



## APPENDIX 4

### EXTERNAL SCRUTINY

As part of the overall accountability framework, the Department's operations are subject to external scrutiny from a variety of sources. For example, judicial decisions and decisions of administrative tribunals as well as reports of parliamentary committees, the Auditor-General and the Commonwealth Ombudsman.

Reports of parliamentary committee inquiries can address a range of matters including legislation proposals, legal and policy work, broad community-interest issues of both direct and indirect relevance to the Department, and aspects of operational infrastructure i.e. the support systems, processes and procedures which enable the Department to perform its functions efficiently and effectively. During 2001–02 there were no reports by parliamentary committees directly related to the operations of the Department. Further information on parliamentary committee consideration of other types of matters impacting on the Department appears in the 'Report on Performance', against relevant departmental outputs.

During the reporting period the Auditor-General did not issue any reports on the operations of the Department, nor did the Ombudsman raise any substantive issues. Details of judicial decisions having significant impact on the Department, follow.

#### JUDICIAL DECISIONS IN 2001–02 HAVING SIGNIFICANT IMPACT ON THE OPERATIONS OF THE DEPARTMENT

##### FREEDOM OF INFORMATION

On 23 May 2002, the High Court of Australia determined that a decision to issue a conclusive certificate under the *Freedom of Information Act 1982* (FOI Act) was subject to judicial review under the *Administrative Decisions (Judicial Review) Act 1977* (ADJR Act) and under section 39B of the *Judiciary Act 1903* (*Shergold v Tanner* [2002] HCA 19). The Court consequently dismissed an appeal brought by the then Secretary of the Department of Employment, Workplace Relations and Small Business (DEWRSB). The Secretary had argued that the comprehensive and specific provisions in the FOI Act for limited merits review by the Administrative Appeals Tribunal precluded judicial review.

This case arose out of an application under the FOI Act by Lindsay Tanner MP for access to certain documents held by the then DEWRSB. DEWRSB decided to refuse access to certain documents and to issue conclusive certificates under the FOI Act certifying that release of the documents would not be in the public interest. Mr Tanner subsequently commenced proceedings under the ADJR Act in the Federal Court for judicial review of that decision. The matter went to the Full Federal Court on the question of whether the disputed decisions were reviewable. The Federal Court held that they were reviewable. The Secretary of DEWRSB then sought and obtained special leave to appeal to the High Court.

The High Court's decision has the effect of limiting the operation of conclusive certificates under the FOI Act. The certificates will establish conclusively the facts they certify in merit review processes in the Administrative Appeals Tribunal under the FOI Act. However, a decision to issue a conclusive certificate may itself be open to judicial invalidation on the grounds of a defect in the decision-making process.

This decision has clarified previous uncertainty surrounding the interaction between the specific and limited review provisions of the FOI Act and the more general principles of judicial review of administrative decisions under the ADJR Act.

The case will be returned to the Federal Court for decision on the substantive issues.

## **INTERNATIONAL CHILD ABDUCTION**

The High Court case of *DP v Commonwealth Central Authority; JLM v Director-General, NSW Department of Community Services* involved two applications made under the Hague Convention on the Civil Aspects of International Child Abduction ('the Convention') for the return of children to Greece and Mexico, respectively.

The Family Law (Child Abduction Convention) Regulations 1986 provide that a court may refuse to make an order for return if a person opposing return establishes that one of the prescribed grounds is made out. The provision, which implements Article 13 of the Convention, is intended to put the onus of establishing that a defence to return exists on the person who is opposing the return.

The majority of the High Court concluded that an exception to return may be established if sufficient uncontradicted credible evidence supporting the exception is produced by a party opposing return.

It has been suggested that a possible consequence of the decision is that central authorities may have to consider more carefully whether it is necessary to put contradictory evidence forward at trial, to rebut evidence put by a parent opposing return. Failure to do so might mean that a court has no choice but to accept an assertion from the opposing parent that is based on credible and compelling evidence.

In response to this situation, the case may require the Department, which is Australia's Central Authority under the Convention, to make better attempts to get information from overseas central authorities where a parent who has abducted a child is claiming a defence to the return of the child. In such cases it is usually necessary to have evidence about the situation in the country from which the children were taken about issues such as risks of harm.



## APPENDIX 5

### SERVICE CHARTERS

The Attorney-General's Department Service Charter and associated complaints handling policy have been in operation since June 1998. The departmental charter is supplemented by charters covering International Child Abduction, Child Support and Civil Procedure (ICACSCP) and the Trade Measures Review Secretariat (TMRS).

Apart from the departmental areas covered by their own specific service charter and the Australian Protective Service, the Attorney-General's Department has limited direct dealings with members of the public. The Department serves the Government, and through it, the people of Australia.

The general departmental service charter continues to be provided to new recruits at induction. The departmental and ICACSCP charters can be viewed on the Department's website, <http://ag.gov.au>. The TMRS charter can be viewed on <http://www.law.gov.au/tmro>. All charters of the Department are available as hard copy to clients.

The following table sets out the customer service standards contained in each charter and the extent to which they were met during 2001–02.

Charter	Service Standard	Compliance with Service Standard
<b>Attorney-General's Department *</b>	A reply in plain English within 28 days of receipt of complaint, including the name and telephone number of the person dealing with the complaint.	All complaints received a response within 28 days in compliance with standard.
	Personal information only used in accordance with the law.	No misuse of personal information, resulting in a breach of the privacy legislation, has been reported by the Privacy Commissioner for attention.
	Work will be undertaken with care, diligence and sensitivity to the needs of clients.	**
	Strong commitment to accountability and continuous improvement.	**
	Clients will be treated with courtesy, fairness and respect.	**
	Staff will act responsively to client needs.	**

Charter	Service Standard	Compliance with Service Standard
<b>International Child Abduction, Child Support and Civil Procedure</b>	Reply within 28 days of receipt of complaint.	No complaints were received during the reporting period.
	Personal information only used in accordance with the law.	No misuse of personal information, resulting in a breach of the privacy legislation, has been reported by the Privacy Commissioner for attention.
	Correspondence to be a well considered reply in plain English and to include the name and telephone number of the person dealing with the complaint.	**
	Subject to caseload priorities, we will act promptly for clients.	**
	Clients will be treated with courtesy, fairness and respect.	**
	Clients will be referred to the appropriate body if we cannot help.	**
<b>Trade Measures Review Secretariat</b>	Provision of professional and independent support to the Review Officer, ensuring that reviews are conducted in a timely, accurate and fair manner.	No complaints were received during the reporting period.
	Provision of as much access as possible to the review process, ensuring that all interested parties are given the opportunity to have their views considered.	Public notices were published in the Australian Financial Review and all identified parties were notified in writing, inviting an opportunity to provide submissions in relation to the specific matter under review, for each review undertaken.
	Personal information only used in accordance with the law.	No misuse of personal information, resulting in a breach of the privacy legislation, has been reported by the Privacy Commissioner for attention.
	Provision of accurate, concise and well-considered responses in plain English to written correspondence.	No complaints or requests for clarification were received during the period.
	Generally, a written reply within 28 days of receiving your letter will be provided. Alternatively, an interim response outlining the delay and when you can expect a response will be provided.	A written reply within 28 days of receipt of letter was provided in every case.
	Correspondence will include the name and telephone number of the person dealing with your letter.	All correspondence included the name and telephone number of the person dealing with the letter.

\* In addition to the departmental complaints handling procedures, the Australian Protective Service also refers to instructions governing complaints handling detailed in Chapter 3 of *General Orders*, and Chapter 9 of the System Management Guidelines. These documents supplement the departmental complaints handling process with regard to the specific role of the Australian Protective Service and their client dealings, and can be obtained by contacting the Manager, Standards and Integrity Section or can be viewed on the Australian Protective Service homepage. They also serve to support internal management practices by ensuring that all accountability requirements are met fulfilling statutory obligations as set out under the *Australian Protective Service Act 1987*, as well as client management requirements to meet Australian Protective Service accreditation to International Quality Assurance Standards (ISO 9002).

\*\* Qualitative information obtained relating to these performance standards (including complaints data, compliments, and feedback from staff/client focus groups and surveys) indicates that they are being maintained.

Clients of the Department and those of the ICACSCP and TMRS can make a complaint or provide feedback in writing, via e-mail, by telephone or in person. Staff of the Department, wherever possible, are encouraged to resolve complaints immediately. In those instances where a resolution cannot be reached at the time of the complaint, the complaint systems for all three charters require the recording of the following information for investigation and appropriate actioning:

- the Division and officer receiving the complaint;
- the date of the complaint;
- the complainants name, address and contact number;
- how the complaint was made;
- the resolution/decision;
- how the complainant was notified of the resolution/decision and date;
- review of the decision (if required);
- decision/comments/remedial action;
- reviewing officer's name and title;
- appeal rights advised (yes/no).

Of the nine complaints received by the Department during the reporting period, all were directed at the Australian Protective Service. Three complaints were reconciled within 10 working days, with the remainder taking longer to reconcile due to the complexity of the issues and the requirement for further investigation.

# APPENDIX 6

## CONSULTANCY SERVICES



### POLICY ON SELECTION AND ENGAGEMENT OF CONSULTANTS

Departmental policy requires that the approving officer must ensure that the selection processes for consultants will promote open and effective competition to the extent practicable. Departmental selection procedures detail criteria which are to be addressed and also refer to the *Commonwealth Procurement Guidelines* which outline core policies and principles for purchasing activities, including engaging consultants. All consultants were engaged by the Department in accordance with appropriate principles and practices.

Consultancy services are one particular type of service delivered under a contract for services. They are distinguished from other contracts for services by the nature of the work performed. A consultant is an entity, whether an individual, a partnership or a corporation, engaged to provide professional, independent and expert advice or services. Typically, the term consultancy services is used to describe the application of expert professional skills to investigate or diagnose a defined issue or problem; carry out defined research, reviews or evaluations; or provide independent advice, information or creative solutions to assist the agency in management decision making.

A consultancy contract defines the nature and purpose of the task to be performed but not (in any detail) the manner in which the task is to be performed. By contrast, other (non-consultancy) contracts for services are far more restrictive in the degree of latitude afforded to the contractor.

Details of contractors e.g. those engaged through employment agencies for short-term relief or other purposes, are not included, in this report.

The *Requirements for Annual Reports for Department's, Executive Agencies and FMA Act Bodies* specify that the only detailed information required to be published in the annual report relates to new consultancy contracts valued at \$10 000 or more. Information on consultancies let during 2001–02 of value between \$2000 and \$10 000 can be provided on request.

### SUMMARY OF INFORMATION ON CONSULTANCIES

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Number of consultancy services contracts let during 2001–02	45
Total expenditure on consultancy services in 2001–02 (relates to continuing as well as new consultancies)	\$ 3 770 793

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## DETAILS IN RELATION TO NEW CONSULTANCY CONTRACTS OF VALUE \$10 000 OR MORE, LET DURING 2001–02

Name of consultant	Contract price for consultancy (\$)	Purpose	Selection key	Justification key
Arthur Anderson	79 966	External adviser to Australian Protective Service on a Human Rights and Equal Opportunity Commission complaint	e	E
Borland Australia	1 026 196	Provide software development services for a new data collection system for the Commonwealth Community Legal Services Program	b	A
Community Link Australia	318 875	Provide strategic services to support the implementation of a new data collection system for the Commonwealth Community Legal Services Program	b	A
Courage Partners	19 500	External adviser to Australian Protective Service Standards & Integrity Section	e	A
Davis Computer Consultants Pty Ltd	88 120	Advice on finance and human resource systems configuration	d	A
Deafness Forum Ltd	90 000	Facilitate the involvement of, and consultation with, the disability community in the development of disability standards under the <i>Disability Discrimination Act 1992</i>	d	A
Deloitte Consulting	408 408	Managed Services – SAP system project	c	A
Deloitte Touch Tohmatsu	17 060	Financial statements quality assurance	c	E
Elliot & Shanahan Research Pty Ltd	170 720	Developmental research on issues associated with separating and divorcing parents' responsibilities towards their children, and to determine the related barriers and triggers to improving and increasing access to and the use of non-adversarial dispute resolution services	b	A,E
Empower Group	30 000	Monitor client satisfaction with the level of performance of legislative drafting and publishing services, and develop strategies to improve those services	e	E
Empower Group	27 745	Conduct of departmental staff opinion poll	c	E
Ernst & Young	46 432	Assist with the preparation of tender specifications for the Voice and Data Request for Tender, and the Applications Development and Maintenance Request for Proposal	f	A
Estill and Associates	50 000	Production of a handbook to reduce recidivism in indigenous communities	c	A
Everzen Pty Ltd	16 275	Review of management accounting reports	e	A

<b>Name of consultant</b>	<b>Contract price for consultancy (\$)</b>	<b>Purpose</b>	<b>Selection key</b>	<b>Justification key</b>
F1 Solutions	93 500	Develop computerised Air Security Officer Program rostering system	f	A
Griffith University	345 000	Design and deliver a professional development program for family law lawyers	b	A,E
Institute of Arbitrators and Mediators	132 000	Evaluate the effectiveness of professional development programs delivered to family dispute management practitioners	b	A,E
IT&T Careers	94 445	Advice on computer system application enhancements	d	A
Jakeman, Miles	54 000	Australian Protective Service business development, marketing and launch strategy and provision of a range of other business support requirements including business intelligence reports on clients, preparation of tender proposal and negotiation of contract with Department of Foreign Affairs and Trade.	f	A
Jakeman, Miles	60 000	Oversight and manage the Australian Protective Service and Department of Immigration and Multicultural and Indigenous Affairs (DIMIA) tender team; develop strategies and business models for the management of DIMIA's Immigration Transition Facilities; prepare an Expression of Interest and tender in response to DIMIA's Request for Tender; Project Manager for Enhanced Aviation Security Capability project	e	A
Joyce, Alan	29 342	Review overall Australian Protective Service approach to internal protective security; undertake security reviews of client premises and operations; Act as Agency Security Advisor; develop value added business models to enhance Australian Protective Service risk products; undertake a fraud risk review of operations	f	B
La Trobe University	49 005	Develop and implement a nationally consistent training package for intake/screening staff of primary dispute resolution programs in legal aid commissions	b	A,E
La Trobe University	368 500	Design and deliver a professional development program to family dispute management practitioners	b	A,E
Melbourne International Enterprises Ltd	80 000	To provide a national profile of approaches to diverting juveniles from the criminal justice system, including the identification of different models and examples of good practice.	b	A
Melbourne University	41 364	Conduct of national training needs analysis on emergency management training for States and Territories	c	B

Name of consultant	Contract price for consultancy (\$)	Purpose	Selection key	Justification key
PSI Consulting	37 158	Assist with the preparation of tender specifications and Request for Tender for the Help Desk, and the Applications Development and Maintenance Request for Proposal	c	A
Public Interest and Advocacy Centre	19 800	Strategic advice and organisation of the National Pro Bono Workshop	f	A
Public Interest and Advocacy Centre	158 570	Establish the National Pro Bono Resource Centre	b	A,E
Success Works	150 000	Evaluation of the Prisoners and their Families Project	b	A
Tall Poppies*	15 400	Focus group testing of Lock Burglars Out brochure	d	A
University of New South Wales and the University of Technology (Sydney) represented by the Australian Legal Information Institute (AustLII)	39 000	Develop an Internet-based searchable legal information database facility for the Indonesian Ministry of Justice and Human Rights	d, f	A
University of South Australia	100 000	Development of National Endorsed Crime Prevention Competency Standards	a	A, E
Urbis Keys Young	80 000	Conduct of a national profile on mentoring programs, and the review of literature on best practice in mentoring	b	A

**Selection Key**

- a Publicly advertised.
- b Public tender.
- c Selective tender.
- d Direct engagement of recognised and pre-eminent expert.
- e Direct engagement of consultant previously undertaking closely related work for Department.
- f Direct engagement of consultant known to have requisite skills where the value of the project did not justify expense or delay associated with seeking tenders.

**Justification Key**

- A Special skills not available within the Department.
- B Special skills available within the Department but because of other staff resource priorities consultant engaged.
- C Participation of outside professional is a requirement of the Department of Finance and Administration.
- D Requirement to use particular consultant a condition of conducting project for client.
- E Need for independent study or assessment.
- F Need for change agent or facilitator.
- G Need for rapid access to latest technology or experience with application.

**Notes:**

- (1) In some instances additional costs for expenses and travel have been met from ordinary departmental administrative cost allocations. Resources are not available to conduct the detailed searches of individual financial transaction records required to identify such costs.
- (2) \* identifies consultancy also reported in Appendix 7 'Advertising and Market Research'.

# APPENDIX 7

## ADVERTISING AND MARKET RESEARCH



Under section 311A of the *Commonwealth Electoral Act 1918*, the Department is required to disclose payments to specific types of organisations. The organisations are categorised into advertising agencies, market research organisations, polling organisations, direct mail organisations, and media advertising organisations. The categories of organisation to which payments were not made during 2001–02 were creative advertising agencies and polling organisations. Details of payments to other organisations are as follows:

Name of Organisation	Payment (\$)	Purpose	Key
Australia Security Industry Association Limited	2 300	Advertisements outlining the services available from the Australian Protective Service	e
Muirgen Nominees Pty Ltd	5 958	Market testing of the anti bullying resource materials for parents and teachers	b
Starcom Worldwide (Australia) Pty Ltd	191 365	Non-campaign advertising (recruitment, job vacancies)	e
Starcom Worldwide (Australia) Pty Ltd	21 253	Request for tender to establish the National Pro Bono Resource Centre	e
Starcom Worldwide (Australia) Pty Ltd	1 981	Invitation to members of the public, in identified areas, to apply to be authorised as civil marriage celebrants	e
Starcom Worldwide (Australia) Pty Ltd	5 030	Request for tender for establishing a women's legal service in Western Australia	e
Starcom Worldwide (Australia) Pty Ltd	7 499	Advertisement seeking expressions of interest for the review of various aspects of the <i>Copyright Amendment (Digital Agenda) Act 2000</i> and related matters	e
Starcom Worldwide (Australia) Pty Ltd	14 621	Advertising of the Privacy and Security in the Information Age Conference	e
Starcom Worldwide (Australia) Pty Ltd	5 721	Request for submissions to the 12-month Review of the Northern Territory Pre-Court Diversion Scheme	e
Starcom Worldwide (Australia) Pty Ltd	5 994	Request for tender for the Development of National Endorsed Crime Prevention Competency Standards	e
Starcom Worldwide (Australia) Pty Ltd	2 502	Request for tender to Evaluate the Prisoners and their Families Program	e
Starcom Worldwide (Australia) Pty Ltd	5 787	Request for tender for the National Review of Mentoring Youth-at-Risk	e
Tall Poppies*	15 400	Focus group testing of Lock Burglars Out brochure	b

Name of Organisation	Payment (\$)	Purpose	Key
Universal Express	48 228	Mailing house services for National Crime Prevention program publications	d
Vertical Markets	1 900	Advertisements outlining the services available from the Australian Protective Service	e

**Key**

- a Paid to a creative advertising agency to develop advertising campaign
- b Paid to a market research organisation
- c Paid to a polling organisation
- d Paid to a direct mail organisation, creative agency or direct marketing agency for the creation and distribution of direct mail materials
- e Paid to a media advertising organisation for placing government advertising (both campaign and non-campaign) in the media

**Note:**

(1) \* identifies consultancy let for advertising and market research that is also reported in Appendix 6 'Consultancy Services'.

## APPENDIX 8

### STAFF PROFILE



The tables below show staffing details for the Department at 30 June 2001 and 30 June 2002. This will be the last occasion on which staffing details for the Australian Protective Service will be shown, as it is now part of the Australian Federal Police.

Table 8.1 provides a breakdown by location (region), broad-banded classification and gender for the core Department and the Australian Protective Service. It includes all staff employed by the Department under the *Public Service Act 1999*, i.e. ongoing (previously described as permanent), non-ongoing (previously described as temporary or casual), full-time and part-time. Part-time staff are shown as full-time equivalents.

Table 8.2 shows staff numbers by head count, that is, part-time staff are shown as the number of people employed, not full-time equivalents. Therefore, there is no correlation between the total figures in the two tables. The total figures in Table 8.1 will be smaller than those shown in Table 8.2.

For the purposes of these tables, part-time staff are defined as staff members who work less than the standard hours per week (standard hours being 36 hours 45 minutes).

Only those staff who were paid by the Department are counted for the purposes of these tables. Staff who were on leave without pay are not counted.

**TABLE 8.1 STAFFING BY LOCATION (REGION), BROAD-BANDED CLASSIFICATION AND GENDER – PAID STAFF**

[includes ongoing, non-ongoing, full-time and part-time (full-time equivalent)]

	At 30 June 2001						At 30 June 2002									
	SES		EL1-2 & equiv		APSL1-6 & equiv		SES		EL1-2 & equiv		APSL1-6 & equiv		Total			
	M	F	M	F	M	F	M	F	M	F	M	F	M	F		
<b>Attorney-General's Department (core)</b>																
Australian Capital Territory	30.0	14.0	122.4	108.7	75.1	191.8	227.5	314.5	33.0	17.7	133.8	116.7	85.7	206.3	252.5	340.7
Victoria	-	-	-	-	-	-	-	-	0	0	11.0	5.0	14.5	20.9	25.5	25.9
Total	30.0	14.0	122.4	108.7	75.1	191.8	227.5	314.5	33.0	17.7	144.8	121.7	100.2	227.2	278.0	366.6
<b>Australian Protective Service</b>																
Australian Capital Territory	2.0	0	22.0	0	180.6	37.9	204.6	37.9	2.0	0	30.0	4.0	366.0	71.4	398.0	75.4
New South Wales	0	0	7.0	0	157.8	14.3	164.8	14.3	0	0	4.0	0	187.4	20.0	191.4	20.0
Victoria	0	0	2.0	0	60.0	8.8	62.0	8.8	0	0	2.0	0	75.8	8.0	77.8	8.0
Queensland	0	0	2.0	0	53.0	6.0	55.0	6.0	0	0	2.0	0	62.0	8.0	64.0	8.0
South Australia	0	0	1.0	0	10.2	2.0	11.2	2.0	0	0	1.0	0	20.0	3.0	21.0	3.0
Western Australia	0	0	1.0	0	42.0	8.0	43.0	8.0	0	0	0	0	79.0	9.0	79.0	9.0
Tasmania	0	0	0	0	0	0	0	0	0	0	0	0	1.0	0	1.0	0
Northern Territory	0	0	2.0	0	49.8	8.0	51.8	8.0	0	0	1.0	0	56.9	8.0	57.9	8.0
Total	2.0	0	37.0	0	553.4	85.0	592.4	85.0	2.0	0	40.0	4.0	848.1	127.4	890.1	131.4
<b>DEPARTMENTAL TOTAL</b>	<b>32.0</b>	<b>14.0</b>	<b>159.4</b>	<b>108.7</b>	<b>628.5</b>	<b>276.8</b>	<b>819.9</b>	<b>399.5</b>	<b>35.0</b>	<b>17.7</b>	<b>184.8</b>	<b>125.7</b>	<b>948.3</b>	<b>354.6</b>	<b>1168.1</b>	<b>498.0</b>

**TABLE 8.2 STAFF NUMBERS BY BROAD-BANDED CLASSIFICATION/GENDER AND EMPLOYMENT CATEGORY/EMPLOYMENT STATUS – PAID STAFF**

**Attorney-General's Department (core)**

	At 30 June 2001						At 30 June 2002					
	Ongoing			Non-ongoing			Ongoing			Non-ongoing		
	Total	F-T	P-T	F-T	P-T	F-T	P-T	Total	F-T	P-T	F-T	P-T
SES	14	13	1	0	0	0	0	18	16	2	0	0
Female	14	13	1	0	0	0	0	18	16	2	0	0
Male	30	30	0	0	0	0	0	33	32	1	0	0
EL1-2 & equiv.	114	90	17	6	1	1	1	127	105	16	6	0
Female	123	119	2	2	0	0	0	146	134	5	7	0
Male	200	154	15	24	7	7	234	191	16	16	23	4
APSL1-6 & equiv.	76	67	1	8	0	0	101	89	2	10	10	0
Female	328	257	33	30	8	8	379	312	34	29	4	4
Male	229	216	3	10	0	0	280	255	8	17	0	0

**Australian Protective Service**

	At 30 June 2001						At 30 June 2002					
	Ongoing			Non-ongoing			Ongoing			Non-ongoing		
	Total	F-T	P-T	F-T	P-T	F-T	P-T	Total	F-T	P-T	F-T	P-T
SES	0	0	0	0	0	0	0	0	0	0	0	0
Female	2	2	0	0	0	0	0	2	2	0	0	0
Male	1	1	0	0	0	0	0	4	3	0	1	0
EL1-2 & equiv.	29	29	0	0	0	0	0	40	35	0	4	1
Female	84	71	6	6	1	1	128	106	2	18	2	2
Male	635	616	3	11	5	5	849	773	4	71	1	1
APSL1-6 & equiv.	85	72	6	6	1	1	132	109	2	19	2	2
Female	666	647	3	11	5	5	891	810	4	75	2	2
Male												



## APPENDIX 9

### STAFF ACHIEVEMENTS

#### PUBLIC SERVICE MEDAL

**James Faulkner**, Office of Legal Services Coordination—for outstanding public service in relation to the negotiation of the new federal corporations legislation.

#### AUSTRALIA DAY AWARDS

**John Atwood**, Office of International Law—for his outstanding contribution to the negotiation of treaties on behalf of Australia.

**Bruce Bannerman**, Criminal Justice Division—for his outstanding personal contribution, perseverance and relationship building skills which led to the passage of 20 Acts to complete the harmonisation of Commonwealth offences with the new Criminal Code.

**Robert Borg**, Australian Protective Service—in recognition of his significant and valued contribution to the Australian Protective Service and the broader airport community particularly in the areas of personal security, recruit training and bomb awareness procedures.

**Claudia Di Placido**, Office of Legislative Drafting—for the achievement of high standards in the management and application of quality assurance processes in relation to instruments prepared by the Office of Legislative Drafting.

**Andrew Gradie**, Australian Protective Service—for significant contribution to the Australian Protective Service National Training Centre in the fields of administration and client service operations.

**Lyne Green**, Secretary of the Attorney-General's Social Club—in recognition of her contribution to the social club, especially the organisation of special events for, and promotion of services to, members particularly and departmental staff in general.

**Barry Jeffress**, Corporate Services Group—for his efforts in preparing the Department's Centenary Book and his work in the preparation of the Annual Report over a number of years.

**Carmel Meiklejohn**, Information and Knowledge Services Group—for her outstanding efforts in compiling and editing the Department's Centenary Book.

**Sandra Purser**, Office of Legal Services Coordination—for conceiving and implementing special projects, and achieving tremendous results.

**Leigh Schneider**, Office of Legislative Drafting—for the achievement of high standards in the provision of legislative drafting services, particularly in connection with ongoing work in relation to the Financial Services Reform package.

**Stephen Bourke**, **Peter Meibusch** and **Deborah Turner**, Family Law and Legal Assistance Division, **Claire Parkhill**, Office of Legislative Drafting—for outstanding efforts in drafting amendments to the Family Law Act and the Family Law Regulations in relation to superannuation.

**Alexandra Downie**, **Don Lowden** and **Judy Twells**, Criminal Justice Division—for outstanding contribution to the management of case-work relating to federal prisoners.

**Jamie Salloum** and **Kelly Williams**, Information and Security Law Division—in recognition of efforts on national security following the terrorist attacks on the United States.

**Peter Arnaudo, Jill Baillie, Amanda Davies, Toni Dawes and Cat Fitch**, Civil Justice Division—for facilitating participation in the community by people with disabilities through the development of disability standards.

**Staff of the Protective Security Coordination Centre, Public Affairs and other divisions of the Department** in response to the terrorist attacks in the United States on 11 September 2001.

## OTHER AWARDS

**Mark Nicholas**, Protective Security Coordination Centre—awarded the Standing Advisory Committee on Commonwealth–State Cooperation for Protection Against Violence (SAC-PAV) Certificate of Merit in recognition of his major contribution to SAC-PAV capability development since 1987.

**Martin Studdert**, Director Australian Protective Service—awarded the AVSEC Award for Outstanding Officer in Aviation Security at the Asian Pacific Aviation Security Seminar held in Singapore in April 2002.

**Martin Studdert**, Director Australian Protective Service—awarded a special Dignatory Award for outstanding service to the International Association of Bomb Technicians and Investigators.

**Officers of the Australian Protective Service**—awarded the Aviation Security Award for Excellence in Aviation Security at the Asian Pacific Aviation Security Seminar held in Singapore in April 2002.

**Officers of Emergency Management Australia**—awarded the New South Wales Meritorious Service Commendation in recognition of their role in the coordination of Commonwealth assistance during the Black Christmas 2001 bushfires.

## OTHER ACHIEVEMENTS

**John Atwood**, Office of International Law—elected Vice President of the Diplomatic Conference to adopt the Convention on International Interests in Mobile Equipment.

## AUSTRALIAN PROTECTIVE SERVICE AWARDS

The National Medal is designed to recognise 15 years of diligent service by members of a uniformed force. It is awarded by the Governor-General on the recommendation of the chief officer of the relevant service. The Director's Awards are designed to recognise Australian Protective Service officers whose performance and dedication is outstanding. Recipients for 2001–02 are set out below.

### NATIONAL MEDAL

Wayne Cartwright.

### DIRECTOR'S AWARD

Matthew Roos.



## APPENDIX 10

### OCCUPATIONAL HEALTH AND SAFETY

This report is presented in accordance with the requirements of s.74 of the *Occupational Health and Safety (Commonwealth Employment) Act 1991* (the Act).

The Department's Occupational Health and Safety policy and agreement was implemented in 2001. The policy and agreement are two separate documents, which comply with element 1 of Comcare's 'Safety Map' audit tool. The documents are available to all staff electronically, through the Department's Intranet.

The Department is committed to providing a healthy and safe work environment for all staff, contractors and visitors. It is important to recognise the value of prevention activities, which identify and eliminate hazards and which managers and staff are committed to integrating into day to day business.

The Occupational Health and Safety Committee has met regularly throughout the year and the minutes of the meetings are available to staff electronically. Selections were conducted for Deputy Health Representatives and Safety Representatives.

#### REPORTING REQUIREMENTS UNDER THE ACT

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##### **Section 68 Occurrences**

(notification and reporting of accidents and dangerous occurrences)

There were three notifications.

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##### **Investigations**

No investigations were conducted.

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##### **Section 45 Directions**

(Power to direct that workplace etc. not be disturbed)

No directions were given to the Department under s.45 of the Act.

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##### **Section 30 Notices**

(Duties of employers in relation to health and safety representatives)

No notices were issued under s.30 of the Act.

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##### **Section 46 Notices**

(Power to issue prohibition notices)

No notices were issued under s.46 of the Act.

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##### **Section 47 Notices**

(Power to issue improvement notices)

No notices were issued under s.47 of the Act.

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#### GENERAL OUTCOMES

The Department continued to conduct regular workplace inspections throughout 2001–02. Reports were provided to Division Heads outlining suggested recommendations and improvements. There was a visible improvement across the Department, with divisions displaying an ongoing commitment to eliminating OH&S hazards. Staff awareness of OH&S has also increased, resulting in early intervention and prevention of workplace injuries and illness.

A departmental sponsored 'Quit Smoking' program, conducted by the ACT Cancer Society, was introduced during the year. An initial information session provided an overview of the program and the commitment required by individuals. There was limited interest in committing to the program, however 50 per cent of those that participated successfully quit smoking. The program will be made available annually.

Recognising that not all smokers are interested in undertaking the Quit Smoking program, the Department also introduced other solutions to assist staff to quit smoking. For example, the Department would reimburse up to \$100 for supporting other solutions such as acupuncture, patches, hypnotherapy and nicotine (gum) etc. Staff are required to have a certificate from their medical practitioner supporting the chosen method, with reimbursement limited to once in a 12 month period.

A number of OH&S policies were reviewed and implemented during 2001–02:

- accident and occurrence reporting;
- return to work;
- smoke free work environment;
- prevention and control of infectious diseases.

The Department continues to facilitate staff attendance at lunchtime activities designed to enhance the health and well-being of staff. Posture and flexibility classes are designed to stretch all parts of the body, although there is a strong focus on the back, neck and shoulders. Seated workplace massage aims to prevent occupational overuse syndrome, muscle strain, stress and other related injuries.

## PRIORITIES FOR 2002–03

The Department’s priorities for 2002–03 are:

- implementing the Health and Wellbeing initiative in Attorney-General’s Agreement 2002;
- implementing the Rehabilitation initiative in Attorney-General’s Agreement 2002 for non-compensation illness and injuries;
- tendering for the Employee Assistance Program Provider;
- implementing the Aurion Human Resource OH&S module.

## AUSTRALIAN PROTECTIVE SERVICE OH&S MATTERS

The Australian Protective Service has been experiencing increases in workers’ compensation expenses and claims. An ‘Injury Prevention and Management’ strategy in collaboration with Comcare commenced in September 2001 to assist the Australian Protective Service to more effectively address the human and financial cost of its workplace injuries and disease. This program will continue in 2002–03. Details of matters required to be reported under the Act are set out below.

<b>Section 68 Occurrences</b>	There were 27 notifications.
<b>Investigations</b>	No investigations were conducted
<b>Section 45 Directions</b>	No directions were given under s.45 of the Act
<b>Section 30 Notices</b>	No notices were issued under s.30 of the Act
<b>Section 46 Notices</b>	No notices were issued under s.46 of the Act
<b>Section 47 Notices</b>	No notices were issued under s.47 of the Act



## APPENDIX 11

### COMMONWEALTH DISABILITY STRATEGY

The Commonwealth Disability Strategy (CDS) is designed to assist agencies to improve access, for people with disabilities, to their programs, services and facilities. Under this strategy, Departments are required to provide an assessment of their performance in implementing the CDS framework.

This performance reporting framework has been built around five key roles of policy adviser, regulator, purchaser, provider and employer. The Attorney-General's Department reports on its role as employer and policy adviser.

#### EMPLOYER ROLE

**Performance Indicator 1: Employment policies, procedures and practices comply with the requirements of the *Disability Discrimination Act 1992*.**

**Performance measure:** Number of employment policies, procedures and practices that meet the requirements of the *Disability Discrimination Act 1992*.

**Current level of performance 2001–02:** The Department has approximately 40 employment policies and programs. All were considered/reviewed as part of the development of the Certified Agreement 2002, and took into consideration the principles of the *Disability Discrimination Act 1992* and requirements of the *Public Service Act 1999*. These policies and programs contribute to non-discriminatory workplace practices and comply with the Disability Discrimination Act.

The Equity and Diversity Adviser was a member of the Department's Information Management Advisory Group to advise on disability considerations. A special interest group of people who identify as having a disability was formed to advise the Equity and Diversity Adviser on matters of importance to them. People with disabilities were also consulted on the introduction of the Department's electronic personal diary recording system.

An analysis of complaints/grievances revealed that there were no complaints made by staff with disabilities regarding current work practices.

Analysis of the Staff Opinion Poll conducted during the reporting period revealed that there was no discrimination on the basis of disability.

**Goals for 2002–03:** The Department will undertake a review of the following employment policies and procedures in keeping with the principles of the Disability Discrimination Act:

- Occupational Health and Safety Policy
- Workplace Diversity Program
- People Development Strategy

**Actions for 2002–03:** The Department's Equity and Diversity Adviser will provide a briefing on the principles of the Disability Discrimination Act to all employment policy project teams.

During the review of the Workplace Diversity Program specific attention will be given to the principles of the Disability Discrimination Act.

**Performance Indicator 2: Recruitment information for potential job applicants is available in accessible formats on request.**

**Performance measures:**

Percentage of recruitment information requested and provided in:

- accessible electronic formats;
- accessible formats other than electronic.

Average time taken to provide accessible information in:

- electronic formats;
- formats other than electronic.

**Current level of performance 2001–02:** During 2001–02, the Department did not receive any requests for recruitment information to be provided in accessible formats. However, all recruitment information is posted on the Department's Internet site and is 'bobby' compliant.

**Goals for 2002–03:** 100 per cent of requests for electronic information to be fulfilled within 48 hours of request.

100 per cent of customers requesting information in accessible formats (other than electronic) will be advised of the expected delivery date of their preferred format within 48 hours of request.

Where necessary, extensions to the closing date for applications will be made in keeping with the time taken to supply information in accessible formats.

**Actions for 2002–03:** By September 2002

- the Department's Recruitment Selection Guidelines will alert managers and external recruiters to the need for procedures for handling a request for information in accessible formats;
- the Department's recruitment staff will maintain a log of all requests for information in accessible formats and the timeframes involved.

**Performance Indicator 3: Agency recruiters and managers apply the principle of reasonable adjustment** (Where a person can perform the inherent requirements of a job, an employer is required to make reasonable adjustments to the workplace or work practices to accommodate any additional needs that the person may have.)

**Performance measure:** Percentage of recruiters and managers provided with information on reasonable adjustment.

**Current level of performance 2001–02:** Managers and recruiters provided with information on reasonable adjustment as required. Advice on reasonable adjustment is available from the Employee Relations Section. Performance measure for managers is 100 per cent.

**Goals for 2002–03:** 100 per cent of internal recruiters will receive advice on reasonable adjustment at the start of the recruitment process through the Department's revised Recruitment and Selection Guidelines.

100 per cent of managers will receive updated advice on the principles and practice of reasonable adjustment through the Department's revised Recruitment and Selection Guidelines.

**Actions for 2002–03:** The Department's recruitment staff will update the Recruitment and Selection Guidelines by August 2002 to include advice on reasonable adjustment.

The Employee Relations Section, when reviewing the Department's performance management system will include information on reasonable adjustment in accordance with the review timetable.

All managers will be advised of the changes to the Recruitment and Selection Guidelines during 2002–03.

**Performance Indicator 4: Training and development programs consider the needs of staff with disabilities.**

**Performance measure:** Percentage of training and development programs that consider the needs of staff with disabilities.

**Current level of performance 2001–02:** All training programs are developed in consideration of people with disabilities, and staff are invited to identify special needs when registering for attendance at training programs.

**Goals for 2002–03:** 100 per cent of training and development nomination forms will request people to identify any disability related needs at the time of registration.

100 per cent of staff with disabilities who attend training or development programs report having their particular access needs addressed.

**Actions for 2002–03:** The Development Adviser to

- include a question on the training nomination form, by September 2002, that requests staff to identify their particular disability access needs;
- ensure that all identified needs are addressed;
- include a question on the training evaluation form, by September 2002, requesting people to identify any needs not met during the course.

**Performance Indicator 5: Training and development programs include information on disability issues as they relate to the content of the program.**

**Performance measure:** Percentage of training and development programs that include information on disability issues as they relate to the program.

**Current level of performance 2001–02:** The Department offers 26 training and development programs - 59 sessions were conducted during the year.

Five programs (11 sessions) – Induction, People Management, Performance Management (Program for Performance Improvement), Staff Selections and Managing Poor Performance make mention of disability issues.

**Goals for 2002–03:** 100 per cent of management and leadership training programs will make mention of people with disabilities and the principle of reasonable adjustment.

**Actions for 2002–03:** The Manager, People Development and the Development Adviser will:

- ask all training and development consultants to integrate the ideas or case studies from the Commonwealth Disability Strategy Training Resources, where appropriate, into course content on an ongoing basis;
- record which training and development programs integrate disability issues into the course content, on a quarterly basis.

**Performance Indicator 6: Complaint/grievance mechanism, including access to external mechanisms, in place to address issues and concerns by staff.**

**Performance measure:** Established complaints/grievance mechanisms, including access to external mechanisms in operation.

**Current level of performance 2001–02:** The Department has an established process for complaints handling, which includes access to external mechanisms, e.g. Employee Assistance Program, Australian Public Service Commission.

An analysis of complaints during the reporting period revealed no complaints or grievances involved disability issues in the workplace.

**Goals for 2002–03:** 100 per cent of staff to receive updated advice on the complaints/grievance process.

**Actions for 2002–03:** The Human Resources Branch, by June 2003, to update and distribute advice on the complaints/grievance process and available avenues of support.

## POLICY ADVISER ROLE

**Performance Indicator 1: New or revised policy/program proposals assess impact on the lives of people with disabilities prior to decision.**

**Performance measure:** Percentage of new or revised policy/program proposals that document consideration of the impact of the proposal before taking any decision.

**Current level of performance 2001–02:** All relevant policies/programs are assessed for their impact on the lives of people with disabilities prior to decision. Areas of particular focus include work on access to information on copyright issues and the ongoing development of Disability Standards for accessibility to public transport, public premises and education.

Regular and widespread feedback is received from the disability community and peak bodies to ensure understanding of the impact of relevant policies/programs on people with disabilities.

**Performance Indicator 2: People with disabilities are included in consultation about new or revised policy/program proposals.**

**Performance measure:** Percentage of consultations about new or revised policy/program proposals that are developed in consultation with people with disabilities.

**Current level of performance 2001–02:** The Department provides funding to the Disability Discrimination Standards Project to ensure that extensive and effective consultation is maintained with the disability community and peak bodies in relation to relevant policies/programs. Departmental representatives meet with appropriate representatives in a variety of forums to consult on proposals that affect people with disabilities.

**Performance Indicator 3: Public announcements of new, revised or proposed policy/program initiatives are available in accessible formats for people with disabilities in a timely manner.**

**Performance measure:** Percentage of new, revised or proposed policy/program announcements available in a range of accessible formats.

Time taken in providing announcements in accessible formats.

**Current level of performance 2001–02:** The Department publishes all new, revised and proposed policy/program announcements electronically in a minimum of two formats suitable for screen-readers. The preferred formats for publishing are Hypertext Markup Language and Microsoft Word. All formats are published the same day as public announcements are made.



## APPENDIX 12

### EXTRADITION, MUTUAL ASSISTANCE AND CRIMINAL JUSTICE CERTIFICATES

#### 12.1 EXTRADITION MATTERS DEALT WITH IN 2001–02 OR CONTINUING AS AT 30 JUNE 2002<sup>o</sup>

##### EXTRADITION REQUESTS MADE BY AUSTRALIA

Requests carried forward from 2000–01	13
New requests made	7
Requests granted	4
Requests withdrawn	4
Requests refused	1
Requests otherwise discontinued	1
Requests continuing	10

The requests were granted by the following countries:

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Hong Kong – Special Administrative Region of the People’s Republic of China	1
Thailand	1
United States	2

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The persons surrendered to Australia were citizens of the following countries:

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Australia	2
China	1
United Kingdom	1

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Persons were surrendered for the following major categories of offences:

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Drugs	2
Murder	1
Perjury	1

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*One of the above persons surrendered faced multiple types of charges upon extradition.*

In previous reporting years, Australia has requested the prosecution of persons in foreign countries following the refusal by those countries of Australian extradition requests on the grounds of nationality. As at 30 June 2002, two such cases are continuing.

<sup>o</sup> During the reporting period the Extradition Unit of the Department has developed and implemented an electronic records and statistical retrieval system to replace the paper-based system used in previous reporting periods. This more accurate and comprehensive system, and the process of transcribing paper-based records and archival information to it, have identified some discrepancies between opening and closing balances.

The following countries were still considering requests:

Canada	2
The Netherlands	1
Poland	1
South Africa	1
Spain	1
Thailand	1
United Kingdom	2
United States	1

### EXTRADITION REQUESTS MADE TO AUSTRALIA

Requests carried forward from 2000–01	32
New requests received	16
Requests granted	8
Requests refused	3
Requests otherwise discontinued	1
Requests continuing	36

Requests were granted to the following countries:

Hong Kong Special Administrative Region of the People's Republic of China	1
Mexico	1
The Netherlands	2
South Korea	2
United States	2

The people surrendered by Australia were citizens of the following countries:

Australia	1
Israel	1
Mexico	3
The Netherlands	1
South Korea	2

*Four of the people surrendered consented to being returned to the requesting country.*

Persons were surrendered for the following major categories of offences:

Drugs	3
Embezzlement	1
Fraud	4
Money laundering	2

*Some of the above persons surrendered faced multiple types of charges upon extradition.*

Requests were still under consideration for the follow countries:

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Argentina	1
Croatia	2
Germany	2
Greece	1
Hungary	5
Indonesia	1
Iraq	1
Italy	2
Mexico	1
Poland	6
Portugal	1
South Africa	2
Spain	2
United Kingdom	2
United States	7

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*Note: Extradition requests vary considerably in complexity and time taken to resolve. The complexity of an extradition request is dependent on the criminal offences and the criminal conduct underlying the offences. The time taken to resolve an extradition request can vary from a few years, if a fugitive wishes to contest extradition and exercise all appeals, to a few months if a fugitive consents to extradition.*

## 12.2 MUTUAL ASSISTANCE MATTERS DEALT WITH IN 2001–02 OR CONTINUING AS AT 30 JUNE 2002

### MUTUAL ASSISTANCE REQUESTS MADE BY AUSTRALIA

Requests carried forward from 2000–01	54
New requests made	88
Requests executed	44
Requests otherwise completed	21
Requests continuing	77

The requests were executed by the following countries:

Belgium	2	Korea	1
Canada	1	Malta	1
France	3	New Zealand	8
Germany	1	Norway	1
Hong Kong – Special Administrative Region of the People’s Republic of China	9	Poland	1
Israel	1	Thailand	1
Italy	2	United Kingdom	4
		United States of America	6
		Vanuatu	2

The types of assistance granted to Australia can be categorised as follows:

Obtain bank/business records	12
Take evidence	1
Search and seizure	4
Proceeds of crime	2
Service of documents	1
Other (obtain statement/conduct interview; obtain criminal records; obtain company records; obtain telecommunications records; obtain e-mail records etc.)	24

Twenty-one requests made by Australia were not executed by the foreign countries to which the requests were made. In 14 of those cases, the request was withdrawn by Australia.

**MUTUAL ASSISTANCE REQUESTS MADE TO AUSTRALIA**

Requests carried forward from 2000–01	45
New requests	156
Requests executed	78
Requests otherwise completed	13
Requests continuing	110

Requests were executed for the following countries:

Austria	1	Norway	1
Canada	1	Papua New Guinea	1
Czech Republic	2	Poland	1
Denmark	1	Portugal	1
France	1	Russia	2
Germany	2	Slovak Republic	1
Greece	3	Slovenia	1
Hungary	21	Spain	1
Israel	2	Switzerland	4
Italy	1	Turkey	6
Lithuania	4	United Kingdom	7
The Netherlands	5	United States of America	3
New Zealand	3	Vanuatu	2

The types of assistance granted by Australia can be categorised as follows:

Obtain bank/business records	9
Take evidence	5
Search and seizure	4
Service of documents	31
Other (obtain statement/conduct interview; obtain telecommunications records; obtain brief of evidence; obtain certificates of conviction etc.)	29

There were 13 requests made to Australia that were not executed by the Australian authorities for the following reasons:

- in three of the cases, prosecution was not being pursued and/or the request was withdrawn;
- two cases were closed as there was no response to correspondence sent to the foreign country;
- in three cases, the subject of the foreign request could not be located and/or had left Australia;
- there were also five cases involving service of documents that could not be executed as an insufficient address for service had been provided.

One request was received and executed under the *Mutual Assistance in Business Regulation Act 1992* in the past financial year.

## INTERNATIONAL WAR CRIMES

There were 23 new requests for assistance from the International War Crimes Tribunal for the former Yugoslavia in The Hague during 2001–02. Included within these 23 was the first formal request under subsection 26(2) of the *International War Crimes Tribunal Act 1995* to take the evidence of a witness before an Australian court. Other assistance provided to the Tribunal included locating witnesses in Australia, conducting interviews and taking statements from potential witnesses and suspects.

There were no cases on hand concerning the International War Crimes Tribunal for Rwanda.

## 12.3 CRIMINAL JUSTICE CERTIFICATES DEALT WITH IN 2001–02 OR CONTINUING AS AT 30 JUNE 2002

### Criminal Justice Certificates issued:

Commonwealth Entry <sup>1</sup>	7
Commonwealth Stay <sup>1</sup>	48
State Entry (endorsed) <sup>2</sup>	13

### Criminal Justice Certificates cancelled<sup>3</sup>:

Commonwealth Entry	9
Commonwealth Stay	32
State Entry <sup>4</sup>	n/a

### Criminal Justice Certificates current as at 30 June 2002:

Commonwealth Entry	11
Commonwealth Stay	125 #

### Nationalities of persons who hold current Commonwealth Criminal Justice Certificates as at 30 June 2002:

Bolivia	1	Japan	6
Canada	4	Malaysia	10
China	15	The Netherlands	5
Colombia	5	New Zealand	1
Fiji	1	Nigeria	3
Germany	2	Peru	1
Hong Kong – Special Administrative Region of the People’s Republic of China	6	Philippines	1
India	1	Singapore	15
Indonesia	10	South Africa	4
Iraq	3	Spain	3
Ireland	2	Thailand	3
Israel	1	United Kingdom	18
Italy	3	Tonga	1
		United States of America	10
		Uruguay	1

# During the reporting period the Criminal Justice Certificate Unit of the Department has developed and implemented an electronic records and statistical retrieval system to replace the paper-based system used in previous reporting periods. This more accurate and comprehensive system, and the process of transcribing paper-based records and archival information to it, have identified some discrepancies between opening and closing balances.

1 Commonwealth Certificates are issued in relation to proceedings involving Commonwealth offences.

2 State Certificates are issued in relation to proceedings involving State offences. State Entry Certificates are issued by the relevant State agency, and endorsed by the Commonwealth Attorney-General’s Department. State Stay Certificates are issued by the relevant State agency. State Entry and State Stay Certificates may be cancelled by the relevant State agency without notification to the Commonwealth Attorney-General’s Department.

3 Commonwealth Certificates are cancelled by the Commonwealth Attorney-General’s Department.

4 In 2001–02 the Commonwealth Attorney-General’s Department did not receive notification of the cancellation of any State Certificate.

## 12.4 COMPARATIVE STATISTICS FOR EXTRADITION AND MUTUAL ASSISTANCE CASES 1996–97 TO 2001–02

### EXTRADITION REQUESTS MADE BY AUSTRALIA

Year	Cases carried forward	New requests made	Requests granted	Requests refused	Requests otherwise completed
1996–97	15	18	13	2	2
1997–98	16	22	10	2	3
1998–99	23	6	10	0	2
1999–2000	17	6	6	1	0
2000–01	16	7	4	1	0
2001–02 <sup>+</sup>	13	7	4	1	5

### EXTRADITION REQUESTS MADE TO AUSTRALIA

Year	Cases carried forward	New requests made	Requests granted	Requests refused	Requests otherwise completed
1996–97	15	22	8	1	1
1997–98	27	21	8	2	5
1998–99	33	16	8	2	5
1999–2000	34	22	13	3	1
2000–01	39	15	13	1	2
2001–02 <sup>+</sup>	32	16	8	3	1

<sup>+</sup> During the reporting period the Extradition Unit of the Department has developed and implemented an electronic records and statistical retrieval system to replace the paper-based system used in previous reporting periods. This more accurate and comprehensive system, and the process of transcribing paper-based records and archival information to it, have identified some discrepancies between opening and closing balances.

### MUTUAL ASSISTANCE REQUESTS MADE BY AUSTRALIA

Year	Cases carried forward	New requests made	Requests executed	Requests refused	Requests otherwise completed
1996–97	83	79	64	0	10
1997–98 <sup>*</sup>	88	77	83	0	4
1998–99 <sup>*</sup>	72	60	64	1	17
1999–2000 <sup>*</sup>	41	61	61	1	6
2000–01	32	63	31	0	10
2001–02	54	88	44	2	19

### MUTUAL ASSISTANCE REQUESTS MADE TO AUSTRALIA

Year	Cases carried forward	New requests made	Requests executed	Requests refused	Requests otherwise completed
1996–97	46	84	72	4	4
1997–98 <sup>*</sup>	50	104	119	1	0
1998–99 <sup>*</sup>	33	117	84	0	10
1999–2000 <sup>*</sup>	66	149	122	0	5
2000–01	78	153	148	0	38
2001–02	45	156	78	0	13

<sup>\*</sup> Figures for mutual assistance requests during the 1997–98, 1998–99 and 1999–2000 reporting years included work done on matters preparatory and ancillary to the making and execution of mutual assistance requests.

