



Simon Corbell MLA

ATTORNEY-GENERAL
MINISTER FOR THE ENVIRONMENT AND SUSTAINABLE DEVELOPMENT
MINISTER FOR POLICE AND EMERGENCY SERVICES
MINISTER FOR WORKPLACE SAFETY AND INDUSTRIAL RELATIONS

MEMBER FOR MOLONGLO

Answer to Question Taken on Notice

Mrs Giulia Jones MLA asked the Attorney-General, during the Standing Committee on Justice and Community Safety Inquiry into Annual and Financial Reports 2011-12 on 6 March 2013:

[In relation to brothel inspections]

As a supplementary, did you refer anybody to immigration over the last year?

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

During the reporting period WorkSafe ACT did not refer any brothels to the Department of Immigration.

However after the reporting period WorkSafe ACT, the Australian Federal Police and the Department of Immigration have attended 7 joint inspections of brothels to date.



Approved for circulation to the Member

Simon Corbell MLA
Attorney-General

Date:.....

13.3.13

From: [Roy, Alasdair](#)
To: [Lloyd, Brian](#)
Subject: Follow-up
Date: Thursday, 14 March 2013 7:24:12 AM
Attachments: [Opening Statement.docx](#)

Brian

At yesterday's Committee hearing, I undertook to provide the Committee with:

- a copy of our opening statement (attached)
- a list of some of the functions/roles that have been added to our remit or increased the complexity of what we do since we were established (below)

Let me know if you need anything else.

Thank you – alasdair

- <!--[if !supportLists]--> Opening of the Alexander Maconochie Centre, with a new health facility and a new inspections functions under the Corrections Management Act
- <!--[if !supportLists]--> <!--[endif]-->Opening of Bimberi – additional functions for C&YP Commissioner and new health facility
- <!--[if !supportLists]--> <!--[endif]-->Ministerial Direction to review juvenile justice/audit of Bimberi
- <!--[if !supportLists]--> <!--[endif]-->Human Rights Commission Act amended 2009 to provide for increased processes in dealing with local Health Profession Boards about complaints
- <!--[if !supportLists]--> <!--[endif]-->National Regulation of Health Practitioners – 1 July 2010 – complete change of legislation, procedures, decision-making etc for all health practitioner matters
- <!--[if !supportLists]--> <!--[endif]-->Four new Professions added to national registration – 1 July 2012
- <!--[if !supportLists]--> <!--[endif]-->Establishment of national Personally Controlled Electronic Health Records – new jurisdiction for Health Services Commissioner
- <!--[if !supportLists]--> <!--[endif]-->Introduction of a new Right to Education in the Human Rights Act with consequences for C&YP Commissioner and HR&D Commissioner
- <!--[if !supportLists]--> <!--[endif]-->Children and Young People Taskforce established – C&YP Commissioner
- <!--[if !supportLists]--> <!--[endif]-->Amendments to the Human Rights Act which provided for new obligations on public authorities
- <!--[if !supportLists]--> <!--[endif]-->Amendments to the Health Act to add new reporting to Health Services Commissioner in relation to clinical reviews
- <!--[if !supportLists]--> <!--[endif]-->Establishment of the Law Reform Advisory Council – HR&D Commissioner
- <!--[if !supportLists]--> <!--[endif]-->GP Taskforce Review – legislative amendments gave new functions to Health Services Commissioner upon closure of health services
- <!--[if !supportLists]--> <!--[endif]-->The establishment of the Child Death Review Team – C&YP Commissioner

<!--[if !supportLists]--> <!--[endif]-->National Disability Insurance Scheme Expert Panel –
Disability Services Commissioner



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MINISTER FOR POLICE AND EMERGENCY SERVICES
MINISTER FOR WORKPLACE SAFETY AND INDUSTRIAL RELATIONS



MEMBER FOR MOLONGLO

Answer to Question Taken on Notice

Mr Zed Seselja MLA asked the Minister for Police and Emergency Services, during the Standing Committee on Justice and Community Safety inquiry into Annual and Financial Reports 2011-12 on 6 March 2013:

The rebuild of the Fairbairn triple zero communications centre is referenced on page 118 [of the Annual Report]. What was the cost of that rebuild?

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

The majority of the costs of the restoration at Fairbairn were covered by insurance arrangements. The insurance reimbursement was close to \$1 million, with the net cost to ESA being quite minor. It included costs such as the insurance excess of \$5,000.

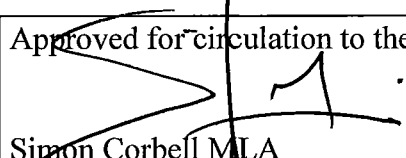
ESA calculated the costs of the restoration at Fairbairn following the December 2010 flooding incident to be \$1,012,072. The table below provides a breakdown of these costs.

Building and material costs	\$519,277.47
Business impact costs	\$492,794.76
Total	\$1,012,072.23

The ESA's insurers approved reimbursement of \$984,498.21. All payments have been received, except for \$5,690.00. The insurers advised that they will pay this by early March 2013. The difference between costs incurred and the reimbursement of \$27,574.02 relates to the ESA's excess of \$5,000 on any claim, a \$5.00 administration error within the material costs reimbursement, and \$22,569.02 of business impact costs, which have not been approved.

The insured cost included building and material costs on items such as replacement of plasterboard, ICT infrastructure and timber flooring. The business impact costs related 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. The business impact costs also included staff costs related to overtime, additional shifts and incidentals. This amounted to \$64,065.75.

Approved for circulation to the Member

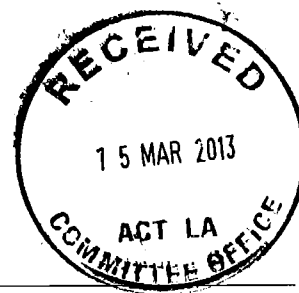

Simon Corbell MLA
Minister for Police and Emergency Services

Date: 15.3.13



Simon Corbell MLA

ATTORNEY-GENERAL
MINISTER FOR THE ENVIRONMENT AND SUSTAINABLE DEVELOPMENT
MINISTER FOR POLICE AND EMERGENCY SERVICES
MINISTER FOR WORKPLACE SAFETY AND INDUSTRIAL RELATIONS



MEMBER FOR MOLONGLO

Answer to Question Taken on Notice

Mr Zed Seselja MLA asked the Minister for Police and Emergency Services, during the Standing Committee on Justice and Community Safety inquiry into Annual and Financial Reports 2011-12 on 6 March 2013:

[In relation to the total cost of the Tidbinbilla Project]

What was the total cost of the Tidbinbilla Project, and how does it compare to the original budget?

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

The ACT Government provided \$1.644 million for the construction of the Tidbinbilla RFS station. The works as scoped were delivered within the allocated budget.

The National Disaster Resilience Program funded \$0.5 million for additional works, which provides greater capability and resilience to the precinct and the multiple potential users of the site in an emergency situation.

Construction of the Tidbinbilla RFS station was completed and handed over to the volunteers in June 2012. I inaugurated this station on 12 August 2012.

Approved for circulation to the Member

Simon Corbell MLA
Minister for Police and Emergency Services

15.3.13

Date:.....



Simon Corbell MLA

ATTORNEY-GENERAL
MINISTER FOR THE ENVIRONMENT AND SUSTAINABLE DEVELOPMENT
MINISTER FOR POLICE AND EMERGENCY SERVICES
MINISTER FOR WORKPLACE SAFETY AND INDUSTRIAL RELATIONS

MEMBER FOR MOLONGLO



Answer to Question Taken on Notice

Mr Mick Gentleman MLA asked the Attorney-General, during the Standing Committee on Justice and Community Safety Inquiry into Annual and Financial Reports 2011-12 on 6 March 2013:

[In relation to legislative changes regarding repairable write-offs and statutory write-offs for vehicles]

Can you tell us what the outcomes have been so far and what has been the response from the community and industry?

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

On 30 May 2012, amendments were made to the *Road Transport (Vehicle Registration) Regulations 2000* that prohibited the inspection and/or registration of written-off vehicles in the ACT unless the vehicle is a repairable write off and was registered in the ACT at the time it was written off.

This amendment became necessary following legislative changes in NSW that prohibited the registration of a written-off vehicle in that state unless the vehicle had the written-off vehicle status removed and was registered in another jurisdiction.

The NSW amendment resulted in a disproportionate amount of written-off vehicles being presented for inspection and clearance in the ACT. This extended the waiting time for an inspection appointment from around three days to four months and had a detrimental effect on genuine ACT residents seeking this service.

As the ACT is not resourced to provide this service to non ACT residents the above amendment became necessary to ensure a timely service to ACT residents and the ACT was not at high risk of registering vehicles that were not repaired to industry standards and manufacturers specifications.

Following the amendment the waiting time for an inspection has reverted to a manageable average of three days.

Only one complaint was received from a local business regarding the short period of notification of the implementation of the change. This was satisfactorily resolved by the Office of Regulatory Services (ORS).

Approved for circulation to the Member	
Simon Corbell MLA Attorney-General	15.3.13 Date:.....



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MINISTER FOR THE ENVIRONMENT AND SUSTAINABLE DEVELOPMENT
MINISTER FOR POLICE AND EMERGENCY SERVICES
MINISTER FOR WORKPLACE SAFETY AND INDUSTRIAL RELATIONS



MEMBER FOR MOLONGLO

Answer to Question Taken on Notice

Mrs Giulia Jones MLA asked the Minister for Police and Emergency Services, during the Standing Committee on Justice and Community Safety inquiry into Annual and Financial Reports 2011-12 on 6 March 2013:

[In relation anti-social driving in the Weston Creek area]

What is the level of pro-active patrolling provided to Weston Creek by ACT Policing?

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

Weston Creek falls within the Woden Police Station, South District patrol zone. In addition to responses to incidents and call for police assistance in Weston Creek, ACT Policing recorded 247 visibility patrols in the 2012 calendar year as part of the Suburban Policing Strategy.

ACT Policing teams including General Duties, Traffic Operations, K-9 Unit and Security Response Group are regularly provided with information reports, containing updates of current areas of interest. They routinely conduct covert and overt patrols in these areas. The information reports are generated with the help of the public and other intelligence gathering streams including Crime Stoppers that ACT Policing receives.

Approved for circulation to the Member

Simon Corbell MLA
Minister for Police and Emergency Services

Date:.....



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MINISTER FOR POLICE AND EMERGENCY SERVICES
MINISTER FOR WORKPLACE SAFETY AND INDUSTRIAL RELATIONS

MEMBER FOR MOLONGLO



Answer to Question Taken on Notice

Mr Zed Seselja MLA asked the Attorney-General, during the Standing Committee on Justice and Community Safety Inquiry into Annual and Financial Reports 2011-12 on 6 March 2013:

[In relation to the Point to Point Cameras Project]

What is the expected total cost now of that project?

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

The Territory and Municipal Services (TAMS) Directorate is undertaking procurement of the installation of the point to point road safety cameras at Athllon Drive.

TAMS has advised that the cost of the contract for supply and installation of the cameras is \$623,634.11 (including GST). This includes the first year's maintenance. This is additional to the \$190,000 already spent on civil works.

Approved for circulation to the Member

Simon Corbell MLA
Attorney-General

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MINISTER FOR POLICE AND EMERGENCY SERVICES
MINISTER FOR WORKPLACE SAFETY AND INDUSTRIAL RELATIONS



MEMBER FOR MOLONGLO

Answer to Question Taken on Notice

Mrs Giulia Jones MLA asked the Attorney-General, during the Standing Committee on Justice and Community Safety inquiry into Annual and Financial Reports 2011-12 on 6 March 2013:

What has been the cost to the Office [of Regulatory Services] of the rollout of the plastic bags ban and the annual cost of this inspection in staffing and so on?

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

The Office of Regulatory Services (ORS) commenced an inspection and education campaign on 1 July 2011, targeting the retail sector and further inspections have continued to occur as part of other inspection programs within the retail sector.

ORS inspectors and communications officers inspected 2249 premises during the reporting period for compliance with the transitional provisions of the *Plastic Shopping Bags Ban Act 2010* (the Act) and for compliance after commencement of the Act.

The initial ORS inspections prior to commencement of the Act focused only on plastic bags to ensure that retailers were aware of the commencement of the Act and their associated obligations. Since that initial targeted campaign the ORS has undertaken retail inspections for multiple purposes, such as egg labelling, liquor and tobacco licence compliance.

The ORS has costed the targeted plastic bags visits at approximately \$61,000 in total. Each inspection took approximately 15 minutes.

Of the premises inspected in excess of 1000 indicated awareness of the ban. Inspections focused mainly on small businesses including butchers, delicatessens, newsagencies and smaller supermarkets.

The Act was developed by the Environment and Sustainable Development Directorate (ESDD). ESDD retains policy responsibility for this Act, along with responsibility for communications strategies. The ORS is responsible for compliance activities under the Act.

The Act provided for a four month transitional period between 1 July 2011 and 31 October 2011. During the transitional period retailers were required to offer alternate bags and also display signs informing customers of the changes.

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Answer to Question Taken on Notice

Mr Zed Seselja MLA asked the Attorney-General, during the Standing Committee on Justice and Community Safety inquiry into Annual and Financial Reports 2011-12 on 6 March 2013:

[In relation to revenue recovered by the ACT Government Solicitor]

What would explain a drop from \$796,000 to \$106,000 in one year? Is there any particular reason why 2010-11 was such a big year for recovery?

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

The additional revenue recovered in the 2010-11 year was largely represented by the recovery from third parties of expenses and costs incurred by the Territory in 2 matters where the amounts involved were significant. In one instance they were recovered from a co-defendant and in the other from a CTP insurer for expenses met by Disability ACT.

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Simon Corbell MLA
Attorney-General

Date: 15.3.13



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MINISTER FOR WORKPLACE SAFETY AND INDUSTRIAL RELATIONS



MEMBER FOR MOLONGLO

Answer to Question Taken on Notice

Mr Zed Seselja MLA asked the Attorney-General, during the Standing Committee on Justice and Community Safety Inquiry into Annual and Financial report 2011-12 on 6 March 2013:

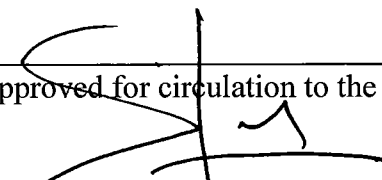
[In relation to the to the contract negotiated and drafted for the Commissioner for Social Housing with a value of \$850 million]

Over what period is that \$850 million?

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

The major contract of \$850 million was for the Commissioner for Social Housing for its facilities management services and was for a period of 10 years.

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Simon Corbell MLA
Attorney-General

Date: 15.3.13



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MINISTER FOR POLICE AND EMERGENCY SERVICES
MINISTER FOR WORKPLACE SAFETY AND INDUSTRIAL RELATIONS

MEMBER FOR MOLONGLO



Answer to Question Taken on Notice

Mrs Giulia Jones MLA asked the Attorney-General, during the Standing Committee on Justice and Community Safety inquiry into Annual and Financial Reports 2011-12 on 6 March 2013:

[In relation to working groups]

What police recommendations are being considered by the Prostitution Review Implementation Working Group?

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

ACT Policing provided a separate submission to the Standing Committee on Justice and Community Safety Inquiry in to the *Prostitution Act 1992*. That submission, and the evidence of the Chief Police Officer before the Standing Committee, dealt comprehensively with a number of issues central to the Inquiry, including:

- levels of criminal activity and association with organised crime such as people trafficking;
- the risk of schemes such as the "Swedish model" operating to drive the commercial sex industry underground; and
- concerns about compliance and enforcement, and the need for a clear division of responsibilities between ACT Policing and Government agencies.

The ACT Policing submission also proposed a number of additional legislative changes to provide:

- a clear power to demand a person's name, address and identity at premises where sex work is performed;
- a power to enter premises without a warrant;
- a strengthening of the requirement on operators to identify minors;
- a clarification of section 21 of the Act, relating to proceeds of child prostitution;
- an expansion of the range of disqualification offences; and
- a requirement for advertisements for sexual services to include a licence number.

The Prostitution Review Implementation Working Group is considering the legislative changes recommended by ACT Policing. I will be taking advice from my Directorate about the Working

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Simon Corbell MLA
Attorney-General

Date: 15.3.13

Group's deliberations on appropriate legislative reforms to implement the Government's response to the Committee's recommendations.

The issues raised by ACT Policing are noted in the Government Response to the Committee's report, at: <http://www.parliament.act.gov.au/downloads/reports/Prostitutional%20Act.pdf>

The ACT Policing submission can be found at:
<http://www.parliament.act.gov.au/downloads/submissions/16%20-%20ACT%20Policing.pdf>

The transcript of evidence of the Chief Police Officer can be found at page 22 of the relevant Hansard: <http://www.hansard.act.gov.au/hansard/2009/comms/justice23.pdf>

From: [Durkin, Mary](#)
To: [Lloyd, Brian](#)
Subject: RE: Follow-up
Date: Tuesday, 19 March 2013 3:10:20 PM

Hello Brian – the last bit of input.

The Committee asked about how many disability service complaints were not being dealt with by the Disability and Community Services Commissioner. Sixteen matters have been raised with the Commission that have not progressed to complaints being dealt with by the Commissioner. Two were out of the Commissioner's jurisdiction; four were referred to the provider for resolution; six have been closed without action by the Commissioner; and four are matters on which we are waiting for further information (and which will be assessed as to whether or not they meet the threshold for consideration).

Regards

Mary Durkin
Health Services Commissioner
Disability and Community Services Commissioner
ACT Human Rights Commission

PH: 6205 2222 FAX: 6207 1034
12 Moore Street, Canberra City
GPO Box 158, Canberra ACT 2601

www.hrc.act.gov.au



Shane Rattenbury MLA

MINISTER FOR TERRITORY AND MUNICIPAL SERVICES
MINISTER FOR CORRECTIONS
MINISTER FOR HOUSING
MINISTER FOR ABORIGINAL AND TORRES STRAIT ISLANDER AFFAIRS
MINISTER FOR AGEING

MEMBER FOR MOLONGLO



Answer to Question Taken on Notice

Mrs Giulia Jones MLA asked the **Minister for Corrections**, during the Standing Committee on Justice and Community Safety Inquiry into Annual and Financial Reports 2011-12 on 13 March 2013:

[In relation to the quiet place/chapel]

How much was allocated to complete this project in the 2008/09 budget?]

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

The Government allocated \$513,000 over 2 years for construction of a multi-faith chapel including a suitable quiet place for Indigenous detainees in the 2008-09 Budget.

However, as an acceptable tender response was not received, the project did not proceed at that time. The balance of funding following design, procurement and related activities were returned to Budget.

Approved for circulation to the Member

Shane Rattenbury MLA
[Minister for Corrections]

Date: 20/3/13



Shane Rattenbury MLA

MINISTER FOR TERRITORY AND MUNICIPAL SERVICES
MINISTER FOR CORRECTIONS
MINISTER FOR HOUSING
MINISTER FOR ABORIGINAL AND TORRES STRAIT ISLANDER AFFAIRS
MINISTER FOR AGEING

MEMBER FOR MOLONGLO



Answer to Question Taken on Notice

Mrs Giulia Jones MLA asked the **Minister for Corrections**, during the Standing Committee on Justice and Community Safety Inquiry into Annual and Financial Reports 2011-12 on 13 March 2013:

[In relation to white listed sites]

Can the list of white listed sites be provided on notice?

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

The list of whitelisted websites as at the time of this question is provided below. However, it should be noted that detainees have limited access – detainees cannot place posts or access the 'contact' pages; this is to prevent unmonitored communication via the site.

- <http://legislation.act.gov.au>
- <http://my.murdoch.edu.au/>
- <http://solaris.act.gov.au>
- <http://www.comlaw.gov.au/>
- <http://www.neo.act.gov.au>
- <http://www.ntis.gov.au/>

It should further be noted that the list is reviewed on a regular basis including in response to changes made by the site owners. The National Training Information Service (NTIS) site has been replaced. ACT Corrective Services is reviewing the new site to determine if it will be whitelisted.

Approved for circulation to the Member

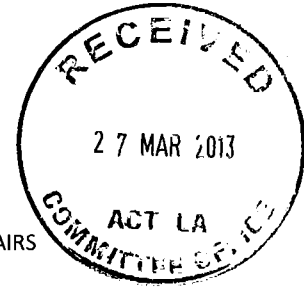
Shane Rattenbury MLA
[Minister for Corrections]

Date: 21/3/13



Shane Rattenbury MLA

MINISTER FOR TERRITORY AND MUNICIPAL SERVICES
MINISTER FOR CORRECTIONS
MINISTER FOR HOUSING
MINISTER FOR ABORIGINAL AND TORRES STRAIT ISLANDER AFFAIRS
MINISTER FOR AGEING



MEMBER FOR MOLONGLO

Answer to Question Taken on Notice

Mr Zed Seselja MLA asked the **Minister for Corrections**, during the Standing Committee on Justice and Community Safety Inquiry into Annual and Financial Reports 2011-12 on 13 March 2013:

[In relation to lockdown statistics, reasons for these lock downs]

Are you able to take on notice, in terms of some statistics, in recent months, on lock downs?

Is it possible to provide the (broad) reasons for those lock downs?

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

Lockdowns occur for a range of reasons, including unplanned staff absences, hospital escorts, and other escorts.

In some cases, lockdowns occur for only short periods – often for only half an hour. Centre-wide scheduled lockdowns also occur for one hour, once per month so that staff meetings can take place.

Other lockdowns are managed on a rolling basis to minimise the impact on any particular group of detainees. A specific area is locked down for a period of time to allow other areas to operate according to normal routine. Staff resources are then shifted and that area operates in accordance with normal routine while another is locked down. Such lockdowns do not usually prevent detainees from attending education, programs, visits or other activities, as these are given priority.

It should also be noted that during lockdowns, detainees in cottages are only confined to the cottage (not to their rooms); they have access to the entire cottage (including kitchen, living area and enclosed outside area).

Approved for circulation to the Member

Shane Rattenbury MLA
Minister for Corrections

Date: 26/3/13



Shane Rattenbury MLA

MINISTER FOR TERRITORY AND MUNICIPAL SERVICES
MINISTER FOR CORRECTIONS
MINISTER FOR HOUSING
MINISTER FOR ABORIGINAL AND TORRES STRAIT ISLANDER AFFAIRS
MINISTER FOR AGEING

MEMBER FOR MOLONGLO



Answer to Question Taken on Notice

Mrs Giulia Jones MLA asked the **Minister for Corrections**, during the Standing Committee on Justice and Community Safety Inquiry into Annual and Financial Reports 2011-12 on 6 March 2013:

[In relation to lock downs]

Regarding that restricted visit can you give us the details of what the reaction was, where had those visitors travelled from and in what detail the people were notified?

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

On the morning of 28 July 2011 temporary problems arose with the electronic security system at the Alexander Maconochie Centre (AMC). These problems were resolved by the afternoon of the same day, however, the matter initially led to lockdowns within the prison and morning visits were delayed as a result.

An effort was made to contact all visitors to inform them of the situation.

There is no record of any feedback being received by the AMC in relation to the delayed visits, and due to the passage of time, it is not possible to ascertain the reactions of specific visitors.

The overwhelming majority of visitors to the AMC are from the ACT, however, a small number may travel from interstate, particularly from Queanbeyan and Jerrabomberra.

Approved for circulation to the Member

Shane Rattenbury MLA
Minister for Corrections

Date: 26/3/13



Simon Corbell MLA

ATTORNEY-GENERAL
MINISTER FOR THE ENVIRONMENT AND SUSTAINABLE DEVELOPMENT
MINISTER FOR POLICE AND EMERGENCY SERVICES
MINISTER FOR WORKPLACE SAFETY AND INDUSTRIAL RELATIONS



MEMBER FOR MOLONGLO

Answer to Question Taken on Notice

Mrs Giulia Jones MLA asked the Electoral Commissioner, Mr Phillip Green, during the Standing Committee on Justice and Community Safety Inquiry into Annual and Financial Reports 2011-12 on 6 March 2013:

[In relation to third-party organisations involved in breaching]

Which were the two organisations, third-party organisations who were involved in breaching?

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

The Electoral Commissioner has advised me as follows:

Two third party campaigners lodged a 2012 Legislative Assembly election return that indicated that their election expenditure had exceeded the expenditure cap for the election. These organisations are the ACT Law Society and the Australian Home Heating Association Inc. The returns show that the ACT Law Society exceeded the cap by \$604 and the Australian Home Heating Association by \$776.78. The penalty for breaching the cap is twice the amount of the breach, payable as a debt to the Territory.

Approved for circulation to the Member

Simon Corbell MLA
Attorney-General

Date: 26.3.13



Simon Corbell MLA

ATTORNEY-GENERAL

MINISTER FOR THE ENVIRONMENT AND SUSTAINABLE DEVELOPMENT

MINISTER FOR POLICE AND EMERGENCY SERVICES

MINISTER FOR WORKPLACE SAFETY AND INDUSTRIAL RELATIONS



MEMBER FOR MOLONGLO

Answer to Question Taken on Notice

Mrs Giulia Jones MLA asked the Electoral Commissioner, Mr Phillip Green, during the Standing Committee on Justice and Community Safety Inquiry into Annual and Financial Reports 2011-12 on 6 March 2013:

[In relation to increasing numbers on the Electoral Roll]

You refer in your report on page 12 to trusted data sources to add people to the roll. What are the “trusted data sources” you are using or will be using?

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

The Electoral Commissioner has advised me as follows:

The Australian Electoral Commission maintains the ACT electoral roll on behalf of the ACT Electoral Commission under the terms of a Joint Roll Arrangement.

The Australian Electoral Commission has advised that direct enrolment and direct update of elector details are being implemented in accordance with amendments made to the Commonwealth Electoral Act in 2012. It advised the trusted sources of data that are currently used for direct enrolment and direct update of elector details on the ACT electoral roll are Centrelink and the National Exchange of Vehicle and Driver Information System (NEVDIS). Other sources may be added in the future as appropriate.

Approved for circulation to the Member

Simon Corbell MLA
Attorney-General

Date:.....27.3.13.....



Simon Corbell MLA

ATTORNEY-GENERAL
MINISTER FOR THE ENVIRONMENT AND SUSTAINABLE DEVELOPMENT
MINISTER FOR POLICE AND EMERGENCY SERVICES
MINISTER FOR WORKPLACE SAFETY AND INDUSTRIAL RELATIONS



MEMBER FOR MOLONGLO

Answer to Question Taken on Notice

Mrs Giulia Jones MLA asked the Attorney-General, during the Standing Committee on Justice and Community Safety inquiry into Annual and Financial Reports 2011-12 on 6 March 2013:

[In relation to the operation of point-to-point cameras on Hindmarsh drive]

How many fewer accidents have been reported on average over the period of time of the operation?

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

In the ACT traffic crashes are required to be reported to ACT Policing. Since January 2011 motorists have been able to report crashes on-line, using a smart form. Police officers also report the more serious crashes they attend. This information is then used by the Territory and Municipal Services Directorate to maintain the ACT's road crash database.

Site selection for point to point cameras was based on a Forward Design Study and Data Ranking and Analysis undertaken by AECOM (consultants specialising in traffic engineering and related areas). Crash data used in identifying the recommended corridors for point to point cameras included, for the Hindmarsh Drive corridor, the crash data from Yamba Drive to Dalrymple Street, including crashes at the intersections of those roads with Hindmarsh Drive.

TAMS has provided data from the crash database which shows:

- (a) 66 crashes on Hindmarsh Drive between Yamba Drive and Dalrymple St, including these intersections, from 27 February 2012 to 31 December 2012;
- (b) the average crashes per year for this corridor, based on full year data for the five years from January 2008 to December 2012 was 94, and the number of crashes for the year ended December 2012 was 84;
- (c) 17 crashes for the midblocks from Tyagarah St to Dalrymple St, and including the Tamar St intersection (which cover the camera enforcement zone), from 27 February 2012 to 31 December 2012, with an average of 17 crashes for this section of road, based on full year data from January 2008 to December 2012.

Approved for circulation to the Member

Simon Corbell MLA
Attorney-General

Date: 27.3.13



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MINISTER FOR THE ENVIRONMENT AND SUSTAINABLE DEVELOPMENT
MINISTER FOR POLICE AND EMERGENCY SERVICES
MINISTER FOR WORKPLACE SAFETY AND INDUSTRIAL RELATIONS



MEMBER FOR MOLONGLO

Answer to Question Taken on Notice

Mr Zed Seselja MLA asked the Victims of Crime Commissioner, Mr John Hinchey, during the Standing Committee on Justice and Community Safety Inquiry into Annual and Financial Reports 2011-12 on 6 March 2013:

In relation to Victims Advisory Board, it says there is a range of issues currently being looked into. Are you able to provide some more information into what the range of issues is?

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

The Victims of Crime Commissioner has advised me as follows:

The Victims Advisory Board was established in 2010 by amendment to the *Victims of Crime Act 1994*. The functions of the board are —

- (a) to advise the Attorney-General on policies, priorities and strategies for the acknowledgment, protection and promotion of the interests of victims in the administration of justice; and
- (b) if asked by the Attorney-General—to help develop and maintain protocols and procedures for the treatment of victims by agencies involved in the administration of justice;

The Victims Advisory Board is considering recommendation 3.8 of the Human Rights Commission report following its inquiry into the ACT youth justice system.

The Victims Advisory Board is also providing advice or being consulted on the following issues:

- Protocols between Victim Support ACT and other agencies regarding victim support, including guidelines for ACT Policing when referring victims of crime to victim support services.
- Complaints/ concerns resolution processes between the Victims of Crime Commissioner and other criminal justice agencies to manage complaints and concerns that are raised by victims of crime.

Approved for circulation to the Member

Simon Corbell MLA
Attorney-General

Date: 27.3.13

- Operation of the Victims Registers within ACT Corrective Services and the Office for Children Youth and Family Support
- The operation of the victims of crime financial assistance scheme
- Royal Commission Inquiry into Institutional Responses to Child Sexual Abuse
- Defence Force Inquiry Taskforce
- Judicial Complaints Discussion Paper
- Australian Institute of Criminology Sexual Assault Reform Program Evaluation Report
- Australian Institute of Criminology Family Violence Intervention Program Evaluation Report



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MINISTER FOR POLICE AND EMERGENCY SERVICES
MINISTER FOR WORKPLACE SAFETY AND INDUSTRIAL RELATIONS



MEMBER FOR MOLONGLO

Answer to Question Taken on Notice

Mrs Giulia Jones MLA asked the Attorney-General, during the Standing Committee on Justice and Community Safety inquiry into Annual and Financial Reports 2011-12 on 25 March 2013:

[In relation to ACAT matters]

There are 19 matters that have been open for more than nine months. The majority of these extensions are granted for matters involving ACTPLA. Is this number of extensions also consistent with past years or is that a bit of a spike?

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

The figures the Member refers to relate to only matters in the administrative review jurisdiction of the ACAT.

In the reporting period 2009-10, eight administrative review matters were open for over nine months. (30% of open matters)

In the reporting period 2010-11, eight administrative review matters were open for over nine months. (20% of open matters)

In the reporting period 2011-12, nineteen administrative review matters were open for over nine months. (24.5% of open matters)

The majority of matters outstanding for over nine months in the 2011-12 reporting period relate to a group of applications seeking an ACAT review of decisions by the Commissioner for ACT Revenue in respect of payroll tax issues (14 matters).

These matters involve complex legal issues that have necessitated a number of hearings days and extensive submissions from the parties.

Approved for circulation to the Member

Simon Corbell MLA
Attorney-General

Date: 8.4.13



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MINISTER FOR WORKPLACE SAFETY AND INDUSTRIAL RELATIONS



MEMBER FOR MOLONGLO

Answer to Question Taken on Notice

Mrs Giulia Jones MLA asked the Attorney-General, during the Standing Committee on Justice and Community Safety inquiry into Annual and Financial Reports 2011-12 on 25 March 2013:

[In relation to applications resolved by mediation]

On page 284 of book 1 the report states that approximately one-third of applications made to ACAT were resolved in mediation. Do you have any analysis on this resolution rate? Is it an increase or a decrease over previous years?

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

The mediation figures reported in the Tribunals' Annual Reports refer to mediations held in administrative review matters only.

In the 2009-10 reporting period 51 mediations were listed with 28 matters being resolved at or after the mediation and before hearing.

In the 2010-11 reporting period 81 mediations were listed with 33 matters being resolved at or after the mediation and before hearing.

In the 2011-12 reporting period 75 mediations were listed with 28 matters being resolved at or after the mediation and before hearing.

Even in those matters that are not resolved as a result of mediation, mediation serves a useful purpose by allowing parties an opportunity to gain a better understanding of each other's case in a confidential setting.

The Tribunal uses dispute resolution processes in other jurisdictional areas but these are not been reported separately in the past.

Approved for circulation to the Member

Simon Corbell MLA
Attorney-General

8.4.13
Date:.....



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MEMBER FOR MOLONGLO

Answer to Question Taken on Notice

Mrs Giulia Jones MLA asked the Chair of the Sentence Administration Board, Mr Brian Delaney, during the Standing Committee on Justice and Community Safety Inquiry into Annual and Financial Reports 2011-12 on 13 March 2013:

[In relation to victims who are contacted regarding an offender's release]

Under what circumstances are victims contacted regarding an offender's release on parole?

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

The Chair of the Sentence Administration Board advises me that:

Victims who are registered in accordance with section 215 of the *Crimes (Sentence Administration) Act 2005* (registered victims) are informed, in writing, of the offender's release date, the general area where the offender will live on parole and, in general terms, the conditions of the offender's parole order.

Victims of an offender who have not requested placement on the ACT Victims Register but have made a submission to the board, or that the board is aware have expressed concern, or have had concerns expressed on their behalf, about the need for protection from violence or harassment by the offender (relevant victims – refer section 133 of the *Crimes (Sentence Administration) Act 2005*), are also informed, in writing, of the offender's release date, the general area where the offender will live on parole and, in general terms, the conditions of the offender's parole order.

Approved for circulation to the Member

Simon Corbell MLA
Attorney-General

Date: 8.4.13



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MINISTER FOR WORKPLACE SAFETY AND INDUSTRIAL RELATIONS

MEMBER FOR MOLONGLO

Answer to Question Taken on Notice

Mr Zed Seselja MLA asked the Attorney-General, during the Standing Committee on Justice and Community Safety inquiry into Annual and Financial Reports 2011-12 on 25 March 2013:

[In relation to representation by lawyers before the ACAT]

Is there anywhere where statistics are held...as to how many cases before ACAT actually involve legal representation for the individuals and those that do not and also the type of legal representation? Is there anywhere where those statistics are held?

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

The Tribunal's case management system does not store the data necessary to produce an accurate report about legal representation of parties. To produce a report containing this information programming staff would need to manually work through all Tribunal cases.

It is possible that the information in the Member's question will be available to be reported on when the new case management system is fully implemented.



Approved for circulation to the Member

Simon Corbell MLA
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9.4.13
Date:.....



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MEMBER FOR MOLONGLO

Answer to Question Taken on Notice

Mr Steve Dozpot MLA asked the Attorney-General, during the Standing Committee on Justice and Community Safety inquiry into Annual and Financial Reports 2011-12 on 25 March 2013:

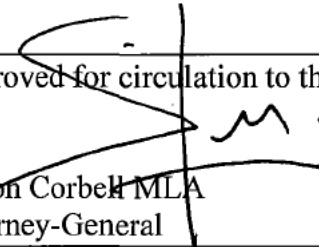
[In relation to the Sentencing Database]

What will the licensing fees...consist of?

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

Under the proposed agreement there will be an annual licence fee to be paid to the NSW Judicial Commission for the ACT Sentencing Database. There will also be a separate fee for hosting and maintenance.

Approved for circulation to the Member


Simon Corbell MLA
Attorney-General

10.4.13
Date:.....



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MEMBER FOR MOLONGLO

Answer to Question Taken on Notice

Mr Steve Dozpot MLA asked the Chair of the Sentence Administration Board, Mr Grahame Delaney, during the Standing Committee on Justice and Community Safety Inquiry into Annual and Financial Reports 2011-12 on 13 March 2013:

[In relation to periodic detention orders cancelled during 2011-2012]

That is out of how many [total periodic detention orders] in force?

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

The Chair of the Sentence Administration Board has advised me as follows:

I understand the member's question to be how many periodic detention orders were in force in the year under review. With the assistance of the ACT Law Courts, I am able to provide data in regard to the number of orders imposed during the 2011 – 2012 financial year, which was a total of 141.

Approved for circulation to the Member

Simon Corbell MLA
Attorney-General

10.4.13
Date:.....