



Simon Corbell MLA

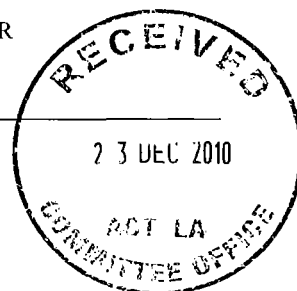
ATTORNEY GENERAL

MINISTER FOR THE ENVIRONMENT, CLIMATE CHANGE AND WATER

MINISTER FOR ENERGY

MINISTER FOR POLICE AND EMERGENCY SERVICES

MEMBER FOR MOLONGLO



Inquiry into Annual and Financial Reports 2009-10

QUESTION ON NOTICE *Q. No. 71-78*

The Standing Committee on Justice and Community Safety asked the Attorney General, upon notice, on 6 December 2010:

Regarding the Legal Aid ACT Annual Report

Regarding the Legal Aid Review Panel responsible for hearing reviews of decisions on grants of legal assistance:

71. How many appointments did the Attorney make to the Review Panel during the reporting period?
72. What process does the Attorney follow to make appointment to the Legal Aid Review Panel?
73. Are attempts made to ensure adequate indigenous representation amongst Committee members?

Regarding the Review Committee, as described on pages 21 and 22:

74. Does Legal Aid ACT have a role in forming the list of people who are appointed by the Attorney General to the Committee?
75. If so, what is that role?
76. Does Legal Aid ACT have a role in deciding which of the 22 Committee members (as at 30/06/10) are appointed to sit on the three person Committee who hear the review?
77. If so, are there attempts made to ensure Indigenous representation on the Committee where the review involves Indigenous applicants?
78. If not, can this be implemented in the future?

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

71. No appointments were made during the reporting period.

Approved for circulation to the Member

Simon Corbell MLA
Attorney General

Date: *23.12.10*

72. Section 37 of the *Legal Aid Act 1977* provides for the appointment of members of review committees. Review committees are constituted by the chief executive officer of the Legal Aid Commission (ACT) from members of three panels appointed by the Attorney General. Each panel comprises no more than nine members. One panel comprises private legal practitioners appointed on the nomination of the council of the ACT bar association; one panel comprises private legal practitioners appointed on the nomination of the council of the ACT law society; and the third panel comprises people who are not legal practitioners, members of the commission or officers of the commission, each of whom has qualifications or experience relevant to the exercise of the function of a review committee. In practice, nominations for appointment to the third panel are sought from the ACT council of social services.
73. As far as the commission is aware no members of the current review committee panels identify as being of Aboriginal or Torres Strait Islander origin. In relation to future panel appointments, steps will be taken to ensure Indigenous representation.

Regarding the Review Committee, as described on pages 21 and 22:

74. No.
75. Not applicable.
76. When a committee needs to be constituted to review a decision, the chief executive officer's delegate chooses the members of the committee from among panel members having regard to their availability and the nature of the decision to be reviewed.
77. There are currently no Indigenous panel members.
78. Steps will be taken to ensure Indigenous representation on future review committee panels. The commission will then try to ensure Indigenous representation on review committees constituted for reviews involving Indigenous people.



Simon Corbell MLA

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MINISTER FOR THE ENVIRONMENT, CLIMATE CHANGE AND WATER

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MEMBER FOR MOLONGLO

20 N 79.

Inquiry into Annual and Financial Reports 2009-10

QUESTION ON NOTICE

The Standing Committee on Justice and Community Safety asked the Attorney General, upon notice, on 6 December 2010:

Regarding the DPP Annual Report

79. Further to the information provided on page 14 of the DPP's annual report relating to the Ngambra Circle Sentencing Court, does the DPP have a view of on how the Circle Sentencing Court is operating and whether an increase in resources is warranted to allow more offenders to be diverted through the Circle?

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

I am advised by the Director of Public Prosecutions as follows. Circle Sentencing is an important option for Indigenous offenders in the ACT and the DPP actively contributes to its operation. As noted in the DPP's annual report Circle sentencing is very resource intensive and represents a significant time commitment for DPP officers. As to whether more offenders should be put through the Circle, DPP is not aware of any offender who wished to be considered for the Circle being refused on the ground of insufficient resources. As to the effectiveness of Circle, DPP is not aware of any study as to whether participation in Circle is reducing recidivism or incarceration rates. Such information would be very germane in assessing the effectiveness of Circle.

Approved for circulation to the Member

Simon Corbell MLA
Attorney General

Date: 23.12.10



Simon Corbell MLA

ATTORNEY GENERAL

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MEMBER FOR MOLONGLO



20Ns 80-82.

Inquiry into Annual and Financial Reports 2009-10

QUESTION ON NOTICE

The Standing Committee on Justice and Community Safety asked the Attorney General, upon notice, on 6 December 2010:

Regarding the ACT Ombudsman Annual Report

Page 22 indicates that you raised a concern with the Minister that the Crimes (Child Sex Offenders) Act 2005 may not be meeting its aim of reducing the likelihood of offenders reoffending.

80. In raising that concern did the Ombudsman take account of the risk assessments that ACT Police perform on registered offenders?
81. If so, were there any improvements to the risk assessment process identified that could address the concern?
82. Are statistics kept by the Ombudsman on the rate at which registered offenders are reoffending?

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

80. Yes, the Ombudsman advises that in raising his concerns he did take into account the risk assessments that ACT Policing performs on registered offenders. However, the issue raised in the report was not about risk assessments, but the limitations on the action ACT Policing are able to take to prevent an offender from reoffending. For example, the legislation requires that an offender report if they are living with or otherwise have regular unsupervised contact with children, but does not prevent the offender from doing so, even though a risk assessment may show that there is a high risk that the offender will reoffend. Nor does the legislation grant special monitoring powers in such circumstances.

Approved for circulation to the Member

Simon Corbell MLA
Attorney General

11-1-11

Date:.....

81. No, the Ombudsman advises that he has no reason to believe that risk assessments conducted by ACT Policing are in any way inadequate.
82. No, the Ombudsman advises that he does not keep statistics on the rate that offenders are reoffending. The Ombudsman's function is to ensure the Child Sex Offender's Register is properly maintained.



Simon Corbell MLA

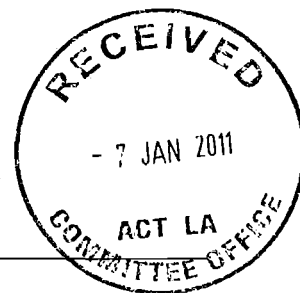
ATTORNEY GENERAL

MINISTER FOR THE ENVIRONMENT, CLIMATE CHANGE AND WATER

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MEMBER FOR MOLONGLO



Q.N 83.

Inquiry into Annual and Financial Reports 2009-10

QUESTION ON NOTICE

The Standing Committee on Justice and Community Safety asked the Attorney General, upon notice, on 6 December 2010:

83. What systemic concerns do you [the Health Services Commissioner] have that you wanted to investigate?

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

Prioritisation of limited resources is always a challenge for small organisations, including the office of the Health Services Commissioner. The issues of a systemic nature that could always do with more attention include:

- management of surgery waiting lists
- health services for people in detention
- management of health records, and
- issues arising from complex individual cases.

Approved for circulation to the Member

Simon Corbell MLA
Attorney General

Date: 6.1.11



Simon Corbell MLA

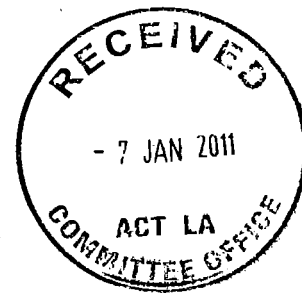
ATTORNEY GENERAL

MINISTER FOR THE ENVIRONMENT, CLIMATE CHANGE AND WATER

MINISTER FOR ENERGY

MINISTER FOR POLICE AND EMERGENCY SERVICES

MEMBER FOR MOLONGLO



QON. 84.

Inquiry into Annual and Financial Reports 2009-10

QUESTION ON NOTICE

The Standing Committee on Justice and Community Safety asked the Attorney General, upon notice, on 6 December 2010:

84. Can you please provide an update on what the financial impacts of the new National Registration and Accreditation Scheme will be on your [the Health Services Commissioner] office, and what progress has been made with ACT Health to resolving these finances?

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

The Government has committed \$135,170 per annum for the years 2010-11 and 2011-12 to assist the Health Services Commissioner to undertake additional work associated with the Scheme. Discussions with the Commissioner are ongoing in relation to her practical experience of the new system since its inception.

Approved for circulation to the Member

Simon Corbell MLA
Attorney General

Date: 6.1.11



Simon Corbell MLA

ATTORNEY GENERAL

MINISTER FOR THE ENVIRONMENT, CLIMATE CHANGE AND WATER

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MINISTER FOR POLICE AND EMERGENCY SERVICES

MEMBER FOR MOLONGLO



20N, 85 + 86.

Inquiry into Annual and Financial Reports 2009-10

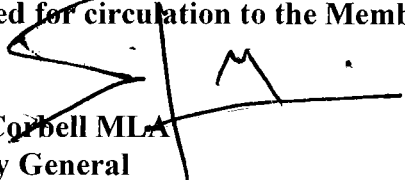
QUESTION ON NOTICE

The Standing Committee on Justice and Community Safety asked the Attorney General, upon notice, on 6 December 2010:

- 85. Specifically, were any improvement or prohibition notices served in relation to mental health hazards?
- 86. Why were there no inspections of finance and insurance businesses in the ACT?

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

- 85. There were no improvement or prohibition notices served in relation to mental health hazards in 2009/10. However, in 2009/10 WorkSafe ACT investigated 37 complaints of workplace bullying which were resolved without the need for service of notices.
- 86. In 2009/10 the finance and insurance sector recorded 1.2% of the total accepted claims for compensation. WorkSafe ACT focuses its proactive compliance program on higher risk industries such as the retail and construction industries which amount to 26.5% and 15.8% of the total accepted claims for compensation.

Approved for circulation to the Member	
	
Simon Corbell MLA Attorney General	Date: 14.1.11



Simon Corbell MLA

ATTORNEY GENERAL

MINISTER FOR THE ENVIRONMENT, CLIMATE CHANGE AND WATER

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MEMBER FOR MOLONGLO



QoNs 87-89.

Inquiry into Annual and Financial Reports 2009-10

QUESTION ON NOTICE

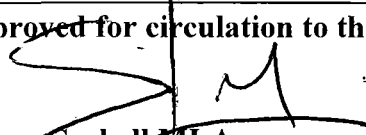
The Standing Committee on Justice and Community Safety asked the Attorney General, upon notice, on 6 December 2010:

87. Of the 3,745 security licences issued or renewed, how many does ORS estimate were granted for security workers from interstate?
88. Has ORS or the Minister received any communications from NSW or other states in the last financial year regarding concerns that it is easier to get a security licence in the ACT than other states?
89. What is the approximate cost associated with ORS issuing licences for interstate security workers?

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

87. Approximately 38% of current licensees have an interstate address. A significant percentage of interstate addresses relate to individuals residing in Queanbeyan, Yass and the local region.
88. Yes. The NSW Minister for Police wrote to me in February 2010 expressing concern that individuals were 'forum shopping' using the ACT security licensing scheme to avoid the NSW probationary system. The Office of Regulatory Services implemented a range of mitigation strategies in response to this letter which have significantly reduced the number of interstate applications. I am advised that the mitigation strategies included the requirement for all security employees to provide a statutory declaration from their employer indicating that they will or do work in the ACT and all employees were required to attend the Fyshwick shopfront to obtain or renew their licence. In August 2010 only 16 people applied from interstate (excluding surrounding regions).

Approved for circulation to the Member


Simon Corbell MLA
Attorney General

Date: *14.1.11*

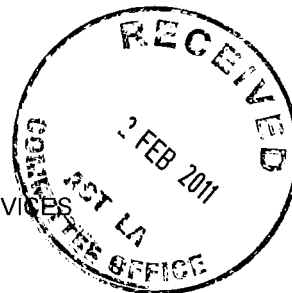
89. The cost of issuing a licence to an interstate applicant is the same as issuing a licence to an ACT applicant. The fee to apply for a licence is also the same.



Joy Burch MLA

MINISTER FOR DISABILITY, HOUSING AND COMMUNITY SERVICES
MINISTER FOR AGEING
MINISTER FOR MULTICULTURAL AFFAIRS
MINISTER FOR WOMEN

MEMBER FOR BRINDABELLA



QON 90

Inquiry into Annual and Financial Reports 2009-10

QUESTION ON NOTICE

The Standing Committee on Justice and Community Safety asked the Attorney General, upon notice, on 6 December 2010:

Regarding the ACT Police Annual Report

90. Noting the comment on page 14 that the ACT has the lowest number of police officers per capita in Australia, what was the per capita number of ACT Police officers for each of the ten reporting periods covered by the 2001 and 2006 Policing Arrangements?

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

Please refer to the attached table which details the number of ACT Police officers per 100 000 population. This information is collated from the Report on Government Services (RoGS), and allows for comparison to the Australian average.

Approved for circulation to the Member

Joy Burch MLA
Acting Attorney General

31.1.11

Date:.....

Table 1. Operational Police staff per 100 000 population, 1999-2000 to 2009-2010

RoGS publication	Data coverage	ACT	Australia	Rank
2001	1999-2000	202*	211*	7th
2002	2000-2001	187*	215*	8th
2003	2001-2002	183*	220*	8th
2004	2002-2003	185*	221*	8th
2005	2003-2004	192*	226*	8th
2006	2004-2005	187*	224*	8th
2007	2005-2006	213	n/a	n/a
2008	2006-2007	211	n/a	n/a
2009	2007-2008	221	n/a	n/a
2010	2008-2009	235	250	7th
2011	2009-2010	225	n/a**	n/a**

Source: Report on Government Services (RoGS) – 2001 to 2010.

*Published data for the period 2001 to 2006 refers to the number of sworn police officers per 100 000 persons. Data published from 2007 onwards refers to operational police staff, which can include unsworn persons in operational support roles, and does not include sworn staff in non-operational roles.

** The 2011 RoGS contains national data for 2009-2010, and will be available on the 28th January 2011.

n/a = the data was not published/collected that year.