of other suggestions made by stakeholders from the Reference Group – including the DPP, for further reforms in sexual assault law.

Approved for circulation to the Member

Simon Corbell MLA
Attorney-General

Date: 6.12.11





JCS-17

Simon Corbell MLA

ATTORNEY-GENERAL
MINISTER FOR POLICE AND EMERGENCY SERVICES
MINISTER FOR THE ENVIRONMENT AND SUSTAINABLE DEVELOPMENT

MEMBER FOR MOLONGLO

Answer to Question on Notice

Ms Dunne MLA asked the Attorney General, during the Standing Committee on Justice and Community Safety Inquiry into Annual and Financial Reports on Wednesday, 2 November 2011:

Consultation and Scrutiny Reporting (p92)

- (1) JACS and the community (p92)
 - (a) What is the status of the review of accommodation arrangements for community legal centres?
 - (b) What is the government's position in relation to the call for a community legal services hub?
 - (c) Is the option of a community legal services hub that part of the accommodation review?
- (2) Estimates Committee 2011-12 (pl24)
 - (a) Recommendation 130- Single court study- does the government intend to pursue consideration of options for a unified court system?

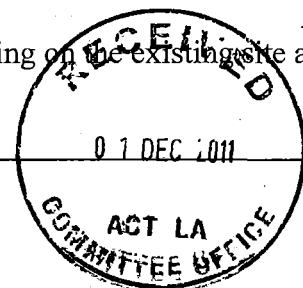
Mr Corbell MLA – the answer to the Member's question is as follows:

- (1)
 - (a) My Directorate is undertaking a study of options and feasibility for a community legal services hub, to be tabled in the Legislative Assembly by the first sitting day of March 2012.
 - (b) This Government is undertaking a study of options and feasibility for a community legal services hub. This will be tabled in the Assembly by the first sitting day of March 2012.
 - (c) Yes, the feasibility study of options for accommodation more generally will examine the option of a community legal services hub.
- (2)
 - (a) The Government has pursued a number of initiatives to progress a single unified court system. The Government has:
 - made changes to the jurisdiction of the courts to improve how cases move between the courts;
 - encouraged the courts to adopt a single registry;
 - announced plans to develop a new Supreme Court building on the existing site and linked to the Magistrates Court building; and

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Simon Corbell MLA
Attorney-General

Date: 1.12.11



- committed \$560,000 to examine the feasibility of a new integrated court case management system.

The Government intends to further consider options for a single unified court system.



JCS-18

Simon Corbell MLA

ATTORNEY GENERAL
MINISTER FOR POLICE AND EMERGENCY SERVICES
MINISTER FOR THE ENVIRONMENT AND SUSTAINABLE DEVELOPMENT

MEMBER FOR MOLONGLO

Answer to Question on Notice

Ms Dunne MLA asked the Attorney General, during the Standing Committee on Justice and Community Safety Inquiry into Annual and Financial Reports on Wednesday, 2 November 2011:

Output 1.7 -Regulatory Services (p39)

- (1) Implementation of legislative reforms (p40)
 - (a) What client or community feedback has ORS received in relation to its implementation of the various legislative reform packages -liquor, motor vehicle repairers, consumer law, outdoor smoking, security industry, concessional leases and plastic bags?
 - (b) What lessons has ORS learned from those implementation programs and what changes will be made to implementation programs for forthcoming reforms, such as the new work health and safety laws and the working with vulnerable people background checking laws?
- (2) WorkSafe ACT (p41)
 - (a) In what practical ways has the link between the education and regulatory functions been strengthened with the combining of WorkCover with the Work Safety Commissioner?
 - (b) What public education programs did WorkSafe run during 2010-11 and what is planned or underway for 2011-12?
- (3) Fire safety in retail (p42)
 - (a) Graph 6 (p43) displays some disturbing outcomes of the campaign, particularly relating to training and maintenance. What is ORS doing to avert these kinds of outcomes in the future?
- (4) Fair trading compliance (p46)
 - (a) Table 16 (p48) Of the some 9,500 complaints received during 2010-11, how many were resolved satisfactorily and what is the average time taken to reach resolution?

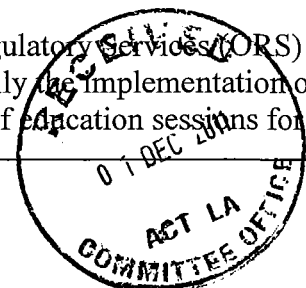
Mr Corbell MLA – the answer to the Member's question is as follows:

- (1) There is little formal feedback received in the Office of Regulatory Services (ORS) regarding implementation of legislative reforms. Anecdotally the implementation of the reforms was positively received. In particular, the holding of education sessions for the

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Simon Corbell MLA
Attorney General

Date: 1.12.11



liquor and motor vehicle repairer reforms were well received. The direct engagement with retailers to advise of the Australian Consumer Law and the plastic bag ban was also well received.

The implementation and communications plan for each project vary depending on the nature of the reforms and assessment of the most effective ways of engaging with stakeholders and affected businesses.

Following on from the positive feedback regarding education sessions, the Work Safety Commissioner has undertaken education sessions on new harmonised OHS laws. It is anticipated that the implementation of *Working with Vulnerable People (Background Checking) Act 2011* will include education sessions as well as other community engagement strategies.

- (2) The combining of the education and regulatory functions has enabled the Work Safety Commissioner to undertake education and engagement on issues that arise in the regulatory context. For example, in response to asbestos incidents, the Commissioner is holding education sessions on asbestos awareness.

In 2010-11 WorkSafe ACT ran or offered education sessions on:

- Health and Safety induction
- Work Safety Representatives Training
- Serious about Safe Business
- The Work Safety Act explained
- OHS Harmonisation and the ACT
- Workplace Bullying – Awareness
- Workplace Bullying – Prevention and management

In addition, WorkSafe ACT engaged with employers and employees at shopping centres.

In addition to these education sessions, WorkSafe ACT will be running education sessions in 2011-12 in regard to asbestos awareness.

- (3) WorkSafe ACT will undertake a follow up audit in regard to fire safety in retail. WorkSafe ACT will also look at education and engagement strategies regarding fire safety.
- (4) Table 16 highlights the number of complaints received and the number of inquiries and subsequent advice provided by the ORS. Written complaints received by the ORS are treated as formal complaints and investigated further. These totalled 577.

The other categories namely emails, counter visits and telephone calls are instances where the ORS has provided advice or guidance to ACT consumers or businesses. These inquiries may result in the lodgement of a formal complaint to the ORS which will be investigated further.

During this period 91% of complaints lodged were resolved. The ORS aims to resolve complaints in a timely manner, however, the complexity of the complaint and the nature of the alleged conduct will impact on the resolution timeframes.



JCS-19

Simon Corbell MLA

ATTORNEY GENERAL
MINISTER FOR POLICE AND EMERGENCY SERVICES
MINISTER FOR THE ENVIRONMENT AND SUSTAINABLE DEVELOPMENT
MINISTER FOR TERRITORY AND MUNICIPAL SERVICES

MEMBER FOR MOLONGLO

Answer to Question Taken on Notice

Ms Hunter MLA asked the Attorney General, during the Standing Committee on Justice and Community Safety Inquiry into Annual and Financial Reports on Monday, 7 November 2011:

Minister, you said that the evidence provided to you indicates that since 2010-11 ACT Policing recorded an increase in incidents involving use of force by police officers, underlining an upward trend over the last few years. Are they statistics that can be provided to this committee?

Mr Corbell MLA – the answer to the Member's question is as follows:

ACT Policing has enhanced the current governance framework oversighting the use of force in ACT. The underpinning purpose of the AFP Commissioner's Order 3 on Use of Force, is to ensure that AFP officers operate to de-escalate potential conflict situations. The AFP stresses the use of minimum force and maintains the preference at all times to resolve incidents without force. Any use of force incident is reported to the AFP's Professional & Reporting Standards (PRS) for consideration and/or investigation.

In addition, any use of tasers in ACT will be additionally reviewed by a dedicated committee to ensure the use was appropriate in the circumstances. Any inappropriate use will be forwarded to the AFP Professional & Reporting Standards (PRS) for their investigation.

Below is a breakdown of ACT Policing's use-of-force statistics for the previous two financial years:

	2009-2010	2010-2011	% Change
Physical Force		680	
Firearm			
Discharge (against person)	4	6	
Discharge (against animal)	38	32	
Drawing	11	24	
Drawing and aiming	36	38	
Total	89	100	12%
OC Spray			
Full	53	75	
Minor	14	20	
Moderate	30	46	
Nil	12	11	
Total	109	152	39%

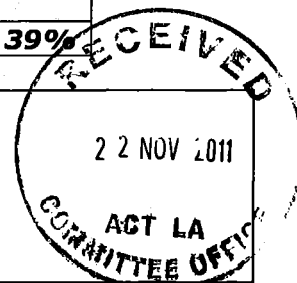
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Simon Corbell MLA

Minister for Police and Emergency Services

22-11-11

Date:.....



	2009-2010	2010-2011	% Change
Baton			
Block	0	2	
Public order	1	3	
Raise only	10	21	
Strike	13	24	
Total	24	50	108%
Taser			
Drawing	2	6	
Drawing and aiming	7	4	
Drive stun	1	0	
Discharge (against person)	2	1	
Total	12	11	-8%

Source: AFP Corporate reporting as at 13 July 2011

*AFP Use of force reporting capability directly from PROMIS commenced for the AFP in June 2009. Data prior to this June 2009 would need to be manually extracted from PROMIS.



Jes-20

Simon Corbell MLA

ATTORNEY GENERAL
MINISTER FOR POLICE AND EMERGENCY SERVICES
MINISTER FOR THE ENVIRONMENT AND SUSTAINABLE DEVELOPMENT
MINISTER FOR TERRITORY AND MUNICIPAL SERVICES

MEMBER FOR MOLONGLO

Answer to Question Taken on Notice

Mrs Dunne MLA asked the Minister for Police and Emergency Services, during the Standing Committee on JACS inquiry into Annual and Financial Reports 2010-11 Monday, 7 November 2011:

[In relation to drug offences]

Have you seen an increase in the use of ice? Have you seen an increase in arrests related to ice?

Mr Corbell MLA – the answer to the Member's question is as follows:

For the period 1 July 2010 to 30 June 2011 the number of persons apprehended for drug offences (all Amphetamines not including MDMA) is 68. This is a decrease of 15% when compared with the 2009-2010 financial year, during which 80 persons were apprehended. These statistics relate to seizures of Amphetamines in the ACT over those periods. These statistics exclude Jervis Bay.

As records cannot be disaggregated by individual substances, ACT Policing does not hold empirical data relating specifically to 'ice' or the volume of crime directly attributable to its production, possession or usage. However, anecdotal evidence appears to support the view that the use of 'ice' is on the increase.

Approved for circulation to the Member

Simon Corbell MLA
Minister for Police and Emergency Services

22.11.11



Date:.....



JCS-21

Simon Corbell MLA

ATTORNEY GENERAL
MINISTER FOR POLICE AND EMERGENCY SERVICES
MINISTER FOR THE ENVIRONMENT AND SUSTAINABLE DEVELOPMENT
MINISTER FOR TERRITORY AND MUNICIPAL SERVICES

MEMBER FOR MOLONGLO

Answer to Question Taken on Notice

Mrs Dunne MLA asked the Attorney-General, during the Standing Committee on Justice and Community Safety Inquiry into Annual and Financial Reports on Monday 7 November 2011:

But how does that \$416 compare to what we were paying when prisoners were housed in New South Wales?

Take it on notice. Just to clarify, when you take that on notice, can you provide us with the last full year that we had prisoners in New South Wales?

Mr Corbell MLA – the answer to the Member's question is as follows:

The last full year that the ACT housed detainees in NSW was 2007-08 and the cost per day was \$264 per detainee. However, this figure does not take into account the cost of housing remandees and cannot be compared directly with figures for later years, which include remandees. The cost of housing remandees in the ACT in 2007-08 was \$431 per day per remandee.

The operational costs at the Alexander Maconchie Centre are high due to the high levels of security that apply to all detainees, including minimum security detainees, as all detainees are accommodated in the one facility.

As I have said previously, the focus on education and rehabilitation programs also adds to the high operational costs of the AMC, with ROGS data showing that the proportion of prisoners in education in the ACT in 2009-10 was at 92 per cent, compared to the Australian average of 34.8 per cent.



Approved for circulation to the Member

Simon Corbell MLA
Attorney General

22.11.11

Date:.....



JCS-22

Dr Chris Bourke MLA

MINISTER FOR EDUCATION AND TRAINING
MINISTER FOR ABORIGINAL AND TORRES STRAIT ISLANDER AFFAIRS
MINISTER FOR INDUSTRIAL RELATIONS
MINISTER FOR CORRECTIONS

MEMBER FOR GINNINDERRA

Answer to Question Taken on Notice

Mr Hanson MLA asked the Attorney General, during the Standing Committee on Justice and Community Safety Inquiry into Annual and Financial Reports 2010-11 on Monday, 7 November 2011:

[In relation to the Alexander Maconochie Centre (AMC)]

Can you advise on the amount of money that has been provided? There was an amount for the AMC—and there is still an amount in dispute when we get to that—but there have been other amounts provided incrementally. I am just trying to get an idea of what all those amounts are. Would you be able to provide that either now or on notice?

Could you clarify how much was held back, how much has been paid and how much is still outstanding, which is separate from the liquidated damages? There were things that we were not happy with, which presumably included defect 6.2, or whatever it was.

Please provide a reconciliation of those amounts that have been rolled over and what they are for and things like that?

Dr Bourke MLA – the answers to the Member's questions are as follows:

The value of the contract with Lend Lease for the construction of the AMC is in the order of \$106.765m (excluding GST). Of that amount, approximately \$104.392m has been paid, leaving about \$2.374m nominally outstanding.

However, the final amount owing on the contract will be affected by outstanding defect matters. There are some defects which the Territory has addressed for which the cost of rectification will be passed onto Lend Lease, and there may be more defects falling into this category. There are also a small number of defects which the Territory expects Lend Lease to address. These matters will need to be resolved before final payment can be made.

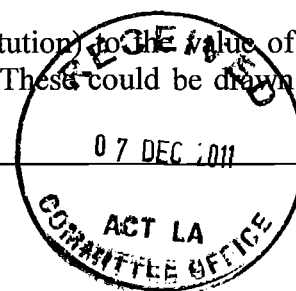
These amounts are separate to the liquidated damages owed by the builder for failure to complete construction on time, which the Territory is pursuing. Under the contract with Lend Lease, liquidated damages are capped at 3% of the total contract cost. This is in the order of \$3.2m, but this amount cannot be precisely ascertained as the total contract cost is not yet agreed.

Financial guarantees (in the form of undertakings held by a financial institution) to the value of \$3.4m were provided by Lend Lease at the commencement of the project. These could be drawn upon to recover any outstanding monies for which Lend Lease is liable.

Approved for circulation to the Member

Chris Bourke MLA
Minister for Corrections

Date: 7/12/11





JCS - 24

Simon Corbell MLA

ATTORNEY GENERAL
MINISTER FOR POLICE AND EMERGENCY SERVICES
MINISTER FOR THE ENVIRONMENT AND SUSTAINABLE DEVELOPMENT
MINISTER FOR TERRITORY AND MUNICIPAL SERVICES

MEMBER FOR MOLONGLO

Answer to Question Taken on Notice

Ms Dunne MLA asked the Minister for Police and Emergency Services, during the Standing Committee on JACS Inquiry into Annual and Financial Reports on Monday, 7 November 2011:

In relation to flood damage at the Emergency Services Agency facility in Fairbairn:

What was the cost of the repairs and who bears those costs?

Mr Corbell MLA – the answer to the Member's question is as follows:

As at 24 August 2011, the expenditure identified as being related to the restoration of Fairbairn following the December 2010 flooding incident is \$729,948. The table below provides a breakdown of these costs however, it is anticipated there may be additional minor expenditure that is still being processed. It is anticipated the insurer will cover costs associated with the restoration of Fairbairn following the December 2010 floods and that the claim will be finalised by 30 November 2011.

Building and material costs	\$423,706
Business impact costs	\$275,322
Communications Centre transition costs	\$30,920
Total	\$729,948

Building and material costs include items such as replacement of plasterboard, ICT infrastructure and timber flooring. Business impact costs relate to costs that the ESA incurred that would not have normally been included if not for the flood e.g. additional rent at Curtin and relocation expenses. Communications Centre transition costs relate to the retesting and retransition of the Communications Centre.

Approved for circulation to the Member

Simon Corbell MLA
Minister for Police and Emergency Services

22.11.11



Date:.....



JCS-25

Simon Corbell MLA

ATTORNEY GENERAL
MINISTER FOR POLICE AND EMERGENCY SERVICES
MINISTER FOR THE ENVIRONMENT AND SUSTAINABLE DEVELOPMENT
MINISTER FOR TERRITORY AND MUNICIPAL SERVICES

MEMBER FOR MOLONGLO

Answer to Question Taken on Notice

Mr Smyth MLA asked the Minister for Police and Emergency Services, during the Standing Committee on JACS Inquiry into Annual and Financial Reports 2010-11:

The Ambulance Service responder units, did they have appropriate PPE to be in a situation where there were unknown chemicals in the air?

How many of the calls were under the eight minutes?

Mr Corbell MLA – the answer to the Member's question is as follows:

Mitchell Fire

- On advice from the Lead Agency (ACTF&R), ACT Ambulance Service resources dispatched to the Forward Incident Management Team (IMT) did not require specialist PPE Mitchell.

Priority One Calls Responded to in under 8 minutes (2010-11)

- Nationally agreed ambulance performance indicators for Priority 1 response reflects response times for priority 1 cases in a 50th (8 minutes or less) and 90th (12.5 minutes or less) percentile.
- In 2010-11, the ACTAS responded to 2,161 Priority 1 cases in 8 minutes or less.



Approved for circulation to the Member

Simon Corbell MLA

Minister for Police and Emergency Services

22.11.11

Date:.....



Jcs - 26

Simon Corbell MLA

ATTORNEY GENERAL
MINISTER FOR POLICE AND EMERGENCY SERVICES
MINISTER FOR THE ENVIRONMENT AND SUSTAINABLE DEVELOPMENT
MINISTER FOR TERRITORY AND MUNICIPAL SERVICES

MEMBER FOR MOLONGLO

Answer to Question Taken on Notice

Mr Hargreaves MLA asked the Acting Commonwealth Ombudsman, Alison Larkins, during the Standing Committee on Justice and Community Safety Inquiry into Annual and Financial Reports on Monday, 7 November 2011:

How is it that Roads ACT were able to issue an apology to somebody that Road User Services would have had the problem with?

Ms Larkins – the answer to the Member's question is as follows:

At the time this complaint was open with our office (December 2010 to June 2011) the relevant ACT government department was Territory and Municipal Services, and all road related matters, including driver licences, were recorded under 'Roads ACT' in our records database. That is, we are unable to distinguish complaints between 'Roads ACT', 'Road User Services' and 'Road Transport Authority' in our database for complaints made last financial year. Because these three agencies were at the time all within the jurisdiction of Territory and Municipal Services, our correspondence with the departmental contacts did not distinguish between the agencies, and we were not advised that we had identified the wrong agency in this case.

Approved for circulation to the Member

Simon Corbell MLA
Attorney General

22.11.11
Date:.....





JIS - 27

Simon Corbell MLA

ATTORNEY GENERAL
MINISTER FOR POLICE AND EMERGENCY SERVICES
MINISTER FOR THE ENVIRONMENT AND SUSTAINABLE DEVELOPMENT
MINISTER FOR TERRITORY AND MUNICIPAL SERVICES

MEMBER FOR MOLONGLO

Answer to Question Taken on Notice

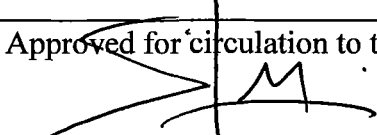
Ms Dunne MLA asked the Public Trustee for the ACT, Andrew Taylor, during the Standing Committee on Justice and Community Safety Inquiry into Annual and Financial Reports on Friday, 11 November 2011:

On pages 12 and 13 there is a discussion about liquidity. The liquidity ratios are favourable, but they are projected to go down over the years. I was wondering whether you could discuss why you think that is happening. Are there indications-

Mr Taylor— the answer to the Member's question is as follows:

The Auditor-General in her end-of-year audit of the Public Trustee found that the financial indicators included in the Public Trustee's Statement of Performance are not relevant to its operations and are of more relevance and significance to "for profit" entities. As the Public Trustee is a "not for profit" entity, the reporting of these ratios does not provide much meaningful information on the performance of the Public Trustee, although it is noted that the ratios were affected by the Global Financial Crisis. The Auditor-General recommended that the Public Trustee remove the financial ratio accountability indicators. The Public Trustee undertook in its management comment to remove the indicator with effect from the Annual Report commencing with the 2011/12 Statement of Intent.

Approved for circulation to the Member


Simon Corbell MLA
Attorney General

22.11.11
Date:.....





JCS - 28

Simon Corbell MLA

ATTORNEY GENERAL
MINISTER FOR POLICE AND EMERGENCY SERVICES
MINISTER FOR THE ENVIRONMENT AND SUSTAINABLE DEVELOPMENT

MEMBER FOR MOLONGLO

Answer to Question Taken on Notice

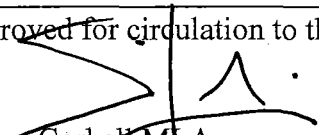
Ms Hunter MLA asked Work Safety Commissioner, Mark McCabe, during the Standing Committee on Justice and Community Safety Inquiry into Annual and Financial Reports 2010-2011 on Friday, 11 November 2011:

How many times did WorkSafe inspect the Mitchell Fire Site before the fire?

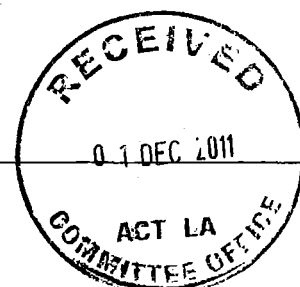
Mr Corbell MLA – the answer to the Member's question is as follows:

I understand that WorkSafe ACT and its predecessor did not visit the site before the fire. I understand that WorkSafe ACT and its predecessor visited the previous premises of Energy Services Invironmental in Mitchell on seven occasions.

Approved for circulation to the Member


Simon Corbell MLA
Attorney-General

Date: 1.12.11





TCS-29

Simon Corbell MLA

ATTORNEY GENERAL
MINISTER FOR POLICE AND EMERGENCY SERVICES
MINISTER FOR THE ENVIRONMENT AND SUSTAINABLE DEVELOPMENT

MEMBER FOR MOLONGLO

Answer to Question Taken on Notice

Ms Dunne MLA asked Work Safety Commissioner, Mark McCabe, during the Standing Committee on Justice and Community Safety Inquiry into Annual and Financial Reports 2010-2011 on Friday, 11 November 2011:

[In relation to Forestry site Inspections]

How is it there were no visits in that category?
When WorkSafe last visited the forest?

Mr Corbell MLA – the answer to the Member's question is as follows:

There were 8 inspections in the agriculture, forestry and fishing industry in the 2009-10 financial year. I am advised that four of these inspections relate to workers in the forestry sector.

As this has traditionally been a relatively low risk sector, no inspections were carried out in 2010-11.

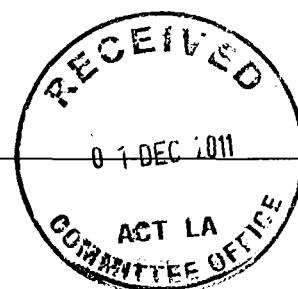
WorkSafe ACT will conduct inspections in this category in the 2011-12 financial year.

Approved for circulation to the Member

Simon Corbell MLA
Attorney General

11211

Date:.....





JCS - 30

Simon Corbell MLA

ATTORNEY GENERAL
MINISTER FOR POLICE AND EMERGENCY SERVICES
MINISTER FOR THE ENVIRONMENT AND SUSTAINABLE DEVELOPMENT
MINISTER FOR TERRITORY AND MUNICIPAL SERVICES

MEMBER FOR MOLONGLO

Answer to Question Taken on Notice

Ms Dunne MLA asked the Children and Young People Commissioner, Alasdair Roy, during Standing Committee on Justice and Community Safety Inquiry into Annual and Financial Reports on 2010-11 on Friday, 11 November 2011:

Were there discussions in that time between your officers and JACS or the Community Services Directorate about resourcing and things like that?

What date did you have people on the ground?

Mr Corbell MLA – the answer to the Member's question is as follows:

Mr Roy advises me that:

The Bimberi Review Team consisted of five officers, one of whom worked five days per week; one of whom worked four days per week; and three of whom worked three days per week.

Three of the team were already employees of the Human Rights Commission. These three officers began work on the Review as soon as the resolution was passed (8 December 2010).

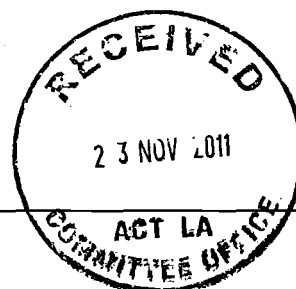
One of the two officers who were recruited externally began work with the Commission on 10 January 2011, and the other on 17 January 2011. The full team met for the first time on 19 January 2011.

The Children & Young People Commissioner met with the Director-General of the Community Services Directorate to discuss a range of issues, including resources for the Bimberi Review Team, on 9 December 2011 and 14 December 2011.

Approved for circulation to the Member

Simon Corbell MLA
Attorney General

23.11.11



Date:.....



JCS-31

Simon Corbell MLA

ATTORNEY GENERAL
MINISTER FOR POLICE AND EMERGENCY SERVICES
MINISTER FOR THE ENVIRONMENT AND SUSTAINABLE DEVELOPMENT

MEMBER FOR MOLONGLO

Answer to Question Taken on Notice

Mr Hargreaves MLA asked the Director of Public Prosecutions, Mr Jon White, during the Standing Committee on Justice and Community Safety Inquiry into Annual and Financial Reports 2010-2011 on Wednesday, 23 November 2011:

Can you tell me by 'type' of staff you have, what the staff numbers were over the past 5 years so we can match it against the workload indicators in the Annual Report. (Prosecutors, paralegals, witness assistance etc).

Mr Corbell MLA – the answer to the Member's question is as follows:

The Director of Public Prosecutions has provided the following information:

DPP Staff Type	2006/2007	2007/2008	2008/2009	2009/2010	2010/2011
Prosecutors	27.27	26.67	30	34	34
Paralegals	13	11.43	14	16.5	19
Professional Officers (WAS)	2	3	3	4	2
Administration	10.4	10.2	11	10.5	10
Total	52.67	51.3	58	65	65

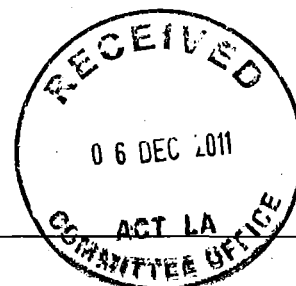
NOTES:

These figures do not include the DPP himself as Statutory Office Holder.

The statistics provided in the table include employees in receipt of salary as at 30 June. The figures are expressed in full time equivalent terms.

These figures are generally in line with the information published in the DPP Annual Reports. Officials who separated during a financial year will reflect in overall numbers as a result of the accounting rules. This will generate some minor differences between numbers reflected in the annual report.

These numbers also include any staff on paid maternity leave.



Approved for circulation to the Member

Simon Corbell MLA
Attorney General

6.12.11
Date:.....



768-33

Simon Corbell MLA

ATTORNEY-GENERAL
MINISTER FOR POLICE AND EMERGENCY SERVICES
MINISTER FOR THE ENVIRONMENT AND SUSTAINABLE DEVELOPMENT

MEMBER FOR MOLONGLO

Answer to Question Taken on Notice

Ms Meredith Hunter MLA asked the Electoral Commissioner, Mr Phillip Green, during the Standing Committee on Justice and Community Safety Inquiry into Annual and Financial Reports 2010-2011 on Wednesday, 23 November 2011:

How much of the \$3M budget for the election was spent on the redistribution? Was all the money allocated to that project spent?

Mr Corbell MLA – the answer to the Member's questions is as follows:

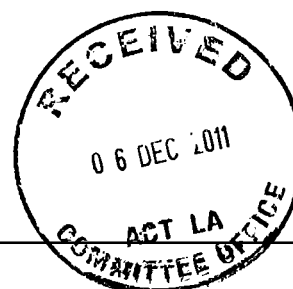
The Electoral Commissioner has advised me as follows:

The election budget is allocated for the 2012/2013 financial year, and does not include funding for the redistribution of electoral boundaries.

For the 2010/2011 redistribution, the Electoral Commission was allocated additional funding of \$22,000 in 2010/2011 and \$13,000 in 2011/2012.

In 2010/2011, the Commission spent \$18,000 and rolled the balance of \$4,000 into the 2011/2012 year, giving a total budget for that year of \$17,000.

To date in 2011/2012, the Commission has spent or committed \$10,400 on the redistribution. The balance of \$6,600 has been allocated to informing electors affected by the change in boundaries, which will occur closer to the election.



Approved for circulation to the Member

Simon Corbell MLA
Attorney-General

Date: 6.12.11



JCS - 35

Simon Corbell MLA

ATTORNEY-GENERAL
MINISTER FOR POLICE AND EMERGENCY SERVICES
MINISTER FOR THE ENVIRONMENT AND SUSTAINABLE DEVELOPMENT

MEMBER FOR MOLONGLO

Answer to Question Taken on Notice

Mrs Vicki Dunne MLA asked the Chief Executive Officer of Legal Aid ACT, Mr Andrew Crockett, during the Standing Committee on Justice and Community Safety Inquiry into Annual and Financial Reports 2010-2011 on Wednesday, 23 November 2011:

How many of the 16 people are legal officers and how many are supporting legal officers?

Could you on notice give a rundown on what descriptors mean and a rundown on FTE on how many are legal officers and how many are admin officers?

Mr Corbell MLA – the answer to the Member's question is as follows:

The Agency Profile table on p.73 of the Commission's annual report is a snapshot of the number of people on the Commission's payroll as at 23 June 2011 by functional area. Of the 16 people recorded in the agency profile for the Commission's Criminal Practice, 10 were lawyers (including 1 on extended leave) and 6 were paralegals (including 1 on extended leave).

While there were 67 people on the Commission's payroll at 23 June 2011 the actual number of staff working at the Commission (the staff establishment) at that date was 62. The higher number on the payroll included 4 staff on extended leave plus their temporary replacements, and 1 person who had resigned but not finished work and that person's replacement.

Of the 62 staff working at the Commission at 23 June 2011, 2 were classified as Executive staff (the Chief Executive Officer and Deputy Chief Executive Officer), 4 were classified as Senior Officers, 24 were classified as Legal Officers and 32 were classified as Administrative Support Officers.

Legal Officers are legal practitioners employed in the Legal 1 or Legal 2 classifications. Of the 24 Legal Officers working at the Commission on 23 June 2011, 22 were engaged in legal practice roles and 2 were engaged in management or grants decision making roles.

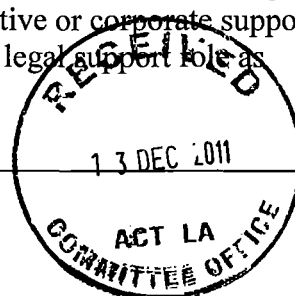
Senior Officers are professional staff employed in the Senior Officer grades. There were 4 Senior Officers working at the Commission at 23 June 2011 in corporate, financial, human resources and information technology management roles.

Administrative Services Officers are staff employed in the Administrative Services Officer (ASO) classifications. Of the 32 ASO staff working at the Commission at 23 June 2011, 19 were engaged in predominantly legal support roles and 13 in predominantly administrative or corporate support roles. The Commission refers to ASO staff performing predominantly a legal support role as 'paralegals'.

Approved for circulation to the Member

Simon Corbell MLA
Attorney-General

Date: 13.12.11



Paralegals are staff whose duties by their nature require some training in the law and legal process. Many of the paralegals employed by the Commission are law students. Functions carried out by paralegals include undertaking legal research and providing administrative and other casework support to lawyers; assessing the nature and urgency of people's legal problems; providing legal information and referral services direct to clients, and determining applications for legal assistance.

Of the 62 staff working for the Commission at 23 June 2011, 46 (74%) were involved in providing legal assistance services of some kind directly to clients. Of these 46 staff, 23 (including the Deputy CEO) were lawyers, 19 were paralegals and 4 were ASOs.

In addition to legal assistance services provided by Commission staff, the Commission outsources service provision to private lawyers on the Commission's General Panel. During the year 1,330 legally assisted cases and 955 advice and duty lawyer services were outsourced to private lawyers at a total cost of \$2.87m.

An explanation of the work undertaken by each functional area of the Commission, the roles of the staff in each area and an explanation of the variances between payroll and actual staff establishment numbers follows.

Civil Practice

This is the area of the Commission's legal practice that operates the Legal Aid Helpline; provides legal information, advice and minor assistance in civil law and family law; provides mental health advocacy services, and undertakes casework in civil law matters.

Lawyers	4 (3 full time and 1 part time)
Paralegals	2 full time
Total	Headcount 6, FTE 5.6

Client Services

Client Services is responsible for the Commission's grants management functions. These functions include assessing and determining applications for legal assistance, handling reconsiderations, arranging the independent review of decisions and managing assignments of legally assisted cases to in-house and private lawyers. Client Services also operates the Family Dispute Resolution (FDR) program; arranges the provision of advice and duty lawyer services by private lawyers in cases where the Commission's legal practice has a conflict of interest; provides reception and records management services, and provides information and referral services to people telephoning or attending the office.

Lawyers:	3 (1 full time Client Services manager, 1 full time FDR manager and 1 part time determining grants of legal assistance)
Paralegals:	1 full time assisting with grants decision making
ASOs:	8 (2 part time receptionists, 5 providing administrative support for the grants function, and 1 providing a variety of administrative services across the organisation).
Total	Headcount 12, FTE 10.8

Note: The difference in the headcount is accounted for by the fact the table on page 73 includes 1 ASO who had resigned but not finished work and that person's replacement.

Corporate Services

Corporate Services is responsible for financial management, human resources, information and communications technology, records management and facilities management.

Senior officers	4 (1 full time Business Manager, 1 full time HR Manager, 1 part time Information Systems Manager, 1 part time eGrants Project Officer)
ASOs	2 (1 Accountant and 1 Finance Officer)
Total	Headcount 6 people, FTE 5.35

Criminal Practice

This is the legal practice area that provides duty lawyer services, information and legal advice and a full range of legal casework services (pleas of guilty, defended summary hearings, sentence and trial matters in the Supreme Court and appeals) to defendants in criminal proceedings and others with criminal law issues.

Lawyers:	9 (8 full time and 1 part time)
Paralegals:	5 (3 full time and 2 part time)
Total:	Headcount 14, FTE 12.27

Note: The difference in the headcount is accounted for by the fact the table on page 73 includes 1 lawyer and 1 paralegal on extended leave in addition to the temporary replacements.

Directorate

The directorate comprises the Chief Executive Officer and the Deputy Chief Executive Officer and their personal assistant. Both the CEO and DCEO are lawyers and hold unrestricted practising certificates. For the purpose of the Commission's legal practice they are deemed by the *Legal Aid Act 1977* to be a firm of solicitors practising in partnership and the Commission's staff are deemed to be employed by that firm. The DCEO manages the legal practice and occasionally appears as counsel in legally assisted cases.

Executives:	2
ASOs:	1
Total:	Headcount 3, FTE 3

Family Pathways

The Commission is the auspice agency for the ACT and Canberra Region Family Law Pathways Network which is a Commonwealth Government initiative to provide support and referral assistance in the family law sector.

ASOs:	1 part time, coordinating the network and working directly with the sector
Total:	Headcount 1, FTE 0.47

Family Practice

This is the legal practice area that provides duty lawyer services, information and legal advice and a full range of family related casework services. These services include proceedings under the *Family Law Act 1975* in the Federal Magistrates Court and Family Court; proceedings in relation to child care and protection, and domestic violence and personal protection order matters.

Lawyers:	7
Paralegals:	7 (5 full time and 2 part time)
Total:	Headcount 14, FTE, 13.5 FTE.

Note: The difference in the headcount is accounted for by the fact the table on page 73 includes 1 lawyer on extended leave in addition to the temporary replacement.

Knowledge Services

The role of Knowledge Services is to provide general information to individuals and the community about the law and legal system; to develop and conduct community legal education (CLE) programs; to promote the role of the Commission through networking with other agencies; to handle media relations, and to promote access by Aboriginal and Torres Strait Islander people to legal assistance services.

Paralegals:	2 CLE officers
ASOs:	1 part time Indigenous Liaison Officer
Total:	Headcount 3, FTE 2.04.

Note: The difference in the headcount is accounted for by the fact the table on page 73 includes 1 supernumerary lawyer on extended leave who has since resigned.

Youth Law Centre (YLC)

The YLC provides legal information, advice, minor assistance and advocacy services to people aged up to 25 in a separate section of the Commission's premises dedicated to youth services. The YLC is conducted by the Commission in partnership with the ANU College of Law and provides a clinical legal education program for undergraduate students.

Lawyers:	1
Paralegals:	2 part time
Total:	Headcount 3, FTE 2.33.



JCS - 36

Simon Corbell MLA

ATTORNEY GENERAL
MINISTER FOR POLICE AND EMERGENCY SERVICES
MINISTER FOR THE ENVIRONMENT AND SUSTAINABLE DEVELOPMENT

MEMBER FOR MOLONGLO

Answer to Question Taken on Notice

Mr Rattenbury MLA asked the Director of Public Prosecutions, Mr Jon White, during the Standing Committee on Justice and Community Safety Inquiry into Annual and Financial Reports 2010-2011 on Wednesday, 23 November 2011:

Regarding assaults against Police – Chief Police Officer advised there were 48 assaults against police officers. Can the Director of Public Prosecutions advise how many of these cases were taken to court, the types of charges that were laid, and any information on assaults against other public figures (fire-fighters, paramedics etc)?

Mr Corbell MLA – the answer to the Member's question is as follows:

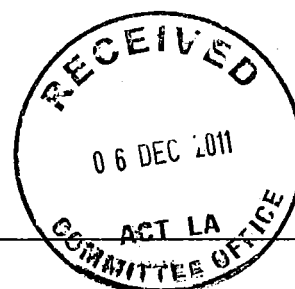
The Director of Public Prosecutions has advised as follows:

The AFP have provided to the DPP a list of 45 charges laid by police for assaults on Police, covering the period 4 July 2010 to 14 June 2011. In some cases, the same offender has more than one charge.

Of those 45 charges, in 2 instances the offenders were cautioned by police and the matter did not proceed to court. In another instance there is no record of the matter having proceeded to court. All other 42 matters proceeded to court and some are still before the courts.

As to the types of charges that were laid, 1 was a charge of assault occasioning actual bodily harm, 22 were common assaults, and the remaining 22 were charges under the Criminal Code of the Commonwealth of causing harm to a Commonwealth public official.

There is no information available from the records of the DPP as to assaults on other public figures such as fire-fighters or paramedics. This is because there is no offence of assaulting a public official under ACT law, and such matters would proceed as common assaults or aggravated assaults under the *Crimes Act 1900*.



Approved for circulation to the Member

Simon Corbell MLA
Attorney-General

Date: 6.12.11



JCS-37

Andrew Barr MLA

DEPUTY CHIEF MINISTER

TREASURER

MINISTER FOR ECONOMIC DEVELOPMENT

MINISTER FOR TOURISM, SPORT AND RECREATION

MEMBER FOR MOLONGLO

Answer to Question on Notice

Mrs Vicki Dunne MLA asked the Attorney-General, during the Standing Committee on Justice and Community Safety Inquiry into Annual and Financial Reports on Wednesday, 2 November 2011:

Legislative and policy based reporting (p134)

- (1) Advisory boards and committees (p 144)
 - (a) What is the cost of administering these boards?
 - (b) What was the total of sitting fees or any other form of remuneration, including allowances and reimbursement of out-of-pocket expenses, paid to members of boards and committees?
 - (c) Who sets the sitting fees and other remuneration amounts, including allowances?
 - (d) What recommendations came from boards and committees during 2010-11 that resulted in policy or legislative reform?
- (2) Learning and development (p161)
 - (a) As a percentage of total employee costs, what was spent on learning and development programs for directorate staff during 2010-11?
 - (b) What was the target percentage and why any variance between target and actual?
 - (c) What is the directorate's longer term percentage goal?
- (3) Workplace health and safety (p168)
 - (a) Target 1 (p169) - Why is the target for JACS so much higher than for the ACTPS for the number of workers compensation claims reaching five days in capacity?
 - (b) What is the directorate doing to reduce the target to average ACTPS levels?
 - (c) When does the directorate expect the JACS and average ACTPS targets will be at parity?

Mr Barr MLA – the answer to the Member's question is as follows:

- (1) The response is at Attachment A.

Approved for circulation to the Member

Andrew Barr MLA

Acting Attorney-General

Date: 3.1.12



(2) Learning and development (p161)

- (a) 1% of total employee costs were spent on learning and development programs for JACS Directorate staff during 2010-11. This amount is inclusive of supplies and services expenditure only, and does not include staffing costs, use of facilities and equipment and other related costs for provision of training activities. This also does not include on-the-job training, mentoring and other forms of training that were provided at no direct cost to the directorate.
- (b) The Directorate did not set a target percentage of total employee costs spent on learning and development programs during 2010-11.
- (c) The Directorate does not set a target for expenditure on learning and development but aims for all staff to have access to learning and development opportunities.

(3) Workplace health and safety (p168)

- (a) The most significant contributing factor for the JACS Directorate performance was an increase in psychological injuries with the majority being related to exposure to a traumatic event in JACS high risk occupational groupings.

Additionally the JACS Directorate high risk occupational groupings have terms and conditions of service which require mandatory levels of fitness in order to perform the role safely and competently without risk to self or others. This requirement may adversely impact on an early return to work, thereby resulting in a higher number of compensation claims reaching five days incapacity.

- (b) The Directorate is reviewing and developing strategies to assist in both the prevention of injuries and early return to work. Supporting this review will be the new ACT Public Service case management model of a 'one service approach' providing an early entry point for the screening of injuries which is anticipated to commence in early 2012. This new model which is part of the recently introduced ACTPS Workers' Compensation and Work Safety Improvement Plan is designed to take a holistic approach to improving the health and return to work outcomes for all ACTPS injured workers.

The Directorate is implementing a Workplace Health and Safety risk identification program and move toward the development of an improved incident management system. These strategies are designed for the active prevention of workplace injuries.

- (c) While it is envisaged that the injury prevention and returned to work strategies to be implemented in 2012 will have a positive effect on JACS targets, it is expected that JACS performance would generally be higher than the ACTPS average. This is due to the high risk nature of many JACS occupational groupings and roles, and the mandatory fitness levels which must be attained before injured employees are able to return to normal duties.

ATTACHMENT A

Name of Advisory Board	a) Administration costs ¹	b) Remuneration of members	c) Authorising entity	d) Recommendations during 2010-11 that resulted in policy or legislative reform
ACT Bushfire Council	Costs absorbed	The Chair of the Bushfire Council receives payment of \$445.00 per diem and members receive payment of \$375.00 per diem. This funding is allocated under the ACT Rural Fire Service budget.	ACT Remuneration Tribunal	Established under the <i>Emergencies Act 2004</i> , the ACT Bushfire Council has the function of advising the Minister about matters relating to bushfires and also advising the Emergency Services Agency Commissioner about the exercise of the functions relating to bushfires. Minutes of Council meetings are available online at www.esa.act.gov.au
Victims Advisory Board	Costs absorbed	Nil	Not Applicable	The <i>Victims of Crime Act 1994</i> as amended by the <i>Victims of Crime Amendment Act 2010</i> , established the Victims Advisory Board. The amended Act commenced on 28 February 2011. The functions of the board are to advise the Minister on policies, priorities and strategies for the acknowledgment, protection and promotion of the interests of victims in the administration of justice; and if asked by the Minister - to help develop and maintain protocols and procedures for the treatment of victims by agencies involved in the administration of justice. The Board is also responsible for any other function given to it under the <i>Victims of Crime Act 1994</i> or another territory law.
Crime Prevention and	Costs absorbed	Nil	Not Applicable.	Development and implementation of the

¹ Where costs are absorbed by a business unit within the directorate, the work involved generally occupies a small proportion of the time of a single officer.

Community Safety Forum				following: • Home Safety Program (on going) • High Density Housing Project (on going) • ACT Property Crime Reduction Strategy 2012-15 – currently under development.
Domestic Violence Prevention Council	Costs absorbed	Nil	Not Applicable	ACT Government Statement on Family Violence. ACT Strategy on Violence Against Women and their children
Firearms Consultative Committee	Costs absorbed	Nil	Not Applicable	Payment of firearm fees via Canberra Connect
Law Reform Advisory Council (LRAC)	Costs absorbed. Note – the Government funds the ANU \$50,000 plus CPI increases per annum	Nil	Not applicable	Suspended sentencing report from LRAC is currently being considered by stakeholders.
CCTV Audit Review Committee	Costs absorbed	Nil	Not applicable	Input was collected for the review of the <i>ACT Government CCTV Code of Practice</i> review.
Fair Trading Advisory Committee	Costs absorbed	Nil	Not applicable	In 2010-11 the Committee met once and considered the implementation of the Australian Consumer Law.
Fitness Industry Code Administration Committee	Costs absorbed	Nil	Not applicable	In 2010-11 the Committee met once and considered how the Code applies to fitness centres that operate 24 hours a day.
Liquor Advisory Board	Costs absorbed	Nil	Not applicable	In 2010-11 the Committee met once and considered issues related to the implementation of the new <i>Liquor Act 2010</i> .
Motor Vehicle Repair Industry Code Administration	Costs absorbed	Nil	Not applicable	The Committee assisted in the development and implementation of the <i>Fair Trading (Motor Vehicle repair Industry) Act 2010</i> .

Committee (replaced by Motor Vehicle Repair Industry Advisory Committee)				
Motor Vehicle Industry Advisory Committee	Costs absorbed	Nil	Not applicable	In 2010-11 the Committee met once and considered issues associated with implementation of <i>Fair Trading (Motor Vehicle Repair Industry) Act 2010</i> . The Committee prepared a report on the impact of the Act.
Retirement Villages Code of Practice Administration Committee	Costs absorbed	Nil	Not applicable	In 2010-11 the Committee met twice and considered issues surrounding the Code and promotion of the requirements in the Code.
Road Safety Executive Group (formerly the Road Safety Liaison Committee)	Costs absorbed	Nil	Not applicable	Provides Executive – Level reporting against ACT Road Safety Strategy and Action Plan. Contributed to development of new Strategy and Action Plan.
Road Safety Task Force	Costs absorbed	Nil	Not applicable	Provides manager-level reporting against ACT Road Safety Action Plan items. Contributed to development of new Strategy and Action Plan
Road Users Working Group	Costs absorbed	Nil	Not applicable	Provides stakeholder input to strategic road safety issues. Contributed to development of new Strategy and Action Plan
Public Trustee Investment Board	Costs absorbed	PTACT covers the cost of parking permits (\$119.85pa) for the three non-public servant members of the Board.	Not applicable	During the year the following matters affecting PTACT investment policy came before the Board for consideration- - The Board recommended the transfer of PTACT's Fixed Interest Fund from Suncorp Metway as an active manager to Vanguard Australia as a passive style manager. - Board noted and provided comment on a paper prepared by PTACT on the most appropriate means of investing client funds

				in superannuation. - Board provided comment on the exposure to property in a particular trust under administration by PTACT as co-trustee. - Supervision of and recommendation in respect to PTACT's internally managed Cash Common Fund with interest rates rising from 4.5% at 1 July 2010 to 5.00% at 30 June 2011.
ACT Public Advocate Management Assessment Panel	Costs absorbed	\$440 per diem, per day	ACT Remuneration Tribunal	Management Assessment Panel is a panel cross government representatives that comes together on an as needed basis to consider service delivery options for individuals with complex disabilities.



JCS-38

Andrew Barr MLA**DEPUTY CHIEF MINISTER**

TREASURER

MINISTER FOR ECONOMIC DEVELOPMENT

MINISTER FOR TOURISM, SPORT AND RECREATION

MEMBER FOR MOLONGLO

Answer to Question Taken on Notice

Ms Couteur MLA asked the Attorney-General, during Question Time, on 7 December 2011:

Given that the government said it would more vigorously pursue wheelchair accessible taxi drivers who do not meet their licence requirements, can you advise how many drivers have been reprimanded and what has happened to their licences?

Mr Barr MLA – the answer to the Member's question is as follows:

The Government regulates wheelchair accessible taxi operators who do not meet their licence requirements. The Government does not regulate drivers.

All Wheelchair Accessible Taxis (WAT) licences are government leased non-transferable restricted taxi licences and cannot be transferred to another person to operate. Several of the WAT licences surrendered in early 2011 were a result of an operator sub-leasing the plate to another person. As they had no interest in the licence, they were required to either take direct responsibility for or otherwise surrender the restricted taxi licence.

In 2011 (to date), three (3) WAT operators have been issued proposed disciplinary notices for non compliance with the *Road Transport (Public Passenger Services) Regulation 2002*. One was found operating without public vehicle insurance at audit and the other operators for not taking responsibility for their licence and appointing another person to operate the WAT on their behalf.

The regulator regularly liaises with WAT operators on matters of performance and compliance.

Two other WAT operators have been required to undertake 3 monthly roadworthy vehicle inspections on all taxis operated under their accreditation to ensure that vehicle safety is maintained.

Issues of public safety are acted on immediately once they are brought to the attention of the regulator by passengers, drivers, police and on-road vehicle inspectors, with the regulator directing the relevant taxi network to have the vehicle report to the Dickson test station where the problem can be checked and any safety issue rectified before the vehicle is allowed back on the road.

Approved for circulation to the Member


Andrew Barr MLA

Acting Attorney-General

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