

ESTIMATES 2008-2009

Question on Notice

Attorney General

Table of Contents

<u>QoN</u>	<u>Description</u>	<u>Page</u>
	Table of Contents.....	1
36	Attorney General Mulcahy	3
	Public Prosecutions.....	3
39	Attorney General Seselja.....	4
	Electoral Enrolment of Prisoners.....	4
40	Attorney General Seselja.....	7
	Additional Funding for Liquor Regulation.....	7
41	Attorney General Seselja.....	8
	AMC and other Correctional Services.....	8
42	Attorney General Seselja.....	11
	Prison and Offender Related Crime Prevention Measures.....	11
43	Attorney General Seselja.....	13
	Working with Vulnerable People Checks	13
44	Attorney General Seselja.....	14
	AMC - Transitional Costs.....	14
45	Attorney General Seselja.....	15
	AMC - Operating Costs.....	15
46	Attorney General Seselja.....	16
	AMC - Chapel and Quiet Place	16
47	Attorney General Seselja.....	17
	Staff Numbers – JCS	17
48	Attorney General Seselja.....	18
	Staff Numbers - Legal Aid Commission	18
49	Attorney General Seselja.....	19
	Staff Numbers - Public Trustee	19
50	Attorney General Seselja.....	20
	AMC - 2nd Appropriation	20
51	Attorney General Seselja.....	21
	Staff Numbers – ICRC	21
55	Attorney General Foskey.....	22
	ACT Electoral Commission.....	22
56	Attorney General Foskey.....	26
	Occupational Health and Safety	26
58	Attorney General Stefaniak	27
	Justice& Community Safety	27
59	Attorney General Stefaniak	30
	Legal Aid Commission.....	30
60	Attorney General Stefaniak	35
	ICRC.....	35
61	Attorney General Stefaniak	39
	Public Trustee	39
62	Attorney General Smyth.....	42
	Cost of employing Public Servants	42

71	Attorney General Smyth.....	46
	Protection orders.....	46
72	Attorney General MacDonald	47
	Regulatory Services.....	47
420	Attorney General Seselja.....	48
	QTON – Prior correctional experience.....	48
421	Attorney General Foskey.....	49
	QTON – Community organisations.....	49
422	Attorney General Smyth.....	50
	QTON - Substance abuse	50
423	Attorney General Smyth.....	51
	QTON - Victim awareness	51
424	Attorney General Smyth.....	52
	QTON - Vocational education.....	52
425	Attorney General Stefaniak	53
	QTON - Cost of outsourced Legal Aid services.....	53
453	Attorney General Smyth.....	54
	QTON - Armoury at the AMC	54
454	Attorney General Smyth.....	55
	QTON - Cognitive skills programs cost.....	55
468	Attorney General Smyth.....	56
	QTON – Complaints.....	56
482	Attorney General Porter.....	57
	QTON - Cost of OH&S Inspector	57

Public Prosecutions

Richard Mulcahy MLA to ask the **Attorney General** in relation to public prosecutions:

- In the last three years:
 - How many criminal matters have been referred to the DPP by the police for prosecution?
 - How many of these referrals have resulted in prosecutions?
 - How many of these prosecutions have resulted in convictions?

MR CORBELL: The answer to the Member's question is as follows:–

The number of criminal matters referred to the DPP by the police for prosecution:

2004/2005	2005/2006	2006/2007
11,203	12,245	10,675

The number of referrals resulting in prosecutions:

2004/2005	2005/2006	2006/2007
11,203	12,245	10,675

The number of prosecutions that resulted in a conviction in each reporting period:

2004/2005	2005/2006	2006/2007
6,418	7,044	6,364

These figures are taken from the Annual Report data for each of the past 3 financial years. Data for the current financial year is not available at this time.

As ACT Policing are responsible for initiating prosecutions, all matters charged are referred, in effect, to the DPP for prosecution. After the prosecution is initiated, a decision may be made by the DPP after consideration to discontinue a prosecution.

In the data provided, a reference to 'prosecution' is a reference to a charge. Some defendants may be charged with more than one offence.

The data provided in answer to the third question is the number of convictions recorded during the reporting period regardless of the period in which they were initiated.

Offences resulting in conviction, include matters where the prosecution is proved but no conviction was recorded.

This data does not include other dispositions, eg:

- dispositions under mental health provisions of the Crimes Act 1900;
- other summary offences taken into consideration by the Supreme Court when sentencing a person for an indictable offence.

Electoral Enrolment of Prisoners

Zed Seselja MLA : To ask the Attorney General

In relation to : **Electoral Enrolment of Prisoners (Output Class 1.6)**

1. When was the ACT Electoral Commissioner first advised of Mr Corbell's amendment to add persons serving a full-time custodial sentence of imprisonment to the ACT Electoral roll?
2. Are there any other groups of voters on the ACT electoral roll who are not on the Commonwealth roll for the federal seats of Fraser and Canberra?
3. What is the anticipated number of voters serving a full-time custodial sentence of imprisonment in each electorate expected to be added to the Electoral Roll prior to 18 October 2008?
4. Around what date is it anticipated that prisoners who move into the prison will become eligible as electors on the ACT Electoral Roll? Will these prisoners become eligible to vote before the date for close of rolls for the 2008 election?

MR CORBELL: The answer to the Member's question is as follows:—

Question 1.

In 2006 the *Commonwealth Electoral Act 1918* was amended to provide that prisoners serving any sentence of imprisonment were not entitled to vote in federal elections while at the same time giving all prisoners an entitlement to enrol. This had the effect of extending the right to enrol and vote for ACT Legislative Assembly elections to all prisoners. Prior to this amendment persons serving a sentence of 3 years or longer for an offence against the law of the Commonwealth or of a State or Territory were not entitled to enrol, and therefore could not vote, in Commonwealth and ACT elections. The ACT Government supported this extension of the right to vote to all prisoners in the ACT.

On 30 August 2007 the High Court announced its decision in *Roach v Electoral Commissioner [2007] HCA 43*, which upheld a challenge to the 2006 amendments to the Commonwealth Electoral Act. The High Court ruled that the removal of the right to vote in federal elections from all prisoners was unconstitutional. The effect of the Court's decision was to revert to the Commonwealth provision that applied before the 2006 change, thereby removing the right to vote from ACT prisoners serving a sentence of 3 years or longer.

On 31 August 2007 the Electoral Commissioner provided a brief to the Attorney General outlining the effect of the High Court decision and recommended that, in the context of the ACT Government's support of the extension of the right to vote to all prisoners in the ACT, the Attorney General consider whether to approve the drafting of a Government amendment to the Electoral Legislation Amendment Bill 2007 to enable ACT prisoners, serving a sentence of any length, to enrol to vote.

The Attorney General agreed to the drafting of such an amendment on 4 September 2007. Cabinet agreement to this amendment was required before the amendment could proceed.

Question 2.

Other than prisoners, the eligibility criteria for enrolment on the Commonwealth and the ACT electoral rolls are the same. However, there is an exception for Members and Senators of the federal parliament. Where a Member of the House of Representatives does not reside in the electorate they represent, they may enrol to vote for that electorate for federal elections, but must enrol for the electorate in which they reside for State or Territory elections. Senators may enrol to vote in any electorate in the State or Territory they represent for federal elections, but must enrol for the electorate in which they reside for State or Territory elections.

Question 3.

It is not possible to give an accurate estimate of the number of ACT prisoners expected to be added to the ACT electoral roll prior to the October ACT election, for the following reasons.

ACT Corrective Services has advised that at the end of April 2008 there were 112 ACT prisoners serving a custodial sentence of imprisonment in New South Wales. Of these, 43 are serving a sentence of 3 years or more. However, between this time and 19 September 2008, when the rolls close for the ACT election, it can be expected that some of these prisoners will be released and other new prisoners will be sentenced.

Of those prisoners currently under sentence for less than 3 years, some will already be enrolled. The number of currently enrolled prisoners is not available, as these prisoners are not identified as such on the electoral roll.

Of those prisoners currently under sentence for 3 years or more, it can be expected that some of these prisoners will take advantage of the ACT's extension of the franchise to them. However, it is not known how many of these prisoners will be entitled to enrol for ACT elections, as they have to satisfy citizenship and residency requirements.

The final number of prisoners taking up enrolment will depend on how many prisoners complete an application to be added to the electoral roll. The ACT Electoral Commission will be contacting all eligible ACT prisoners to inform them of their right to enrol before the rolls close for the election.

Question 4.

The entitlement of a prisoner to enrol and vote in the ACT is not necessarily dependent on when they move into a prison in the ACT. ACT prisoners moving into the new ACT prison will in most cases be eligible to enrol immediately (if they are not already enrolled) provided they satisfy the eligibility requirements set out in the *Commonwealth Electoral Act 1918*, including the relevant residency requirements.

A prisoner serving a sentence of less than 3 years has the same entitlement to enrol on the ACT electoral roll as the entitlement to enrol as a prisoner on the Commonwealth electoral roll, under provisions specified in the Commonwealth Electoral Act.

A prisoner serving a sentence of less than 3 years (who is otherwise eligible to enrol) has an entitlement to enrol for:

- (i) the address at which the prisoner was last entitled to enrol (this will be either the last place they were enrolled or the address at which they lived for at least 1 month immediately before being imprisoned); or
- (ii) if (i) does not apply, the address of the prisoner's next of kin; or
- (iii) if (i) and (ii) do not apply, the address of the prisoner's place of birth; or
- (iv) if none of (i), (ii), or (iii) apply, the address of the place of the prisoner's closest connection (this could be the prison address).

A prisoner serving a sentence of 3 years or longer, who lived at an address in the ACT immediately prior to their imprisonment, is eligible to enrol on the ACT electoral roll regardless of whether they are imprisoned in the ACT or elsewhere. Such prisoners have an entitlement to enrol for the ACT address at which they lived.

A prisoner serving a sentence of 3 years or longer, who did not have an address in the ACT prior to their imprisonment, and who is imprisoned in the ACT, may enrol for the address of the place where they are serving their sentence, provided they are otherwise qualified to enrol under the Commonwealth Electoral Act.

ACT Corrective Services has advised that approximately 20 prisoners will be relocated to the ACT before the electoral roll closes on 19 September 2008. It is not known whether these prisoners are serving a sentence of less than 3 years, or 3 years or more. It is also not known whether any of these prisoners are already enrolled.

Additional Funding for Liquor Regulation

Zed Seselja MLA : To ask the Attorney General

In relation to : **Additional Funding for Liquor Regulation (page 82 BP3)**

1. How many liquor inspectors are presently employed?
2. How will the two extra officers assist in reduction of alcohol related violence or anti-social behaviour, as suggested in the measure description?
3. What evidence is there of compliance problems in the liquor regulatory regime?
4. Is it anticipated that the new officers will assist in increasing revenue collections?

MR CORBELL: The answer to the Member's question is as follows:–

1. There are currently 6 Inspectors with delegated powers under the Liquor Act. These Inspectors are also responsible for regulation of several other Acts.
2. The additional Inspectors will allow the Office of Regulatory Services to conduct an extra estimated 160 inspections each year. Additional inspections will provide greater opportunity to ensure that liquor licensees are conforming with the requirements of the Act.
3. The Auditor General was critical of the liquor regulatory regime in a 2006 Audit Report.
4. Liquor Inspectors are not responsible for revenue collection.

Zed Seselja MLA : To ask the Attorney General

In relation to : **Alexander Maconochie Centre and other Correctional Services (pages 249-271 BP 4)**

1. How many places are there respectively for remand prisoners, sentenced prisoners and transitional release prisoners?
2. Do the budget numbers assume any offset from NSW prisoners occupying places at the Alexander Maconochie Centre, and if so, what is the size of the offset for 2008-09, 2009-10, 2010-11 and 2011-12?
3. How are the beds configured according to dwelling type (single cells, shared cells, etcetera)?
4. What is the final construction budget including measures in 2008-09 budget?
5. Are there any artworks included as part of the prison construction and fit out? If not, why was this project exempted from the ACT Government policy to incorporate artworks in public construction projects?
6. How many weekly bus services will be provided, how many on weekdays and how many on weekends?
7. How many car parks will be located at the facility in total, how many for staff and how many for visitors?
8. What is the number of sports courts and playing fields included at the prison, broken down by outdoor and indoor? What are the sizes of those sports courts and playing fields and what sports are they designed for?
9. Do the plans for the site leave provision of land for future construction of additional sports and recreational facilities which the government removed from the final design in order to contain final costs?
10. Has a projected date been set for construction of a prison gymnasium?
11. Is there any facility for swimming or bathing or spa baths and what are the details of such facilities?
12. What computer facilities are provided for prisoners – including the number of terminals and the number with internet access provided for prisoners?
13. How many of the cells or dwelling units will include sockets for computer connections?
14. What is the budget for purchasing of televisions? How many televisions will be provided and what are the dimensions and types of televisions? What depreciation rate has been applied for televisions?
15. What is the budget for library funding in each of the forward years and the anticipated number of books and magazines?
16. What is the budget for purchases of DVDs in each of the forward years and what is the anticipated number of DVDs and DVD players?
17. What is the budget for sports equipment in each of the forward years? What is the depreciation rate applied to sports equipment, if applicable?
18. What are the sizes of facilities at the Centre for medical and allied health services? What special fitout inclusions have been incorporated for medical purposes? How many health and allied health practitioners can be accommodated in the available space?
19. Is there a rate of pay for prisoners, what is the starting rate and what is the mechanism for setting the pay in future?
20. What is the nature of work obligations on prisoners and what will be the consequences for failure to comply with those obligations?

21. What is the anticipated proportion of indigenous inmates and how much will be spent over each of the four forward years on support services tailored specifically to indigenous inmates?
22. What is the anticipated spend on remedial education over each of the four forward years?
23. What is the anticipated spend on victim awareness over each of the four forward years?
24. What is the anticipated spend on dealing with substance abuse over each of the four forward years?
25. What is the anticipated spend on life skills over each of the four forward years?

MR CORBELL: The answer to the Member's question is as follows:–

1. Remand prisoners – 110. Sentenced prisoners – 175. Transitional Release Prisoners – 15. Total – 300 prisoners.
2. No, no plans have been made to accommodate NSW prisoners in the AMC.
3. Beds are configured as follows:

MALE SENTENCED	CELL TYPE		BEDS
	Single	Double	
	30	10	50
	Cottages (5 rooms single) x 16		80
Transitional Release Centre (TRC)	Cottage		10
	Total Male Sentenced Beds		140
MALE REMAND	CELL TYPE		BEDS
	Single	Double	
	8	36	80
	Cottages (5 rooms single) x 4		20
	Total Male Remand Beds		100
MANAGEMENT UNIT	14 x Single cells		14
CRISIS SUPPORT UNIT	10 x Single cells		10
MEDICAL CENTRE	3 x Double wards		6
	Total Beds Management and Medical		30
FEMALE SENTENCED	Cottages x 3 (all single)		15
FEMALE REMAND	Cottages x 2 (single)		10
TRC	Cottage x 1 (single)		5
	Total Female Beds		30
TOTAL AMC BEDS			300

4. \$131.33m + \$0.513m allocated for the chapel (\$0.2m in 2008/09 and \$0.313m in 2009/10). Total of \$131.843m.
5. Yes. \$100,000 was allocated by Arts ACT.
6. ACTION will provide three bus services to and from the AMC per day, including weekends, departing from and returning to the Woden Bus Interchange.
7. There will be two car parks provided at the AMC. One for staff and one for visitors. The total number of spaces is 159.
8. Four standard sized outdoor tennis/basketball courts, four ½ standard size indoor basketball courts, and one grass multipurpose sports ground of ¾ standard AFL size.
9. Yes.
10. No.
11. No.
12. 28 computers in the library and education centre have limited internet and email capabilities. Laptops may also be available for use at other specified data points within the AMC.

13. All accommodation units have sockets for computer connections.
14. \$0.083m. 110 x 15 inch size and 38 x 26 inch size NEC LCD televisions have been purchased. There has been no provision made for depreciation as the AMC has not been commissioned. Depreciation on these items will be calculated accordingly following the commissioning of the AMC.
15. \$10,000 in 2008-09, increasing to \$10,250; \$10,506; \$10,769 in the forward years. The library has storage capacity for approximately 5000 items.
16. DVDs will be included in the library budget. One DVD player is available for use with the multiscreen prisoner information system. This system enables the transmission of information on DVD to selected/multiple areas of the centre. A number of DVD players will also be in use in the programs and education areas.
17. \$5,000 in 2008/09; \$5125 in 2009/10; \$5253 in 2010/11; and \$5384 in 2011/12. There has been no provision made for depreciation as the AMC has not been commissioned. Depreciation on these items will be calculated accordingly following the commissioning of the AMC.
18. Approximately 1700m². This includes a dental clinic, methadone dispenser, 3 x 2 bed wards, visitor waiting/reception area and consulting rooms.
19. The prisoner pay rates will be:
 - \$3 per day base unemployment rate;
 - \$6 per day base wage (no qualifications);
 - \$6.50 per day (Certificate Level 1 achieved);
 - \$7 per day (Certificate Level 2 achieved); and
 - \$7.50 per day (Certificate Level 3 achieved).
 It is intended that prisoner pay rates will be reviewed annually.
20. Prisoners cannot be obliged to work, however opportunities for employment will be reflected in an individual's rehabilitation plan. Work will be linked to relevant vocational educational qualifications. If a prisoner does not work, they will not get paid, but will be eligible for the unemployment rate.
21. The anticipated percentage of Indigenous prisoners is around 12%. An Indigenous Liaison Officer will be appointed at an ASO6 level. Services provided to Indigenous prisoners will be guided by individual requirements and Case Management. Specific Indigenous cultural and employment programs will be provided under the contracted VET program, in accord with the numbers, intent and need. The total VET budget is \$0.693m in 2008/09.
22. The emphasis of VET will be on literacy/numeracy and attaining marketable skills. The VET budget is \$0.693m, in addition, \$0.205m is budgeted for Program Aids and contracted prisoner programs in 2008/09. This totals \$0.898m. The forward year budgets are \$920,450 in 2009/10; \$943461 in 2010/11 and \$967,048 in 2011/12.
23. Victim awareness will form part of relevant therapeutic programs.
24. Three dedicated alcohol and other drugs staff at total of \$252,000 (wages plus on-costs) in 2008/09, indexed as per wage awards in outyears. Funding for a Therapeutic Community at: \$0.906m in 2008/09; \$0.933m in 2009/10; \$0.948m in 2010/11 and \$0.963m in 2011/12.
25. All efforts at the AMC will be focused on a positive change in lifestyle. Funding for VET is: \$0.693m in 2008/09; \$0.710m in 2009/10; \$0.728m in 2010/11; and \$0.746m in 2011/12. In addition, three cognitive self-change officers totaling \$251,000 (wages plus on-costs) in 2008/09, indexed as per wage awards in outyears.

Prison and Offender Related Crime Prevention Measures

Zed Seselja MLA : To ask the Attorney General

In relation to : **Prison and Offender Related Crime Prevention Measures (page 83, BP3)**

1. Prior to the introduction of this budget measure, what was the annual level of ACT funding for prisoner pre-release support, including in the form of payments to NSW for services provided interstate?
2. To what extent has existing funding been used to offset the costs of these new services, and to what extent is that funding additional to this measure or counted as an offset against the total cost of the measure?
3. What is the nature of the therapeutic services which are provided under this measure and what is the total funding for building a “therapeutic community” for 2008-09, 2009-10, 2010-11 and 2011-12?
4. What is the total ACT government funding for employment and skills training for 2008-09, 2009-10, 2010-11 and 2011-12?
5. To what extent will the employment and skills training in this measure involve collaboration with or use of existing Commonwealth systems for training and employment services?
6. What employment services support does the Commonwealth currently provide for released prisoners and how is that support deficient?
7. What is the total funding for supported accommodation for 2008-09, 2009-10, 2010-11 and 2011-12?
8. Where will the supported accommodation be located and how many beds will be supported by this funding?
9. How many transitional release beds are to be located at the prison?
10. Are the supported accommodation places to be owned by the ACT or leased from external providers?
11. Given there is no capital or depreciation amount included in the measure, has the capital cost been built into the leasing price or has the capital cost already been provided under a previous appropriate bill?
12. What is the maximum length of time and the average length of time that is planned for each person on release in a supported accommodation place?

MR CORBELL: The answer to the Member’s question is as follows:–

1. The ACT provided \$20,000 by way of a Prisoners’ Aid grant annually to prisoner pre-release support. A costing break down identifying the amount allocated to prisoner pre-release support is not provided by NSW.
2. Existing funding has been used to offset operating costs at the AMC, not to offset prison and offender related crime prevention measures.
3. Therapeutic services are intensive cognitive behavioral therapy programs/measures rehearsed continually in a live-in environment. There are no capital costs. Funding is: 2008-09 \$0.906m; 2009-10 \$0.933; 2010-11 \$0.948; 2011-12 \$0.963.
4. \$0.693m in 2008/09; \$0.710m in 2009/10; \$0.728m in 2010/11; \$0.746m in 2011/12.
5. A private company, Auswide, has been contracted by ACT Corrective Services to provide employment skills and training and will liaise with existing Commonwealth funded employment agencies.

6. Released prisoners are eligible for supports similar to any unemployed person in the community. Deficiencies have not been identified.
7. The Managed Accommodation component of the bid allocates \$1.33m in 2008/09; \$1.366m in 2009/10; \$1.393m in 2010/11 and \$1.421m in 2011/12.
8. ACT Housing stock is to be leased by ACT CS and the location of the specific residences has not been finalised. 20 beds will be supported by this initiative.
9. 15.
10. The accommodation places will be leased from ACT Housing.
11. Budgets for capital and depreciation are included in 2008/09 funding provided specifically to ACT Housing in relation to this bid.
12. Average and maximum amounts of time will vary from case to case. Three months is expected to be a typical length of stay.

Working with Vulnerable People Checks

Zed Seselja MLA : To ask the Attorney General

In relation to : **Working with Vulnerable People Checks (p83, BP3)**

1. Approximately how many staff and volunteers work in the relevant industries at present, what is the approximate annual amount of staff and volunteer turnover and what number of persons will be checked under the funding provided?
2. Will the checks apply to teaching staff in ACT government and non-government schools, and to staff in public and private hospitals in the ACT who have contact with vulnerable patients?
3. Will checks be run on all existing teaching and hospital staff, or only on new staff employed from a certain date?
4. Is the proposal based on any interstate model?
5. What background information will these checks obtain, which cannot presently be obtained using existing Police checks?

Member's Signature and Date

AMC - Transitional Costs

Zed Seselja MLA : To ask the Attorney General

In relation to : **Alexander Maconochie Centre – Transitional Costs (p83, BP3)**

1. How much of this funding involves payment to NSW officials for transport of ACT prisoners back to the ACT? Could any of this relocation work be performed by ACT police and correctional staff?
2. What is the cost for decommissioning Belconnen remand centre?
3. What is the capital cost for reconfiguring the Symonston temporary remand facility?
4. What is the anticipated sale value of the Belconnen site, what is the expected capital gain or loss and has any capital gain or loss been counted as a balance sheet change in the consolidated accounts of the ACT for 2008-09?
5. What is the total recurrent cost for continuing to operate the Symonston facility in 2008-0, 2009-10, 2010-11 and 2011-12?
6. What was the intended offset from closing Symonston Temporary Remand Centre, when closure of the centre was still identified as an offset for construction of the new prison? [Refer to Answer to Questions on Notice, Select Committee on Estimates 2005-06, page 250]

MR CORBELL: The answer to the Member's question is as follows:–

1. ACTCS will transport prisoners back to the ACT.
2. \$0.170m is allocated for the decommissioning of both the Belconnen Remand Centre and Symonston Temporary Remand Centre.
3. \$0.900m.
4. The Belconnen Remand Centre land has been revalued as at June 2008 by an independent valuer at \$2.1m, and the building was revalued to zero due to limited future use to the Department and if it were deprived now it would not be rebuilt. A decision has yet to be made in relation to the sale of the Belconnen site, therefore we are unable to advise of any possible capital gain or loss from the sale of this asset.
5. At this stage the intention is to use the Symonston facility for periodic detention only. The operating costs for this will be approximately \$500,000 per annum.
6. Offset against operating costs was estimated at \$2.821m in 2008/09.

AMC - Operating Costs

Zed Seselja MLA : To ask the Attorney General

In relation to : **Alexander Maconochie Centre – Operating Costs (page 84, BP3)**

1. Does the entire amount of new budget funding included against this measure represent an increase over base level funding currently provided in payments to NSW for equivalent services? If so, what is the percentage of increase over current levels of base funding? If not, what amount of this funding represents an increase over current levels of base funding and what is the percentage increase?
2. Does the new budget funding included against this measure cover increases across the full range of prison costs? If not, what is the breakdown of increases against specific expenses that have increased in cost?

MR CORBELL: The answer to the Member's question is as follows:–

1. No. These costs are not directly comparable as the funding for NSW includes only sentenced prisoners. The AMC will operate under a new model, to include both sentenced prisoners and remandees.
2. Yes, excluding health costs.

AMC - Chapel and Quiet Place

Zed Seselja MLA : To ask the Attorney General

In relation to : **Alexander Maconochie Centre – Chapel and Quiet Place (p60, BP5)**

1. Is this amount additional to the \$131 million construction cost?
2. How does the chapel differ in design from the \$430,000 quiet area, which was previously removed from the construction requirements prior to the 2008 budget?
3. What is the revised total cost for the total AMC construction project and its management including this measure and other relevant new measures in the 2008-09 budget?
4. What are the dimensions of the space for worship and reflection?
5. How many people can be seated in the facility?
6. Does the chapel funding include any musical instruments and does the design include space for performance groups?
7. Is the worship/reflection facility multi-purpose and what are the other purposes for which the space may be used?
8. Has an assessment been made of the religious affiliations and requirements of prisoners from the ACT who are to be relocated to the AMC?
9. Does funding for the chapel include any funding for an office for chaplains and other administrative resources to support the work of chaplains?
10. What recurrent funding is provided for chaplaincy services? How is this funding to be divided by religion and denomination?

MR CORBELL: The answer to the Member's question is as follows:–

1. Yes. It is an approved 2008/09 budget initiative.
2. The theme of the chapel/quiet place remains the same however the design has yet to be finalised.
3. \$131.33m + \$0.513m allocated for the chapel (\$0.2m in 2008/09 and \$0.313m in 2009/10). Total of \$131.843m.
4. The design has yet to be finalised.
5. The design has yet to be finalised; however, 80 – 100 people depending on final configuration.
6. There is no budgetary allocation for musical instruments in this bid. Information on space for performance groups cannot be provided as the chapel design is not yet finalised.
7. Yes. Potential other purposes for the space cannot be determined until the design is complete.
8. Yes.
9. The chapel has not yet been designed though it is anticipated that the space will include an office for the chaplains.
10. The funding requirement to provide a Chaplain for the AMC is still being negotiated with the ACT Pastoral Care Board. It is expected that this will cost up to \$90,000 per annum.

Staff Numbers – JCS

Zed Seselja MLA : To ask the Attorney General and Minister for Police and Emergency Services

In relation to : **Staff Numbers under the Department of Justice and Community Safety**

1. What was the actual number of casual and contractor staff in 2007-08 in full-time equivalent terms (including under ACT Policing, the Emergency Services Authority, Corrective Services, Courts and Tribunals)?
2. What amount was spent in 2007-08 on contract staff?
3. What are the anticipated numbers of casual and contractor staff for 2008-09 in full-time equivalent terms?
4. What amount is budgeted to be spent in 2008-09 on contract staff?

Mr Corbell – the answer to the Member's question in relation to Emergency Services Authority, Corrective Services, Courts and Tribunals is as follows:

1. The actual full time equivalent number of temporary staff engaged by the Department of Justice and Community Safety (excluding AFP) as at 2 April 2008 was 172.9. This number reflects temporary engagements including executive staff, statutory office holders, board members and casual staff. This figure excludes the Public Trustee for the ACT. The Australian Federal Police provides the ACT with policing service through the Policing Agreement and data on AFP employees is not held by the Department.
2. The salary for staff engaged as temporary employees cannot be readily disaggregated from total salary expenditure for 2007-08.
3. The usage rate of casual staff cannot be estimated for the period. Casual staff are generally employed to cover unscheduled absences for roles that must be maintained. No positions are specifically identified for casual engagement.
4. There is no specific budget allocation for the engagement of temporary staff.

Staff Numbers - Legal Aid Commission

Zed Seselja MLA : To ask the Attorney General

In relation to : **Staff Numbers at the Legal Aid Commission**

1. What was the actual number of casual and contractor staff in 2007-08 in full-time equivalent terms?
2. What amount was spent in 2007-08 on contract staff?
3. What are the anticipated numbers of casual and contractor staff for 2008-09 in full-time equivalent terms?
4. What amount is budgeted to be spent in 2008-09 on contract staff?

MR CORBELL: The answer to the Member's question is as follows:–

The Commission understands 'contractor staff' to mean persons who are employed by the Commission under a fixed term contract.

The figures for casual and contractor staff for 2007-08 include an estimate for May 2008 and June 2008.

1. Five full-time equivalents.
2. \$235,000.
3. Three full-time equivalents.
4. \$145,000.

Staff Numbers - Public Trustee

Zed Seselja MLA : To ask the Attorney General

In relation to : **Staff Numbers at the Public Trustee for the ACT**

1. What was the actual number of casual and contractor staff in 2007-08 in full-time equivalent terms?
2. What amount was spent in 2007-08 on contract staff?
3. What are the anticipated numbers of casual and contractor staff for 2008-09 in full-time equivalent terms?
4. What amount is budgeted to be spent in 2008-09 on contract staff?

MR CORBELL: The answer to the Member's question is as follows:–

- 1) At 23 May 2008 PTACT employed no casual staff and 4.4 (FTE) officers on temporary contracts.
- 2) During the 2007-08 fin year to end May 2008, approx \$200,000.00 was spent on staff on temporary contracts. No monies were spent on casual staff.
- 3) PTACT does not expect to employ a specific number of contract staff in 2008-09.
- 4) PTACT has not specifically budgeted any amount for temporary contract staff for 2008-09.

AMC - 2nd Appropriation

Zed Seselja MLA : To ask the Attorney General

In relation to : **Alexander Maconochie Centre – 2nd Appropriation (p85, BP3)**

1. Why is this project management expense and the adjustment to the construction contingency amount not attributed as part of the capital works budget?
2. Is this amount additional to the \$131 million construction cost?
3. What is the revised total cost for the construction project and its management including this measure and other relevant measures in the 2008-09 budget?

MR CORBELL: The answer to the Member's question is as follows:–

1. It is.
2. No.
3. \$131.33m + \$0.513m allocated for the chapel (\$0.2m in 2008/09 and \$0.313m in 2009/10).

Staff Numbers – ICRC

Zed Seselja MLA : To ask the Attorney General

In relation to : **Staff Number at the Independent Competition and Regulatory Commission**

1. What was the actual number of casual and contractor staff in 2007-08 in full-time equivalent terms?
2. What amount was spent in 2007-08 on contract staff?
3. What are the anticipated numbers of casual and contractor staff for 2008-09 in full-time equivalent terms?
4. What amount is budgeted to be spent in 2008-09 on contract staff?

MR CORBELL: The answer to the Member's question is as follows:–

1. Four (4) persons were contracted to provide services to the Commission during 2007-08. Two of these were engaged on a per hour basis; two were engaged on the basis of a capped contract sum. There is no direct translation into “full-time equivalents” for these contractors.
2. \$163,730.08 (excluding GST) to 28 May 2008; and \$172,163.71 (excluding GST) anticipated outcome as at 30 June 2008
3. The Commission currently plans to engage one (1) contractor to provide financial management and accounting services. The decision to engage other contractors will be made on an as-required basis.
4. Estimated \$61,000 (excluding GST).

ACT Electoral Commission

Dr Foskey MLA : To ask the Attorney General

In relation to the ACT Electoral Commission and the upcoming ACT Election

- (1) What surveys and other research has the Electoral Commission conducted to gauge public understanding of the voting system in ACT elections
- (2) Can you advise me
 - (a) how widespread the belief is that voters have 5 votes or 7 votes each (depending on the electorate)
 - (b) how widespread the understanding is that a vote will exhaust if insufficient preferences are expressed
 - (c) the basis for your beliefs
- (3) In the context of the up coming ACT election, accepting on face value that there will be a large number of independent and new party candidates standing for election,
 - (a) what is the risk that an appreciable number of votes will exhaust
 - (b) is it fair to say that people voting for minor parties that field a full ticket, but do not have a candidate elected, run a greater risk of having their votes exhaust
 - (c) assuming the answer to (b) above is yes: do you see this as a problem; and
 - (i) what will you be doing to address this problem
- (4) What is the risk that the general practise of advising voters to “mark at least as many squares as there are vacancies” allows people to presume that if they follow that advice: 1) their vote will be effective; and 2) that there is no value or necessity to express extra preferences.
- (5) What public education strategies will the Electoral Commission pursue to advise voters how they can ensure their vote has full effect, no matter who their first preferences are for.
- (6) Will the Commission ensure that the particular issues around smaller parties and independents are addressed in that material.
- (7) The Commission considered that it would take too many resources or be too burdensome to allow candidates or parties to provide how-to-vote or other electoral material within polling stations.
 - (a) What consultation or studies did the Commission undertake while formulating its view on this matter
 - (b) Did the Commission consider the logistics of merely providing a table within polling stations which had upon it a collection of folders provided by candidates, containing how to vote cards and perhaps policy snapshot brochures

- (c) What model(s) of information provision did the Commission consider in reaching its view that it would be too burdensome to allow candidates to provide how-to-vote information within polling stations.

MR CORBELL: The answer to the Member's question is as follows:–

Question (1)

The ACT Electoral Commission conducts exit polls after each general election, asking voters leaving polling places basic questions about their understanding of the voting system. The Commission also analyses voting behaviour using data gathered from the data-entry of ballot papers, including the numbers of preferences shown and the number of informal votes.

Question (2)(a)(b)(c)

The Commission's exit polls have not canvassed "the belief that voters have 5 votes or 7 votes each (depending on the electorate)".

Analysis of voting behaviour as indicated by preferences on ballot papers from the 2004 election indicates that around 71% of voters showed exactly the number of preferences as there were vacancies in their electorate (64% in 1998 and 2001). Over 26% of voters showed more preferences than the number of vacancies (33% in 1998 and 2001). These results indicate that at least 26% of voters in 2004 and 33% of voters in 1998 and 2001 understood that they were permitted to show more preferences than the number of vacancies.

However, as the ballot paper instructions indicate that preferences greater than the number of vacancies are optional, it is not possible to determine whether those voters showing exactly the number of preferences as there were vacancies understood that they were permitted to show further preferences. Given the clear instructions shown on the ballot papers and the very high compliance rate with those instructions, there is no evidence to indicate that these voters were not aware that they could show as many additional preferences as they wished.

The Commission's exit polls also have not canvassed "how widespread the understanding is that a vote will exhaust if insufficient preferences are expressed".

Given that all 17 Members elected in 2004 were elected with vote totals equal to or greater than the quota, there is no evidence that the level of exhausted preferences in ACT Legislative Assembly elections is a cause for concern.

Question (3)(a)(b)(c)

This question is hypothetical. It is not possible to quantify "the risk that an appreciable number of votes will exhaust".

Past experience at ACT elections indicates that some votes will be exhausted at the end of the scrutiny. This is highly likely to occur under a multi-member optional preferential voting system such as the ACT Legislative Assembly's Hare-Clark system. However, as mentioned above, given that all 17 Members elected in 2004 were elected with vote

totals equal to or greater than the quota, there is no evidence that the level of exhausted preferences in ACT Legislative Assembly elections is a cause for concern.

As with any optional preferential voting system, if voters show preferences only for candidates that do not attract sufficient votes to achieve a quota, their ballot papers are likely to exhaust during the scrutiny. This is in the nature of the optional preferential voting system and is not seen to be a problem.

Question (4)

The instructions on ACT Legislative Assembly ballot papers state “Number [five or seven] boxes from 1 to [5 or 7] in the order of your choice. You may then show as many further preferences as you wish by writing numbers from [6 or 8] onwards in other boxes.”

As indicated above, there is no evidence to indicate that voters are unaware of the value of expressing extra preferences and there is evidence to indicate that most voters cast fully effective votes, in the sense that all Members elected in 2004 were elected with full quotas of votes.

Question (5)

The Electoral Commissioner advises that the Commission intends to pursue a similar public education strategy for the 2008 election as used for the 2004 election. This included newspaper, radio and television advertising, and information booklets delivered to every household and inserted in the *Canberra Times* on polling day.

The 2004 information campaign stressed the importance of showing preferences and encouraged voters to show more preferences than the instructed minimum. For example, the information booklet included the advice: “You should fill in at least as many squares as there are vacancies in your electorate: seven for Molonglo, five for Brindabella and Ginninderra. If you don’t fill in this many squares (even if you vote for only one candidate) your vote will still be counted. However, to make the most of your vote, we suggest you continue to fill in the squares until all your preferences are recorded. You may fill in every square if you wish.”

Similarly, the television advertising included formal voting instructions that showed a graphic of a pencil numbering sequential preferences from the number 1 to the number 12. The voice-over states “every number you write could make a difference”.

The Commission also undertakes a continuous electoral education program for school students and community groups that stresses the importance of showing preferences and explains how the ACT’s Hare-Clark preferential voting system works.

Question (6)

The Electoral Commissioner advises that the Commission is politically neutral and treats all parties and candidates equally in its public education campaigns.

Question (7)

The Electoral Commissioner advises that he cannot recall any occasion on which he or the Commission has indicated that “The Commission considered that it would take too

many resources or be too burdensome to allow candidates or parties to provide how-to-vote or other electoral material within polling stations.” This is not the Commissioner’s view.

Occupational Health and Safety

DR FOSKEY : To ask the Attorney General

In relation to : Output 1.7: Occupational Health and Safety – Regulatory Services

1. Over what time frame will the three new Workcover inspectors be employed?
 - a. How far will this measure go to meet existing and future demand for workplace inspections.
2. How much money has been set aside for the enforcement of OH&S compliance?

MR CORBELL: The answer to the Member's question is as follows:–

1. Recruitment of the additional Inspectors is expected to be complete by the end of September 2008.
 - a. It is anticipated there will be a 20% increase in the rate of inspections and site visits, including education and advice, throughout the ACT in 2008/09, increasing to 30% in forward years.
2. With the inclusion of funding for additional Inspectors, it is anticipated that total salary costs for enforcement of OHS compliance in the 2008-09 financial year are expected to be \$997,432.

Justice & Community Safety

Bill Stefaniak MLA : To ask the Attorney General

In relation to : **Justice & Community Safety – General Matters and Output Class 1 – Justice Services**
(BP4, P223-271)

1. BP4, P223 – 2008-09 Priorities, 5th dot point – CCTVs – What safeguards will be in place to protect the privacy of individuals?
2. BP4, P223 – 2008-09 Priorities, 6th dot point – Liquor Regulation
 - (a) What will development and implementation of the new strengthened liquor regulation regime cost?
 - (b) Will there be any cost implications for the private sector? If so, for whom and to what extent?
3. BP4, P224 – 2008-09 Priorities, 1st dot point – Supreme Court (ref also BP4, P243 – Changes to Appropriation, and BP4, P247 – Capital Works program)
 - (a) When will the preservation works for the Supreme Court start and finish (cost \$310,000 in 08-09 and nothing in the out years for membrane replacement, plus \$2.003m for new roof and upgraded air conditioning)?
 - (b) What procurement arrangements are planned to secure the necessary goods and services for the preservation works?
 - (c) On what basis is it considered a review of Supreme Court facilities is necessary (cost \$220,000 in 08-09 and nothing for the out years)?
 - (d) To what use would the existing building be put in the event of its replacement by a new facility?
 - (e) What process, including public/industry consultation, is contemplated for the study?
 - (f) What cost savings and efficiency gains across government, the judicial system and the legal profession does the government expect could be achieved in the development of a new Supreme Court facility?
 - (g) When will the study start and finish?
4. BP4, P224 – 2008-09 Priorities, 4th dot point – IT Systems
 - (a) Who will manage the extensive IT upgrades outlined in the 2008-09 Priorities for the department and its agencies?
 - (b) What will be the total cost for all the works?
 - (c) When will the works start/finish?
 - (d) What benefits will they bring, including operational efficiencies, human resource needs, service delivery, etc?
5. BP4, P224 – Business and Corporate Strategies - How will each of the listed strategies be measured?
6. BP4, P225 – Strategic Indicator 1 – Fair Justice System
 - (a) Are there any sectors of the community for whom the justice system is less accessible than the department would consider reasonable? If so, which sectors, and what is the department doing to alleviate the situation?
 - (b) How long on average does it take for matters to be dealt with under the justice system?

- (c) Did any complaints under the Ombudsman Act need to be reported formally during 07-08? If so, what was the outcome of those reports?
7. BP4, P228 – Strategic Indicator 4 – Workplace Injuries
- (a) What factors contributed to the increase in the rate of workplace injuries from 2001-02 to 2003-04?
- (b) Why is it forecast that a return to 1999/2000 rates of workplace injury will only occur in the long term?
- (c) What strategies is the department adopting to reduce the rate of workplace injuries?
8. Changes to Appropriation (BP4, P243-246) - What is the detail behind the following:
- (a) Additional Repairs and Maintenance - \$900,000 for 08-09, with nothing in the out years
- (b) Prison and Offender Related Crime Prevention Measures - \$2.442m for 08-09, increasing in the out years
- (c) Feasibility study and design of integrated justice information system - \$125,000 in 08-09 and nothing in the out years
- (d) Alexander Maconochie Centre transitional costs - \$1.453m and nothing in the out years
- (e) Decreased superannuation contributions - \$1.092m in 08-09 and increasing amounts in the out years (particularly in light of the increased staffing)
9. Notes to the Budget Statements - BP4, P252-259
- (a) Other revenue (P253) – What was the nature of the unbudgeted Commonwealth grants of \$795,000 and why was it unbudgeted?
- (b) Other expenses (P257) – What is the 07-08 total estimated outcome for NSW prison payments and why were NSW prison payments \$1.433m below budget?
- (c) Capital Works Rollover (P258) – What were the main contributing factors that caused a rollover of more than \$31m from the 07-08 budget into 08-09?
10. Output 1.4 – Public Prosecutions - BP4, P230 (ref also BP4, P235 – Accountability Indicators) - Why is there an increase of 11% in the budget for 08-09 compared to the estimated outcome for 07-08?
11. Output 1.5 – Protection of Rights - BP4, P230 (also ref BP4, P236 – Accountability Indicators
- (a) How many individuals were or are anticipated to be provided with guardianship services in 07-08?
- (b) How many research projects were undertaken in 07-08, with the objective of improving services for vulnerable citizens?
- (c) What were the practical outcomes of those reports?
12. Output 1.7 – Regulatory Services - BP4, P230 (also ref BP4, P238 – Accountability Indicators) - Why was there an increase of 25% in complaints during 07-08 (estimated outcome), compared to a budget of negative 5%?
13. Staffing Bgt 07-08 – 1,319; Est outcome 07-08 – 1,399 (increase of 80, or 6%); Bgt for 08-09 – 1,490 (increase of 91, or 6.5%)
- (a) Why was there such a large variance in staffing figures for the 07-08 estimated outcome compared to the budget for that year?
- (b) At what levels and in what areas were the additional staff employed?
- (c) Were these staff engaged in the delivery of new or expanded programs or services? If so, what were they?
- (d) Why is another large increase in staff budgeted for in 08-09?
- (e) At what levels and in what areas will the new staff be employed?

- (f) Will these staff be engaged in the delivery of new or expanded programs or services? If so, what are they?

14. Shared Services Centre:

- (a) Has the Department's cost of providing corporate services increased or decreased as a result of using the Shared Services Centre ?
- (b) have there been any unexpected costs imposed on the Department arising from the use of the SSC?
- (c) have the turnaround times for the payment of invoices been better or worse through the SSC?
- (d) has there been any change in the number of complaints from external organisations about slow paying of accounts?
- (e) have there been any other issues in dealing with matters through the SSC in contrast to the way in which these were dealt with by the Department?

Member's Signature and Date

Legal Aid Commission

Bill Stefaniak MLA : To ask the Attorney-General

In relation to : Legal Aid Commission
(BP4, P521-532 & Statement of Intent)

1. BP4, P521 – 2008-09 Priorities
 - (a) 6th dot point (refer also to Strategic Indicator 1 on BP4, P523) - what community legal education programs does the Commission deliver and to whom? How many programs were delivered during 2007/08, how many participants did those programs attract, and what feedback was received?
 - (b) 7th dot point – What electronic applications and data exchange systems are currently available and what is planned in relation thereto?
2. BP4, P523 – Strategic Indicator 3 – Law Reform – What law reform submissions did the Commission make during 2007/08?
3. BP4, P524 – Output 1.2 – Legal Aid Services Provided by Commission Staff – the budgeted staffing level for the Commission is budgeted to increase by one during 2008/09. The cost for in-house legal aid services staff is budgeted to increase by \$69,000. What is the usual average annual cost per staff member, and, if any difference arises between the two figures, why?
4. BP4, P529 – Balance Sheet – Property, Plant and Equipment (refer also to BP4, P532 – Balance Sheet – 4th dot point) – What new property plant and equipment is planned for the out years?
5. BP4, P532 – Balance Sheet – 7th dot point – What was the previous methodology and what is the new methodology used to estimate amount payable to private practitioners?
6. Does the Commission use the Shared Services Centre? If so”
 - (a) has the Commission’s cost of providing corporate services increased or decreased as a result of using the Shared Services Centre?
 - (b) have there been any unexpected costs imposed on the Commission arising from the use of the SSC?
 - (c) have the turnaround times for the payment of invoices been better or worse through the SSC?
 - (d) has there been any change in the number of complaints from external organisations about the slow paying of accounts?
 - (e) have there been any other issues in dealing with matters through the SSC in contrast to the way which these were dealt with by the Commission?

MR CORBELL: The answer to the Member’s question is as follows:–

1(a)

Education programs and information products delivered by the Commission include:

- developing and distributing pamphlets, wallet cards and other documents dealing with legal issues;
- speaking at schools and other groups on relevant legal topics;
- responding to requests for information on legal issues and the work of the Legal Aid Office;
- developing and maintaining networks and contacts within the community sector,
- assisting in the outreach work of the Youth Law Centre, and

- assisting with the delivery of information and education programs to indigenous Australians in the region in conjunction with the Aboriginal Legal Service.

We publish a handbook entitled *When Can I?* as a service to young people in the ACT. The first edition was published in 1997, after consultation with young people and relevant community groups. The handbook is updated every two years and the fifth edition is currently being prepared. We publicise *When Can I?* widely and make copies available at schools, youth centres, youth services and refuges, health centres, church organisations, community centres, scout and guide groups, Government departments, police stations and at the Youth Law Centre. We endeavour to distribute *When Can I?* to as many organisations frequented by young people as possible.

We also provide community legal education (CLE) programs tailored to the needs of young people through the Youth Law Centre, a service operated by the Commission in partnership with private law firm Clayton Utz and the Australian National University College of Law. This includes regular attendances at schools and colleges throughout the ACT. We speak to students about a broad range of legal issues, and advise on the services available to them through the Legal Aid Office and community legal centres. Topics of interest to young people include cyber-bullying, police powers, alcohol and other drugs issues, and the rights of the victim and the accused in criminal trials.

Our CLE staff also provide information sessions to a range of other community groups and service providers, including culturally and linguistically diverse (CALD) communities, carers, ex-prisoners, drug rehabilitation foundations, and community service organisations such as Uniting Care. Topics of interest for these groups include wills and substitute decision-making, family law, driving offences and employment.

Statistics

In the current financial year 79 education sessions have been conducted at various locations, attended by 2175 people.

Feedback

Feedback from sessions is positive, with many service providers requesting return visits and timetabling the Legal Aid Office into their own education programs.

As part of its strategic plan for 2008-2012 the Commission is expanding its CLE programs with a special focus on vulnerable and disadvantaged populations such as the elderly, homeless, single parents and chronically ill or disabled. Programs will be developed to provide education to particular communities, individuals, target groups and organisations - including training other service providers to recognise legal issues and make appropriate referrals.

New ways of providing legal education will be considered, including the use of dramatic presentations, online programs and use of the print and electronic media.

1(b)

The Commission employs the standard suite of electronic tools such as Microsoft Outlook (email), Microsoft Office and financial management software (Finance One).

In 2008/09 the Commission is planning to upgrade its case and grants management system. This upgrade will improve management and operational reporting, streamline grants requests and document management, and provide a means by which the Commission can exchange data with third party agencies. This is a major priority and will significantly improve operating efficiency.

2

During 2007/08 the Commission has contributed to law reform submissions relating to:

- mental health issues in the criminal justice system;
- Children & Young People Bill;
- Domestic Violence & Protection Orders Bill;
- ACT Tribunal review;
- sexual assault law reform;
- Mental Health (Treatment & Care) Act review;
- criminal listing procedures in the Magistrates' Court;
- harmonisation of statutory declarations;
- Productivity Commission review of consumer matters;
- Commonwealth approach to litigation in Centrelink matters;
- fast tracking procedures for the Family Court of Australia to deal with child sexual abuse allegations;
- independent children's legal representative guidelines review;
- Australian Law Reform Commission issues regarding privilege, and
- Review of the Federal Magistrates' Court and Family Court of Australia.

During 2007/08 the Commission has also commented on several draft ACT Cabinet submissions. Comments are sent to the Ministerial Services Unit of the Department of Justice and Community Safety.

3

The Commission interprets the “usual average annual cost per staff member” to mean an average annual full cost (salaries and related overheads) per staff member. Senior Executive staff costs have been excluded as including them will distort the result. Given this, the “usual annual average cost per staff member” for 2008-09 is \$88,000.

The budgeted increase in cost for Output 1.2 (Legal Aid Services Provided by Commission Staff) does not match this amount. This is because the methodology for attributing costs to this output does not take the 2007-08 Output 1.2 cost and add on an amount for a “usual average annual cost per staff member”. The estimates for the total cost of outputs are determined by applying a high level methodology that allocates costs between Output 1.1 (Legal Aid Services Provided by Private Legal Practitioners) and Output 1.2. (Legal Aid Services Provided by Commission Staff) based on the actual cost of providing these Outputs during 2007-08. It is reasonable to expect that there will be some variation in estimates with the different approaches.

4

During 2008-09 the Commission plans to:

- upgrade security in public access areas and refurbish parts of the Civic office to improve working conditions and make more efficient use of limited space;
- purchase video conferencing equipment as part of the new Prisoners’ Legal Service; and
- upgrade outdated software.

No significant purchases are currently planned for the out years.

5

The increase in the 2007-08 estimated outcome for amounts payable to private practitioners from the original budget is due to a change in the way those amounts are disclosed in the Budget Papers.

In the original budget for 2007-08 all amounts payable to private practitioners were included in one balance sheet item Payables (current).

For the 2007-08 estimated outcome and 2009-09 budget, amounts payable to private practitioners have been split between two balance sheet items, Payables and Other Provisions. Payables includes amounts for which the Commission has received invoices for services provided during the reporting period, but which have not been paid at the end of the reporting period. Other Provisions include an estimate of the cost of services provided during the reporting period for which the Commission has not been invoiced.

The change in the method of disclosure of the estimated amount in Other Provisions is consistent with ACT Accounting Policies.

6

The Commission does not use Shared Services. It is an independent statutory body corporate and as such provides its own corporate services.

ICRC

Bill Stefaniak MLA : To ask the Attorney General

In relation to : **Independent Competition and Regulatory Commission**
(BP4, P501-508 & Statement of Intent)

1. BP4, P501, Objectives, 1st dot point – promoting competition
 - a. What activities did the Commission undertake in 07-08 to promote competition?
 - b. What was the cost?
 - c. In what way and to what extent did the Commission engage the community in that promotion?
 - d. What was the public participation rate in any public education programs?
 - e. What feedback did the Commission receive in relation to those programs?
 - f. What promotion activities are planned for 08-09 and what is the budgeted cost?
2. BP4, P501, 2008-09 Priorities, 1st and 2nd dot points
 - g. In overseeing pricing arrangements for water, wastewater services, and retail electricity, what benchmarking analysis does the Commission undertake?
 - h. Where do pricing arrangements and approaches in the ACT rate against the benchmark?
 - i. Does the Commission consider pricing arrangements and approaches in other jurisdictions, including overseas? If so, in what way, if any do other arrangements and approaches influence the Commission's consideration of local arrangements and approaches? If not, why?
 - j. Does the Commission consider statistical indices such as CPI or WPI as a measure of reasonableness for pricing arrangements and approaches? If so, in what way and with what outcomes? If not, why?
 - k. How much weight does the Commission give to factors such as return on investment and profitability when making determinations about pricing arrangements and approaches?

MR CORBELL: The answer to the Member's question is as follows:–

1. BP4, P501, Objectives, 1st dot point – promoting competition
 - (a) Section 7 of the ICRC Act relates to “regulated industries, access regimes, competitive neutrality complaints, and government regulated activity”. In 2007-08, the designated regulated industries in the ACT were electricity distribution and retailing, gas distribution, and supply of water and wastewater services. Action undertaken by the Commission to promote competition in these regulated industries in 2007-08 primarily focused on:
 - determination of the 2008-09 to 2012-13 price direction for water and wastewater services where *inter alia* the Commission considered whether some services offered by Actew Corporation could otherwise be provided by competing service providers and thus excluded from the regulated price determination; and
 - determination of the price for electricity to be supplied under the temporary franchise tariff to household and small business customers of ActewAGL

Retail who have not taken up alternate competing electricity supply offers from the other licensed electricity retail suppliers in the ACT. The issue here is to determine a price which reflects a recovery of the efficient costs by ActewAGL Retail while at the same time not setting this price so low as to prevent competition in the market for retail electricity supply

There were no access regime, competitive neutrality complaints, or enquiries into other government regulated activities undertaken in 2007-08.

Under the *Utilities Act 2000*, the Commission also has responsibility to determine and maintain industry codes. In as much as these industry codes relate to the operation of the industry which is open to competition (for example, electricity and gas retailing), this task will consider competition matters.

- (b) The cost of undertaking these tasks is not separately identified by the Commission as it forms part of the total cost of undertaking the relevant inquiries and industry code management.
- (c) As required under the ICRC Act, the Commission undertakes its inquiries into regulated industries in an open and transparent fashion, Thus, the Commission usually prepares and releases various issues or discussion papers as a prelude to an inquiry (there were three discussion papers and a working conclusion paper issued for the inquiry into water and wastewater), and a draft report before preparing and releasing a final report.

At all these stages up to the point of the final report being issued, the wider community is invited to make comments and submissions to the Commission. The Commission advertises the release of these various papers and reports through the Canberra Times, via media releases, and on its web page. In addition the Commission held public hearings on the water and wastewater inquiry and these hearings were well advertised and reported. In undertaking its role in determining and maintaining industry codes the Commission undertakes similar public exposure and submission processes on proposed changes.

- (d) Attachment A is a list of persons who made a submission to the Commissioner on the water and wastewater inquiry or who appeared at the public hearing. Attachment B is a list of submissions received on the current inquiry into the Transitional Franchise Tariff for Electricity.
- (e) All submissions received by the Commission are posted on the Commission's website at www.icrc.act.gov.au.
- (f) There are no specific promotion programs planned for 2008-09. Should the Government or other parties refer matters to the Commission which are covered by the Commission's powers under Section 7 of the Act, then these matters will be given full exposure and be open to public debate as part of the Commission's review process. For example, the Government may decide to issue a terms of reference to the Commission on the Transitional Franchise Tariff in 2008-09 covering the period from 1 July 2009. This is a matter that will be decided upon by the Government. The Commission will also maintain

its functions in terms of the operation of codes of conduct which apply to the operation of public utilities in the ACT. To the extent that issues arise that relate to competition within these individual regulated industries, the Commission will examine these matters. As with its major price determination inquiries, code reviews are undertaken in a public and transparent manner.

2. BP4, P501, 2008-09 Priorities, 1st and 2nd dot points
 - (a) In undertaking its reviews of regulated industries and making determinations on prices to apply in the ACT, the Commission examines the projected current and capital costs to be incurred by the regulated entity. The Commission must satisfy itself that the costs to be incorporated into its price determinations are prudent and efficient. As part of this process the Commission will undertake a comparative analysis and benchmark assessment with other similar business activities in Australia and overseas, and will draw upon independent expert advice on appropriate models, for example, of maintenance and operating costs, back office and general administrative functions and capital equipment and infrastructure costs. The Commission also prepares compliance reports for licensed public utility businesses in the ACT which *inter alia* compare the performance and cost outcomes of regulated service providers in the ACT with those in other parts of Australia.
 - (b) In terms of price outcomes, the ACT enjoys electricity prices at levels commensurate with or slightly cheaper than other major urban centres in Australia and, in particular, by comparison to prices in areas immediately surrounding the ACT. For water and wastewater services, the prices that currently apply in the ACT (and that are to apply in the 2008-09 year), are the highest among the major urban centres in Australia. This in part reflects the inclusion of the Water Abstraction Charge in the water tariffs that apply in the ACT (no other city makes any allowance for the value of water per se in the prices that its utilities charge), and the cost of the high level of wastewater treatment that is undertaken in the ACT in recognition of the fact that the treated water is returned to the Murrumbidgee River and is re-used further down stream for consumptive and irrigation purposes.
 - (c) The Commission is mindful of development in regulatory practices in Australia and overseas and has participated in conferences both nationally and internationally on a regular basis as part of the exchange of information and experience in undertaking the regulation of public utilities. The Commission is also a member of the National Regulators Forum in Australia which brings together the jurisdictional regulators from all States and Territories together with the national regulators, namely the ACCC, the Australian Energy Market Commission, and the Australian Energy Regulator. This group has been proactive over more than a decade in undertaking reviews and studies into regulatory best practice. The Commission in its reports, refers to practices and decisions taken by regulators in other places, and considers whether these are appropriate for application in the ACT.
 - (d) The Commission has regard to a wide range of statistical indices in its deliberations. These can be series relating to wages growth, movements in the cost of building materials and capital equipment, changes in the cost of fuel, and underlying inflation indices. These indices are often used in

preparing the forward projection of costs that are used to build up the revenue requirements of regulated entities (part of the 'building block' approach to regulation used by the Commission and other regulators in Australia).

The Commission also uses the CPI series in expressing its price path determinations. Price adjustments over a regulatory period (often five years) are usually expressed as a $CPI \pm X$ calculation. The $CPI \pm X$ formulation is often referred to as 'incentive regulation', a form of regulation used throughout Australia and overseas and favoured because of the incentive it gives the regulated entity to improve its operating efficiency, and reduce costs without reducing service while remaining within the designated price path.

- (e) Under the provisions of s.20(2) of the ICRC Act, the Commission is required *inter alia* to have regard to "an appropriate rate of return on any investment in the regulated industry". This is one of several factors specified in s.20(2) of the ICRC Act, all of which the Commission gives due consideration to as part of its review and decision making process.

Public Trustee

Bill Stefaniak MLA : To ask the Attorney General

In relation to : **Public Trustee for the ACT**
(BP4, P533-539 & Statement of Intent)

1. BP4, P533 – 2008-09 Priorities, 1st dot point – Marketing
 - (a) What marketing activities are planned for 08-09 and at what cost?
 - (b) Has the Public Trustee measured the cost/benefit effectiveness of its marketing activities undertaken during 07-08? If so, what were the results? If not, why?
2. BP4, P533 – 2008-09 Priorities, 2nd dot point – New Business
 - (a) What new funds management business did the Public Trustee secure during 07-08?
 - (b) What did it cost to secure it?
 - (c) What annual revenue will it generate?
3. BP4, P533 – 2008-09 Priorities, 4th dot point – Review of Investment Arrangements
 - (a) When was the Review of Investment Arrangements completed?
 - (b) What were its recommendations?
 - (c) What elements of the review have been implemented?
 - (d) What elements remain to be implemented?
 - (e) What did the review cost?
 - (f) What medium to long term benefits are likely to flow from implementation of the review?
4. BP4, P533 – 2008-09 Priorities, 6th dot point – Online Wills Fact Finder
 - (a) What is the Online Wills Fact Finder?
 - (b) When will access to it be available?
 - (c) What has it cost to develop?
5. Statement of Intent – Non-Financial Performance Indicators
 - (a) Number of current financial management accounts under orders of the Guardianship & Management of Property Tribunal: Bgt 07-08 was 435. Est outcome was 407, or 6.5% less. What are the reasons for this difference?
6. Statement of Intent – Investment Strategies
 - (a) What main factors contributed to the declines in the capital value of the Growth, Balanced and Income Stable Model Portfolios?
 - (b) How did these declines compare to other similar model portfolios operated by other trustee organisations whether public or private?
7. Does the Public Trustee use the Shared Services Centre? If so:
 - (a) has the Public Trustee's cost of providing corporate services increased or decreased as a result of using the Shared Services Centre ?
 - (b) have there been any unexpected costs imposed on the Public Trustee arising from the use of the SSC?
 - (c) have the turnaround times for the payment of invoices been better or worse through the SSC?

- (d) has there been any change in the number of complaints from external organisations about slow paying of accounts?
- (e) have there been any other issues in dealing with matters through the SSC in contrast to the way in which these were dealt with by the Public Trustee?

MR CORBELL: The answer to the Member's question is as follows:–

1.
 - (a) Sponsor Life's Reflection - Seniors Week, April 2009 -\$3,000.00
 Advertising contract Capital Magazine - \$5,649.60;
 Advertising Australian Senior Newspaper - \$400.00;
 Public Trustee Seminar Seniors Week - \$1,000.00;
 Advertising 'Start Living' Canberra Times - \$4,200.00.
 - (b) PTACT undertakes a continuous customer survey customers are routinely asked how they found out about PTACT. Analysis of workload trends shows Public Trustee business consistently experiences upward spikes following all marketing activities. Responses are measured to gauge effectiveness of services and marketing.
2.
 - (a) - Capital Region Community Foundation – increase of \$3.183M
 - All funds under management – increase of \$4.8M to \$173.98M
 - Fund growth is an intrinsic part of Public Trustee ACT's business – no extra cost is associated with securing new business.
 - (b) Public Trustee ACT takes 5.5% income commission on funds under management. The increase of \$0.042 million in the 2007-08 estimated outcome from the original budget reflects higher than budgeted cash balances associated with an improved operating result together with an increase in interest rates.
3.
 - a)-d) The Review of Investments completed in April 2008 recommended establishment of an International Equities Fund, review of investment objective, and review of asset allocations within risk profiles. All recommendations have been implemented, with fund manager performance being a matter for continuous monitoring.
 - (e) This is the first review undertaken since adoption of the Prudent Person Investment Principle in 2000. The review was recommended by the PTACT Investment Board simultaneously with the proposed implementation of an International Equities Fund. The review cost \$50,000 and was paid out of the Public Trustee's Guarantee & Reserve Account as permitted by the *Trustee Act 1925*.
 - (f) Benefits include compliance with the Prudent Person Investment principle, diversification of investment to hedge against risk, consistent returns for clients, and achievement of Public Trustee's Investment Objectives
4.
 - (a) The Online Wills Fact Finder seeks to provide Public Trustee ACT's prospective Wills Clients with a secure, convenient, online means of providing PTACT with personal information necessary for the drafting of their Will. If clients choose to

send the data to Public Trustee prior to an appointment, the data can be used to prepare as much of the Wills as possible before the client visits the office.

- (b) Development is complete and with InTACT for implementation in June/July
- (c) Approximately \$30,000

5.

- (a) Whilst there has generally been an annual increase of 6-8% in the appointment of financial management orders, PTACT is cooperating with the Public Advocate and the Courts to more closely vet applications for emergency financial management orders and it is anticipated that this will result in the estimated reduction.

6. Statement of Intent – Investment Strategies

- (a) Each portfolio is diversified across asset sectors and each has an asset allocation of Australian Equities and Australian Listed Property Trusts, both of which have reflected falls commensurate with the market (ASX 200).
- (b) PTACT undertook a study of all other PT's asset allocations within identical risk profiles as well as the FINSIA model as part of its investment review. The study indicated that each Public Trustee had different asset allocations within their respective risk profiles. This would result from natural variations in accordance with where they take their advice from. PTACT tracked closely with the FINSIA model. Due to these variances, it is not possible to compare rates of decline amongst other peer/industry providers, although it is understood that similar declines were experienced across industry. PTACT takes advice quarterly from an independent assets/markets consultant. For the December quarter 2007, the consultant advised PTACT that its Australian Equities Fund would outperform the value index by 4.9% and to expect the fund to outperform in the March quarter. This has been borne out.

7.

- a)-d) Public Trustee ACT only uses shared services for personnel, salary packaging, Canberra Connect and InTACT services. PTACT is self-contained in respect to accounts. Our costs have not altered in using Shared Services.
- (e) Initially there were delays in the recruitment process and issues relating to errors in payroll, however these have been ironed out and the service has improved.

Cost of employing Public Servants

MR SMYTH : To ask the Attorney General:

In relation to the cost of employing public servants:

What is the average salary, including superannuation and all other on-costs, for each of the following categories of public servant:

- (a) A police officer
- (b) A fire fighting officer
- (c) An ambulance officer
- (d) An intensive care paramedic
- (e) A magistrate
- (f) A supreme court judge
- (g) A prosecutor
- (h) A remand officer
- (i) A prison warden
- (j) A parole officer
- (k) A parking and information officer
- (l) A fair trading inspector
- (m) A workplace safety inspector

Mr Corbell – the answer to the Member’s question, the average salary for each of the following categories of public servant, unless otherwise specified is as at 3 April 2008, as shown below. The superannuation and other on-costs are not included in these salaries as these amounts vary depending on the superannuation scheme of the individual and the on-cost associated with various categories of public servant.

(a) A police officer

Rates of pay for a police officer in the ACT are determined under the Australian Federal Police (AFP) Collective Agreement 2007-2011:
http://afp.gov.au/about/publications/afp_collective_agreement.html

JACS cannot comment or advise on this matter, as the Australian Federal Police provides the ACT with policing service through the Policing Agreement and data on AFP employees is not held by the Department.

(b) A fire fighting officer

The attached rates of pay are taken from the ACT Fire Brigade Certified Agreement 2004-2006. A new Collective Agreement is in the process of negotiations and pending approval from the Workplace Authority.
The below schedule shows the fortnightly salary rates

Classification	Title	Rate after 1 March 2006
Fire Brigade Level 8	Superintendent	\$3836.69
Fire Brigade Level 7	District Officer	\$3316.19
Fire Brigade Level 6	Station Officer A Grade	\$2775.86
Fire Brigade Level 6	Station Officer B Grade	\$2775.86
Fire Brigade Level 6	Station Officer C Grade	\$2775.86
Fire Brigade Level 6	Station Officer D Grade	\$2775.86
Fire Brigade Level 5	SFF	\$2436.82
Fire Brigade Level 5	FF 1 st Class A	\$2309.68
Fire Brigade Level 4	FF 1 st Class B	\$2309.68
Fire Brigade Level 3	FF 2 nd Class	\$2118.98
Fire Brigade Level 2	FF3rd Class	\$2013.03
Fire Brigade Level 2	FF 4 th Class	\$2013.03
Fire Brigade Level 1	FF 4 th Class in Training	\$1865.18

(c) An ambulance officer

The below rates of pay are taken out of the ACT Ambulance Service Agreement 2004-2007 and includes rolled in shift and overtime payments. A new Collective Agreement is currently being negotiated.

Ambulance paramedic,
Communications Officers
\$56,408
\$58,231
\$59,696
\$61,317
\$62,873
\$64,923

(d) An intensive care paramedic

The below rates of pay are taken out of the ACT Ambulance Service Agreement 2004-2007 and includes rolled in shift and overtime payments. A new Collective Agreement is currently being negotiated.

\$64,440
\$66,264
\$67,729
\$69,351
\$70,906
\$72,955

(e) A magistrate

Refer to Determination 19 of 2007 for Chief Magistrate, Magistrates & Special Magistrates:

(f) A supreme court judge

In accordance with the *Supreme Court Act 1993*, a supreme court judge (resident judge) is entitled to the same remuneration, allowances and entitlements as a judge of the Federal Court in entitled to from time to time, as determined by the Commonwealth Remuneration Tribunal which is currently \$319,900.

(g) A prosecutor

Prosecutor Grade 1 (lower)
\$50,832-\$57,877

Prosecutor Grade 1 (upper)
\$62,099-\$80,394

Prosecutor Grade 2
\$84,777-\$93,745

Prosecutor Grade 3
\$97,704-\$104,749

(h) A remand officer

A remand officer is known as a Custodial Officer and the below amount provides for shift allowance and rostered overtime..

Custodial Officer Grade 1
\$61,237-71,359

Custodial Officer Grade 2
\$75,031-\$79,462

Custodial Officer Grade 3
\$88,549-\$91,297

Custodial Officer Grade 4
\$89,789-\$91,337

(i) A prison warden

As above – Custodial Officer remuneration.

(j) A parole officer

A parole officer is an ASO6 \$62,099-\$71,335

(k) A parking and information officer

A parking officer is an ASO2 \$40,609-\$45,031

(l) A fair trading inspector

Fair trading inspectors are Administrative Services Officer Class 6 (ASO6) and Administrative Services Officer Class 5 (ASO5).

ASO5

\$57,500-\$60,970

ASO6

\$62,099-\$71,335

(m) A workplace safety inspector

A workplace safety inspector is an Work Cover Officer 6 \$62,099-\$71,335

Protection orders

MR SMYTH : To ask the Minister for Justice and Community Safety

In relation to Protection Orders:

For each of the past seven financial years, how many Protection Orders were made in the ACT.

What is the breakdown of protection orders made in relation to domestic violence, neighbourhood disputes and other reasons for each of those years.

For each of the past seven financial years, what was the average length of time taken to serve Protection Orders (time between order made and order served).

For each of the past seven financial years, what was the average length of time taken to serve Protection Orders.

Are there any operational guidelines or targets in relation to the service of these orders? If so, what are they.

MR CORBELL: The answer to the Member's question is as follows:—

Statistics for the financial year 2000/2001 are not available.

A breakdown of Protection Orders, Domestic Violence Orders and Workplace Orders for the years 2001/2002 to 2006/2007 is at Attachment A. The court cannot readily break this down further, however lists of the types of relationships between parties are included at the end of Attachment A.

In relation to questions 3 and 4, neither the Courts nor AFP are able to provide statistics to the average length of time taken to serve protection orders, but generally service is attempted by AFP within 24 to 48 hours of receipt of the application/order. Some orders may never be served due to the respondent actively avoiding service or for other reasons.

The Court has no operational guidelines or targets in relation to the service of orders, however, service of documents is in accordance with the Domestic Violence and Protection Orders Act 2001. If an interim order is granted, a return date is listed within 28 days. The AFP must attempt service on the respondent no later than 21 days from the issue of the interim order. This is to allow the respondent to file an endorsement 7 days prior to the return date.

Regulatory Services

Ms MacDonald: To ask the Attorney General

In relation to: Output Class 1.7, Regulatory Services

On the 20th May 2008 the Minister answered a question in relation to numbers of Occupational Health & Safety Inspectors and plans to increase the numbers of inspectors; as well as appointing an Education Officer.

He also discussed plans to change the legislative framework to deal with compliance.

Could the Minister and Department please outline how the legislative changes will be enforced?

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

Given that the exact changes are not yet known, it is not possible to reliably predict specifics of how the changes will be enforced. In general terms, it is expected that following passage of the changes in the Legislative Assembly, the Office of Regulatory Services and the Office of Industrial Relations within the Chief Minister's Department will provide information to business, industry and other stakeholders in the first instance.

The addition of an education officer will provide an opportunity for greater engagement with business and industry to help them understand their legislated responsibilities and how these can be met. It is anticipated that education will range from development of posters and guidance material through to running training sessions.

Enforcement will be conducted by way of visits to workplaces by Inspectors and the issuing of guidance or direction in relation to measures which need to be implemented in order to meet the legislated obligations.

QTON – Prior correctional experience

Mr Seselja asked the Attorney General, upon notice, on Tuesday, 20 May 2008:

Mr Seselja: How many have previous experience?

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

Of the 58 new recruits employed from August 2007 to date, 12 have prior correctional experience. Regardless of previous experience, all new recruits are required to complete the full ten-week training program and the subsequent period of on the job training while on probation.

QTON – Community organisations

Dr Deb Foskey, MLA: To ask the Attorney-General

In relation to : Community Organisations

Table a list of Community Organisations that will provide services to the AMC and those that have applied to be accredited for the AMC.

MR CORBELL: The answer to the Member's question is as follows:–

The following is a list of community organisations that have expressed an interest in being an accredited visitor at the Alexander Maconochie Centre:

- Canberra Islamic Society
- International Yoga Teachers Association
- Canberra Christian Life Centre
- Gambling Care
- Canberra Weavers
- Southside Community Services 'Links to Learning'
- ACT Storytellers Guild
- Directions ACT
- ACT Hepatitis Council
- AIDS Action Council
- Toastmasters International
- Canberra Quilters
- Canberra Yoga Centre
- Alternatives to Violence Project Inc, NSW
- Inanna
- Southside Community Service
- Alcoholics Anonymous
- Mental Health Foundation ACT
- Canberra Rape Crisis Centre
- Prisoners Aid
- Relationships Australia ACT
- ADFACT

QTON - Substance abuse

Mr Brendan Smyth, MLA: To ask the Attorney-General

In relation to : Substance abuse

How much will be spent on substance abuse rehabilitation and who will provide that service?

MR CORBELL: The answer to the Member's question is as follows:–

Three dedicated 'Alcohol and Other Drugs' staff at total of \$252,000 (wages plus on-costs) in 2008/09, indexed as per wage awards in outyears. Funding for a Therapeutic Community, addressing substance abuse, at: \$0.906m in 2008/09; \$0.933m in 2009/10; \$0.948m in 2010/11 and \$0.963m in 2011/12.

ACT Health will also provide prisoners with services, such as detox, in line with the ACT Corrections Health Plan.

423 Attorney General Smyth

QTON - Victim awareness

Mr Brendan Smyth, MLA: To ask the Attorney-General

In relation to : Victim Awareness

How much will be spent on victim awareness? In the rehabilitation process, how much focus will there be on victim awareness amongst those that have perpetrated crimes and how much will be spent on it?

MR CORBELL: The answer to the Member's question is as follows:–

Focus on victim awareness will form part of relevant therapeutic programs.

424 Attorney General Smyth

QTON - Vocational education

MR BRENDAN SMYTH, MLA: To ask the Attorney-General

In relation to : Vocational Education

How much will be spent on vocational education?

MR SIMON CORBELL: The answer to the Member's question is as follows:—

\$0.693m in 2008/09; \$0.710m in 2009/10; \$0.728m in 2010/11; \$0.746m in 2011/12.

QTON - Cost of outsourced Legal Aid services

Bill Stefaniak MLA : To ask the Attorney-General

In relation to : Cost of Outsourced Legal Aid Services

Mr Stefaniak: Thank you Madam Chair. Budget Paper 524 and 525, why is the cost of outsourced Legal Aid Services forecast to increase by \$52,000 if you look at the estimated outcome in the budget for this current year - in fact if you look at the government payments it is more than that it is about \$140,000 - when the number of grants referred to private practitioners is forecast to fall by 10 from 1460 down to 1450?

MR CORBELL: The answer to the Member's question is as follows:—

The estimates for the total cost of outputs and the related Government Payment for Outputs (GPO) are determined by applying a high level methodology that allocates costs between Output 1.1 (Legal Aid Services Provided by Private Legal Practitioners) and Output 1.2. (Legal Aid Services provided by Commission Staff) based on the actual cost of providing these Outputs during 2007-08. When applied to the calculation of the 2008-09 Budget estimates this methodology did not make allowance for the fact that a sum of \$148,000 the Commission will receive in 2008-09 to establish the Prisoners' Legal Service should be allocated exclusively to Output 1.2. Instead, this sum was allocated between the two Outputs using the standard methodology. The allocation of this sum will be adjusted when the Commission provides Estimated Outcome figures for 2008-09.

QTON - Armoury at the AMC

Mr Smyth asked the Attorney General, upon notice, on Tuesday, 20 May 2008:

Mr Smyth: what is the cost of the firearms and what types will be in the Armoury at the AMC?

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

There is approximately \$47,000 allocated for armoury at ACT Corrective Services facilities. This armoury will contain:

- duty holsters
- a quantity of handcuffs, riot shields, batons, gas masks and chemical munition.
- glock pistols – these are the same as those used by the Australian Federal Police and other correctional jurisdictions.
- 12 Gauge Shotguns

QTON - Cognitive skills programs cost

Mr Smyth asked the Attorney General, upon notice, on Tuesday, 20 May 2008:

Mr Smyth: What cognitive Skills programs will there be and how much will it cost?

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

The following Cognitive Based Therapy (CBT) programs will be provided at the AMC:

- Sex Offender Programs;
- Family Violence Programs;
- Anger Management Programs; and
- Generic cognitive skills programs.

The estimated cost for CBT programs is currently \$502,000 for staffing. There is also a further \$205,000 budgeted for program aids and contracted services for prisoner programs. However, the budget for program aids and contractors is a total figure for all ACTCS programs including substance abuse and rehabilitation programs and victim awareness programs.

QTON – Complaints

Mr Phillips: The actual information is not in the annual general report. I can take on notice how many complaints we received to date for Mr Smyth but it will only be for this ten months of the year.

MR SMYTH: No, that is okay. And can you offer some analysis of what areas the complaints are in specifically?

Mr Corbell: We will attempt to provide some breakdown of that, Mr Smyth.

So far this financial year, 8,730 contacts have been received by the Office of Regulatory Services relating to consumer matters. Of these, 517 have been formal written complaints which have also been finalised in that same timeframe.

Complaints commonly relate to the activities of agents (15%), builders (10%), electrical goods retailers (6%), motor vehicle dealers (6%) and motor vehicle repairers (5%).



QTON E08-482

COPY

LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2008-2009

MARY PORTER AM MLA (CHAIR), VICKI DUNNE MLA (DEPUTY CHAIR),
MICK GENTLEMAN MLA, KARIN MACDONALD MLA, BRENDAN SMYTH MLA

Mr Simon Corbell MLA
Attorney-General
Legislative Assembly for the ACT
London Cct
CANBERRA ACT 2601

Dear Attorney-General

OH&S Inspectors

To satisfy questions raised during the Estimates hearing with the Minister for Industrial Relations which fell outside of his portfolio area, could you please advise the Committee on the following questions relating to the cost of occupational health and safety inspectors and related activity.

- o What is the budgeted cost of work safety inspector employees, either in the office of ORS or elsewhere within the ACT government, for this current financial year?
- o What is your budgeted cost for this in 2008-09?
- o How much funding has been provided in the budget for work safety compliance inspection and enforcement activities for 2008-09?

Many thanks for your assistance with this matter.

Yours sincerely

A handwritten signature in black ink, appearing to read "Mary Porter".

Mary Porter AM MLA
Chair
30 May 2008



Q To N E08-482

Simon Corbell MLA

ATTORNEY GENERAL
MINISTER FOR POLICE AND EMERGENCY SERVICES

MEMBER FOR MOLONGLO



Ms Mary Porter AM MLA
Chair
Select Committee on Estimates 2008-09
ACT Legislative Assembly
PO Box 1020
CANBERRA ACT 2601

Dear Ms Porter

Thank you for your letter of 30 May 2008 in which you pose further questions on behalf of the Select Committee on Estimates 2008-2009.

I provide the following information in response to your questions:

- The projected salaries for occupational health and safety inspectors for the 2007-08 financial year total \$584,458.
- The budgeted salaries for occupational health and safety inspectors for the 2008-09 financial year total \$902,432.
- The budget for work safety compliance inspection and enforcement activities has not yet been finalised since the departmental budget has not been finalised.

Yours sincerely

Simon Corbell MLA
Attorney General
17 July 2008

ACT LEGISLATIVE ASSEMBLY

London Circuit, Canberra ACT 2601 GPO Box 1020, Canberra ACT 2601
Phone (02) 6205 0000 Fax (02) 6205 0535 Email corbell@act.gov.au