

2007

THE LEGISLATIVE ASSEMBLY FOR
THE AUSTRALIAN CAPITAL TERRITORY

GOVERNMENT RESPONSE

Standing Committee on Legal Affairs

Report No. 5

Report on Annual and Financial Reports 2005-2006

May 2007

Tabled by
Jon Stanhope MLA
Chief Minister

Government Response

Report 5 - Standing Committee on Legal Affairs – Report on 2005-2006 Annual and Financial Reports

Introduction

The Annual Reports of all ACT Government agencies are referred to the Standing Committees of the ACT Legislative Assembly for examination and report.

The Standing Committee on Legal Affairs reviewed annual reports for:

- ACT Electoral Commission
- ACT Ombudsman
- ACT Policing
- Public Advocate of the ACT
- Department of Justice and Community Safety
- Office of the Director of Public Prosecutions
- ACT Emergency Services Authority
- ACT Human Rights Office
- Independent Competition and Regulatory Commission
- Legal Aid Commission
- Public Trustee for the ACT
- Victims of Crime Support Program

The Committee made two recommendations.

Response to Committee Recommendations

Recommendation 1

2.47 The Committee recommends that the Government undertake a comprehensive review of the victims of crime legislative regime.

Government Response

Agreed.

The Government has begun a major review of services provided to victims of crime. Elements will be progressively implemented.

From 2007 the Victims Services Scheme has been integrated with the Department of Justice and Community Safety and will become part of an expanded victims of crime office, managed by the Victims of Crime Coordinator. It is intended that a review of the applicable legislation be a part of the overall review of the way we respond to victims of crime.

Recommendation 2

3.3 The Committee recommends that smaller agencies be permitted to contribute to the annual report of the Department of Justice and Community Safety and not be required to prepare a report of their own.

Government Response

Agreed.

As they were in 2005-06, smaller agencies aligned with the Department of Justice and Community Safety will be invited to contribute material to be subsumed in or annexed to the department's annual report.

The department acknowledges the preference of some independent statutory office holders to publish separate reports.

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TABLING STATEMENT

Government Responses to:

Standing Committee on Planning and Environment: Report No. 26 – Report on Annual and Financial Reports 2005-2006

Standing Committee on Legal Affairs: Report No. 5 – Report on Annual and Financial Reports 2005- 2006

Standing Committee on Health and Disability: Report No. 3 – Report on Annual and Financial Reports 2005-2006

Standing Committee on Public Accounts: Report No.10 – Report on Annual and Financial Reports 2005-2006

Standing Committee on Education, Training and Young People: Report No. 4 – Report on Annual and Financial Reports 2005-2006

Tabled by
Jon Stanhope MLA
Chief Minister

27 / 9 / 2007

I am pleased to present the Government's Responses to five Standing Committee reports on the Annual and Financial Reports for the calendar years 2005 and 2006, and the financial year 2005-06.

As in previous years, I am tabling the responses to all of the Standing Committee reports covering all portfolios together. This is because the Standing Committee reports generally cover more than one Minister and more than one portfolio and, in certain cases, issues raised in the reports apply across departments and agencies.

As members will be aware, annual and financial reports are prepared by agencies in accordance with the *Annual Reports (Government Agencies) Act 2004*, the *Financial Management Act 1996* and the Chief Minister's Department *Annual Report Directions*. The Government seeks to ensure that annual and financial reports are continually updated to reflect best practice and full accountability. In line with this approach, some of the issues raised in the Committee reports have already been addressed in the 2006-07 Annual Report Directions.

The Standing Committees made 33 recommendations. The Government has agreed in full or in principle to 20 of these, and noted a further five. Eight recommendations are not agreed.

The Government has agreed in full or in principle to the majority of recommendations made by the Standing Committees. I will briefly touch on the reasons for the Government not agreeing to some of the recommendations.

The Standing Committee on Public Accounts recommended that the Department of Treasury include in future annual reports a discussion on levels and rates of charging and taxing within the Territory. It is the Government's position that the purpose of annual reports is for agencies to account for their performance. A discussion on levels and rates of charges and taxes go beyond the scope of departmental annual reports.

The Public Accounts Committee recommended that the Government publish the audited financial report on TransACT Communications Private Limited, as soon as it becomes available and submit this report to the Legislative Assembly, rather than wait till the end of the financial year. The Government is not responsible for publishing TransACT's annual report. Further, the Government does not have a controlling interest in TransACT and notes that ACTEW is satisfied with the process currently adopted by the TransACT Board.

The Public Accounts Committee also recommended that the ACT Government publish policy advice provided by the Department of Treasury, in relation to revenue measures and reductions in outlays of expenditure. However, policy advice from the Department of Treasury in relation to revenue or expenditure measures is provided to Government through Cabinet as part of the Budget development process, hence this advice is classified 'Cabinet-in-Confidence' and is not publicly released.

In addition, the Standing Committee on Public Accounts recommended that the Chief Minister's Department report back to the ACT Legislative Assembly on the outcomes of the Small Business Commissioner and the status of ongoing projects of the Small Business Commissioner. The outcomes and status of ongoing projects of the Small Business Commissioner have been articulated in the Small Business Commissioner annual reports to the Legislative Assembly. The remaining Government responses to the 2005-06 Annual and Financial Reports of the Standing Committees on Public Accounts, on Legal Affairs, on Planning and Environment, on Health and Disability, and on Education, Young People and Training are set out below.

I would like to thank the Standing Committees for the effort they have made in preparing their reports. I am sure the Assembly will agree that the Government has responded in a manner that enhances our record of openness and accountability.

Mr Speaker, I commend the Government's Responses to the Assembly.

