



# APPENDIXES

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# APPENDIX 1

## REPORTING ARRANGEMENTS FOR OTHER ELEMENTS IN THE ATTORNEY-GENERAL'S PORTFOLIO

Element	Reporting Arrangements
Solicitor-General	A
Administrative Appeals Tribunal	B
Administrative Review Council	B
Australasian Centre for Policing Research	C
Australian Competition Tribunal	D
Australian Crime Commission	B
Australian Customs Service	B
Australian Federal Police	B
Australian Government Solicitor	B
Australian Institute of Criminology	B
Australian Institute of Police Management	C
Australian Law Reform Commission	B
Australian Security Intelligence Organisation	B
Australian Transaction Reports and Analysis Centre	B
Copyright Tribunal	D
Criminology Research Council	B
CrimTrac	B
Defence Force Discipline Appeal Tribunal	D
Family Court of Australia	B
Family Law Council	B
Federal Court of Australia	B
Federal Magistrates Service	B
Federal Police Disciplinary Tribunal	D
High Court of Australia	B
Human Rights and Equal Opportunity Commission	B
Insolvency and Trustee Service Australia	B&E
National Crime Statistics Unit	C
National Institute of Forensic Science	C
National Native Title Tribunal	B
Office of Film and Literature Classification	B
Office of Parliamentary Counsel	B
Office of the Director of Public Prosecutions	B
Office of the Federal Privacy Commissioner	B

**A** Although resourced by the Attorney-General's Department, the Solicitor-General is independent of the Department. The Solicitor-General does not report formally to Parliament.

**B** Separate reports from these bodies are tabled in Parliament.

**C** Reports on activities covered by the Annual Report on administration and activities of National Common Police Services.

**D** Administrative support for these Tribunals is provided by the various Federal Court registries. Information regarding these bodies can be found in the Annual Report of the Federal Court of Australia.

**E** The Attorney-General is required by sub-paragraph 12(1)(d) of the *Bankruptcy Act 1966* to report to Parliament on the operation of the Act.

## APPENDIX 2

# CHANGES TO ATTORNEY-GENERAL'S DEPARTMENT OUTCOMES AND OUTPUTS STRUCTURE

The outcomes and outputs structure and associated performance information depicted in the Portfolio Budget Statements (PBS) for a particular financial year form the basis for reporting in the annual report for that same year. Where there have been changes during the year, the structure in existence at the end of the financial year can form the basis for reporting, provided it is reconcilable with that appearing in the PBS and the Portfolio Additional Estimates Statements (PAES).

Since the publication of the 2002–03 PBS in May 2002, there have been only minor changes to the Department's outcomes and outputs structure and associated performance information. CrimTrac (formerly Output 2.6) has been removed from the Department's outputs structure, as it became a prescribed agency on 1 July 2002. This change was reflected in the 2002–03 PAES. The remainder of the structure was unchanged and is consistent with the structure used for this annual report and the structure appearing in the 2003–04 PBS.

The performance information associated with the Attorney-General's Department outcomes and outputs structure comprises performance measures for administered items and performance measures for Departmental outputs. Performance measures for administered items were unchanged over the reporting period. The performance information for Outputs 1.2 and 2.1 has been slightly modified to more accurately reflect the nature of the outputs. The variation in these output measures is set out in the following table, with changes shown in bold for ease of comparison.

CHANGES TO PERFORMANCE MEASURES FOR ATTORNEY-GENERAL'S DEPARTMENT OUTCOMES

DESCRIPTION IN PBS 2002-03	DESCRIPTION IN PAES 2002-03, ANNUAL REPORT 2002-03, AND PBS 2003-04	DESCRIPTION IN PBS 2002-03	DESCRIPTION IN PAES 2002-03, ANNUAL REPORT 2002-03, AND PBS 2003-04
<p><b>OUTPUT 1.2:</b> Support for the Attorney-General as First Law Officer, advice on constitutional policy, and promotion of Australian legal services internationally</p> <p>Advancement of a national legal profession Policies, and their administration, maintain and develop an institutional framework for the efficient and timely delivery of high quality legal services to the Commonwealth</p> <p>Development and advancement of legal services and legal cooperation between Australia and the Asia-Pacific Region</p> <p>Timely and effective coordination of the Commonwealth's involvement in the Standing Committee of Attorneys-General</p> <p>Timely assistance and sound policy advice provided to Government on constitutional issues in litigation and in policy development</p> <p>Commonwealth classification of publications, films and computer games policies recognise the rights and responsibilities of the public and industry members in the classification of film and literature</p> <p>In consultation with ITSA regarding personal insolvency laws:</p> <ul style="list-style-type: none"> <li>provide regular advice to government on proposed changes to simplify the legislation and keep it up-to-date; and</li> <li>consultation about personal insolvency legislation acknowledged by stakeholders as effective and constructive</li> </ul>	<p><b>OUTPUT 1.2:</b> Support for the Attorney-General as First Law Officer, advice on constitutional policy, and promotion of Australian legal services internationally</p> <p>Advancement of a national legal profession Policies, and their administration, maintain and develop an institutional framework for the efficient and timely delivery of high quality legal services to the Commonwealth</p> <p>Development and advancement of legal services and legal cooperation between Australia and the Asia-Pacific <b>and other regions</b></p> <p>Timely and effective coordination of the Commonwealth's involvement in the Standing Committee of Attorneys-General</p> <p>Timely assistance and sound policy advice provided to Government on constitutional issues in litigation and in policy development</p> <p>Commonwealth classification of publications, films and computer games policies recognise the rights and responsibilities of the public and industry members in the classification of film and literature</p> <p>In consultation with ITSA regarding personal insolvency laws:</p> <ul style="list-style-type: none"> <li>provide regular advice to government on proposed changes to simplify the legislation and keep it up-to-date; and</li> <li>consultation about personal insolvency legislation acknowledged by stakeholders as effective and constructive</li> </ul>	<p><b>OUTPUT 2.1:</b> Policy advice on, and program administration and regulatory activities associated with, the Commonwealth's domestic and international responsibilities for criminal justice and crime prevention, and meeting Australia's obligations in relation to extradition and mutual assistance</p> <p>Policy advice</p> <ul style="list-style-type: none"> <li>sound policy advice provided to meet the Government and Minister's timetable</li> <li>effective coordination and representation of Commonwealth interests in international and domestic policy development forums</li> <li>Government's legislation requirements met</li> </ul> <p>Management of programs</p> <ul style="list-style-type: none"> <li>agreements/contracts negotiated which reflect the Commonwealth's requirements</li> <li>performance of contractual and agreement obligations monitored, reported and evaluated</li> </ul> <p>Casework</p> <ul style="list-style-type: none"> <li>applications for assistance or decisions under domestic and international arrangements for mutual assistance, extradition, federal prisoners, firearms importation and criminal laws, proactively managed and properly determined</li> </ul>	<p><b>OUTPUT 2.1:</b> Policy advice on, and program administration and regulatory activities associated with, the Commonwealth's domestic and international responsibilities for criminal justice and crime prevention, and meeting Australia's obligations in relation to extradition and mutual assistance</p> <p>Policy advice</p> <ul style="list-style-type: none"> <li>sound policy advice provided to meet the Government's and Ministers' timetable</li> <li>effective coordination and representation of Commonwealth interests in international and domestic policy development forums</li> <li>Government's legislation requirements met</li> </ul> <p><b>Development of appropriate strategies for violence and crime prevention</b></p> <p>Management of programs</p> <ul style="list-style-type: none"> <li>agreements/contracts negotiated which reflect the Commonwealth's requirements</li> <li>performance of contractual and agreement obligations monitored, reported and evaluated</li> <li><b>successful implementation of new or enhanced programs/projects within available budget</b></li> </ul> <p>Casework</p> <ul style="list-style-type: none"> <li>applications for assistance or decisions under domestic and international arrangements for mutual assistance, extradition, federal prisoners, firearms importation and criminal laws, proactively managed and properly determined</li> </ul>

# APPENDIX 3

## FREEDOM OF INFORMATION MATTERS

### FUNCTIONAL STATEMENTS FOR THE ATTORNEY-GENERAL'S DEPARTMENT AND SOME PORTFOLIO AGENCIES

This functional statement is published to meet the requirements of section 8 of the *Freedom of Information Act 1982* (the FOI Act).

The Department's statement is provided first, followed by those of the Copyright Tribunal, Defence Force Discipline Appeal Tribunal and Solicitor-General (none of which publish their own annual reports).

Agencies publishing their own annual reports are listed at Appendix 1.

FOI statistics for the Department and all portfolio agencies are set out in the FOI Annual Report.

#### ATTORNEY-GENERAL'S DEPARTMENT

##### *Establishment*

The Department was one of the original departments established at Federation in 1901.

##### *Organisation*

The organisation chart published on page 11 shows the structure of the Department.

##### *Functions*

The broad functions of the Department are described in the earlier sections of this report. Legislation administered by the Attorney-General is published in the Administrative Arrangements Order.

##### *Arrangements for outside participation in policy development*

The following bodies, through their association with the Department, facilitate participation, by persons or

bodies outside the Commonwealth administration, in the policy making functions of the Department or in its administration of various schemes and enactments:

Australian Copyright Council; Law Council of Australia; Copyright Law Review Committee; Administrative Review Council; National Alternative Dispute Resolution Advisory Council; Standing Committee of Attorneys-General (SCAG); SCAG Officers' Working Group on Human Rights; Disability Discrimination Act Standards Working Group; International Legal Services Advisory Council; Native Title Consultative Forum; Family Law Council; Separation Support Network; Interception Consultative Committee; Law Enforcement Advisory Committee; Relationships Australia; Family Services Australia; Catholic Welfare Australia; Family Law Section of the Law Council of Australia, and Trusted Information Sharing Network.

### *Categories of documents held by the Department*

The following categories of documents are held by the Department:

- internal administration papers and records, including working drafts, statistical records, copies of cables and facsimiles, and records relating to human and financial resource management
- ministerial, interdepartmental and general correspondence and papers
- policy documents, including recommendations and decisions
- requests for legal advice and copies or notes of advice given, and other legal documents
- papers relating to new and amending legislation, drafting instructions and draft legislation
- media releases
- copies of texts of various public addresses, speeches, discussion papers and other statements made by the Attorney-General, the Minister for Justice and Customs and Departmental employees
- briefing papers and submissions prepared for the Attorney-General and the Minister for Justice and Customs
- copies of draft Cabinet documents, Cabinet submissions and associated briefs
- documents relating to meetings (agenda, minutes and reports)
- copies of questions in the Parliament together with related replies
- copies of documents prepared for the Executive Council
- reports relating to research and investigations, and
- tender documents.

### *Facilities for obtaining access to documents held by the Department*

Many documents held by the Department are available free of charge upon request. Others are publicly available for purchase. The FOI Act also provides, subject to certain exceptions, persons with a legally enforceable right of access to documents held by the Department.

Enquiries and requests to obtain access to any document held by the Department should be directed to:

Director  
Freedom of Information Section  
Attorney-General's Department  
Robert Garran Offices  
National Circuit  
BARTON ACT 2600

Phone: (02) 6250 5693

Fax: (02) 6250 5907

### **COPYRIGHT TRIBUNAL**

#### *Establishment*

The Copyright Tribunal was established by the *Copyright Act 1968*.

#### *Organisation*

Section 138 of the Copyright Act provides for a Copyright Tribunal consisting of a President and such number of Deputy Presidents and other members as are appointed.

#### *Functions*

The jurisdiction of the Tribunal can be summarised as follows:

- to hear and determine applications for the granting of licences under licensing schemes
- to arbitrate disputes in relation to the terms of existing and proposed licensing schemes
- to fix the amounts of royalties or equitable remuneration payable under compulsory licences, and
- to make ancillary orders with respect to the operation of compulsory licensing schemes.

### *Categories of documents held by the Tribunal*

The Tribunal maintains the following categories of documents:

- documents relating to matters heard by, or applications or references to, the Tribunal, including applications and supporting documents and copies of decisions
- a register of matters coming before the Tribunal
- documents concerning administration of the Tribunal
- general correspondence
- documents filed with the Tribunal, and
- copies of the reasons of the Tribunal.

### *Facilities for obtaining access to documents held by the Tribunal*

Enquiries and requests to obtain access to documents held by the Tribunal should be forwarded to:

The Secretary  
Copyright Tribunal  
Level 16  
Law Courts Building  
Queens Square  
SYDNEY NSW 2000  
Phone: (02) 9230 8567  
Fax: (02) 9230 8535

## **SOLICITOR-GENERAL**

### *Establishment*

The office of Solicitor-General was established under the *Law Officers Act 1964*.

### *Organisation*

The Solicitor-General is the Second Law Officer of the Commonwealth (the Attorney-General is the First Law Officer). The Solicitor-General is not part of the Attorney-General's Department.

### *Functions*

The Law Officers Act sets out the functions of the office, which include acting as counsel for the Commonwealth, giving opinions on questions of law to the Attorney-General, and carrying out such other functions, ordinarily performed by counsel, as the Attorney-General requests.

### *Categories of documents*

The Solicitor-General deals with the following categories of documents:

- briefs, working notes, papers and advices for litigious and non-litigious matters
- correspondence, reports and minutes relating to the Special Committee of Solicitors-General
- correspondence, reports and minutes relating to the Hague Conference on Private International Law, and
- miscellaneous papers, correspondence, and reports.

### *Facilities for obtaining access to documents*

Enquiries and requests to obtain access to documents should be directed to:

Director  
Freedom of Information Section  
Attorney-General's Department  
Robert Garran Offices  
National Circuit  
BARTON ACT 2600  
Phone: (02) 6250 5693  
Fax: (02) 6250 5907

## DEFENCE FORCE DISCIPLINE APPEAL TRIBUNAL

### *Establishment*

The Defence Force Discipline Appeal Tribunal was established under the *Defence Force Discipline Appeals Act 1955*.

### *Organisation*

The Tribunal consists of a President, Deputy President and Members. It has a Registrar and Deputy Registrar as required. The principal office of the Tribunal is located in Canberra.

### *Functions*

The Tribunal is empowered to hear and determine appeals by persons who have been convicted of a Service offence by a court martial or a Defence Force Magistrate under the *Defence Force Discipline Act 1982* or acquitted on the ground of unsoundness of mind. Subject to the reference of questions of law to the Federal Court of Australia, the Tribunal's determination is final.

### *Categories of documents held by the Tribunal*

The Tribunal maintains the following categories of documents:

- documents in respect of a particular proceeding, transcript of the hearing, the Tribunal's reasons for the decision and the decision, and general correspondence relating to the proceeding
- documents concerning procedures before the Tribunal
- documents concerning administrative and financial aspects of the Tribunal's operation, and
- general correspondence.

### *Facilities for obtaining access to documents held by the Tribunal*

Enquiries and requests to obtain access to documents held by the Tribunal should be forwarded to:

Federal Court of Australia  
ACT Registry, 1st Floor,  
Commonwealth Law Courts Building  
Childers Street  
CANBERRA CITY ACT 2601

Phone: (02) 6267 0566  
Fax: (02) 6267 0625

# APPENDIX 4

## 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, 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 Departmental and ICACSCP charters are able to be viewed on the Department's homepage, <<http://law.gov.au>>. The TMRS charter is able to 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 2002–03.

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 used only 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 used only 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 used only 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.	+
	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.	+
	Correspondence will include the name and telephone number of the person dealing with your letter.	+

\* 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.

+ Not applicable as no complaints were received during the reporting period.

Clients of the Department and those of the ICACSCP and TMRS can make a complaint or provide feedback in writing, via email, by telephone or in person. Staff of the Department are encouraged to resolve complaints immediately. In 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 action:

- 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, and
- appeal rights advised (yes/no).

# APPENDIX 5

## 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 that 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. Consultancy services do not include fees paid to solicitors or counsel for legal services.

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, eg those engaged through employment agencies for short term relief or other purposes, are not included in this report.

The *Requirements for Annual Reports for Departments, Executive Agencies and FMA Act Bodies* specify that the only detailed information required to be provided relates to new consultancy contracts of value \$10 000 or more.

### SUMMARY OF INFORMATION ON CONSULTANCIES

Number of consultancy services contracts let during 2002–03	48
Total expenditure on consultancy services in 2002–03 (relates to continuing as well as new consultancies)	\$3 245 851

## DETAILS IN RELATION TO NEW CONSULTANCY CONTRACTS OF VALUE \$10 000 OR MORE, LET DURING 2002–03

NAME OF CONSULTANT	CONTRACT PRICE FOR CONSULTANCY (\$)	PURPOSE	SELECTION KEY	JUSTIFICATION KEY
Australian Computer Emergency Response Team (AusCERT)	270 000 <sup>1</sup>	Provision of a National Information Technology Security Reporting and Alert Scheme to allow all computer users to subscribe to a free service to receive alerts about common Internet security issues, and provide a method of reporting security incidents	d	A
Codarra Advanced Systems Pty Ltd	22 727	Scoping and analysis of the ASNET Enhancement Project	c	A
Codarra Advanced Systems Pty Ltd	25 000	Develop an implementation plan for upgrade to ASNET communications	c	G
Corporate Project Management Group	112 921	Establish a planning, control and reporting system for the Australian Crime Commission Implementation Project Office and provide associated training and support	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>	e	A
Deloitte Consulting	275 000	Identification of gaps in Australia's counter-terrorism capability	f	E
Egan, Andrew	13 000	Assist with the implementation and review of the model forensic procedures legislation	e, f	B
Gartner Australasia Pty Ltd	23 400	Develop an Information and Communications Technology Strategic Framework (Stage 2)	e	B
Harris Smith and Associates	321 029	Provide human resource consultancy services to support staff of the National Crime Authority, Australian Bureau of Criminal Intelligence and Office of Strategic Crime Assessments in their transition into the Australian Crime Commission	c	A
Huntly & Associates	31 911	Reassessment of Emergency Management Australia's priorities in the context of improving the linkage between Mt Macedon staff, especially in relation to policy development and education and training	f	E

NAME OF CONSULTANT	CONTRACT PRICE FOR CONSULTANCY (\$)	PURPOSE	SELECTION KEY	JUSTIFICATION KEY
Ian Leader-Elliott and Associates Pty Ltd	20 000	Advice on issues concerning the development and implementation of the Model Criminal Code	d, e, f	A
Legal Aid Office (ACT)	42 592	Review efficiencies of the provision of legal aid through the Financial Assistance Schemes	f	A
LOTE Marketing	40 603	Translate and distribute <i>Crime Prevention for Seniors</i> publication	c	A
Madjulla Aboriginal Corporation	27 500	Evaluation of Derby Indigenous Family Violence project	e	A
National Open Source Intelligence Centre	30 000	Provide independent advice on demonstrations and other activities overseas and within Australia	e	A
People and Strategy	11 900	Organisational review of Information and Knowledge Services business and contracting functions	e	B
Phillips Fox	201 344	Conduct legal, economic and technical analysis of the reforms resulting from the <i>Copyright Amendment (Digital Agenda) Act 2000</i> and related reforms	a, b	E
Quality Management Solutions	15 480	Review of administrative issues	d	E
Security Risk Management Australia	61 472 <sup>2</sup>	Review of physical security in federal courts	d	B
Sherton Pty Ltd	48 000	Review of certain provisions of the <i>Telecommunications (Interception) Act 1979</i>	d	E
Sherton Pty Ltd	20 000	Chaired statutory independent review of investigative forensic procedures provisions	d, f	E
Sherton Pty Ltd	22 500	Assess the impact of the passage of the <i>Judiciary Amendment Act 1999</i> upon the capacity of Government departments and agencies to obtain legal services and to assess the extent to which the stated responsibilities of the Office of Legal Services Coordination are met, having regard to the Office of Legal Services Coordination's current resources	f	E

NAME OF CONSULTANT	CONTRACT PRICE FOR CONSULTANCY (\$)	PURPOSE	SELECTION KEY	JUSTIFICATION KEY
Signet Group International	90 475	Review of Air Safety Officer and Counter-Terrorism First Response Programs	f	G
Urbis Keys Young	49 984	Drugs and crime research	a	E
Urbis Keys Young	132 000	Meta-evaluation of the Young Motor Vehicle Theft Offender Program, and individual evaluation of the NSW pilot site of the Young Motor Vehicle Theft Offender Program	b	A
Walsh & Associates	18 480	Feasibility study for the development of a break and enter database in South Australia	c	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 the 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 The Department's contribution was \$110 000 of this amount with the balance from other portfolio agencies and portfolios.
- 2 Costs will be reimbursed by the four federal courts and Law Courts Ltd.
- 3 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.

# APPENDIX 6

## 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.

NAME OF ORGANISATION	PAYMENT (\$)	PURPOSE	KEY
HMA Blaze Pty Ltd	49 382	Non-campaign advertising (recruitment, job vacancies, tender notices)	e
HMA Blaze Pty Ltd	9 091	Advertising for Regional Law Hotline	e
Starcom Worldwide (Australia) Pty Ltd	84 114	Non-campaign advertising (recruitment, job vacancies, tender notices)	e
Swell Design Group	2 393	Design and artwork for Regional Law Hotline publicity materials	d

### 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

# APPENDIX 7

## STAFFING PROFILE

The tables below show staffing details for the Department at 30 June 2002 and 30 June 2003.

Table 7.1 provides a breakdown by location (region), broad-banded classification and gender for the Department. It includes all staff employed by the Department under the *Public Service Act 1999*, ie 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 7.2 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 7.1 will be smaller than those shown in Table 7.2.

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 37 hours 30 minutes).

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

Casual staff, numbering 33 at 30 June 2003, are not recorded in these tables.

**TABLE 7.1 STAFFING BY LOCATION (REGION), BROAD-BANDED CLASSIFICATION AND GENDER – PAID STAFF (FULL-TIME EQUIVALENT) [INCLUDES ONGOING, NON-ONGOING, FULL-TIME AND PART-TIME]**

	AT 30 JUNE 2002										AT 30 JUNE 2003									
	SES					EL1-2 & equiv					APSL1-6 & equiv					TOTAL				
	M		F		TOTAL	M		F		TOTAL	M		F		TOTAL	M		F		TOTAL
Australian Capital Territory	33.0	17.7	133.8	116.7	85.7	206.3	252.5	340.7	37.0	25.0	140.8	122.3	101.7	241.9	279.5	389.2				
Victoria	0	0	11.0	5.0	14.5	20.9	25.5	25.9	0	0	8.0	7.0	13.5	15.4	21.5	22.4				
<b>Total</b>	<b>33.0</b>	<b>17.7</b>	<b>144.8</b>	<b>121.7</b>	<b>100.2</b>	<b>227.2</b>	<b>278.0</b>	<b>366.6</b>	<b>37.0</b>	<b>25.0</b>	<b>148.8</b>	<b>129.3</b>	<b>115.2</b>	<b>257.3</b>	<b>301.0</b>	<b>411.6</b>				

**TABLE 7.2 STAFF NUMBERS BY BROAD-BANDED CLASSIFICATION/GENDER AND EMPLOYMENT CATEGORY/EMPLOYMENT STATUS – PAID STAFF (HEAD COUNT)**

	AT 30 JUNE 2002										AT 30 JUNE 2003									
	TOTAL					ONGOING					NON-ONGOING					TOTAL				
	F-T		P-T		TOTAL	F-T		P-T		TOTAL	F-T		P-T		TOTAL	F-T		P-T		TOTAL
Female	18	16	2	0	0	25	25	0	0	0	25	25	0	0	0	0	0	0	0	
Male	33	32	1	0	0	37	37	0	0	0	37	37	0	0	0	0	0	0	0	
Female	127	105	16	6	0	134	118	15	1	0	134	118	15	1	0	0	0	0	0	
Male	146	134	5	7	0	150	139	6	5	0	150	139	6	5	0	0	0	0	0	
Female	234	191	16	23	4	265	209	17	35	4	265	209	17	35	4	4	4	4	4	
Male	101	89	2	10	0	116	98	2	16	0	116	98	2	16	0	0	0	0	0	
Female	379	312	34	29	4	424	352	32	36	4	424	352	32	36	4	4	4	4	4	
Male	280	255	8	17	0	303	274	0	21	0	303	274	0	21	0	0	0	0	0	

# APPENDIX 8

## STAFF ACHIEVEMENTS

The Department has in place a hierarchy of awards to acknowledge and reward individual and team achievements. The rewards and recognition arrangements are an important component of the Department's approach to recognising and celebrating the outstanding efforts and contributions of employees and for promoting our Departmental values and behaviours.

The Department recognises the importance of providing a work environment that encourages team and individual achievement. In addition to the formal awards, the Department strongly encourages managers to use informal mechanisms to recognise good performance. It is only against this background of constant encouragement and support that the Department can successfully implement its more formal reward and recognition arrangements.

The Departmental awards are:

- Secretary's Award
- General Manager's Award
- Academic Achievement Award, and
- Australia Day Achievement Award.

The less formal recognition awards are administered by individual Divisions and Offices. A number of these awards were presented during this reporting period.

Recipients of Departmental awards for 2002–03 and other awards and noteworthy achievements are listed below.

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### THE FIRST ANNUAL SECRETARY'S AWARD AND GENERAL MANAGER'S AWARDS 2002

#### SECRETARY'S AWARD 2002— Karl Alderson

In recognition of his outstanding contribution to the development and passage through the Parliament of substantial criminal justice legislation in 2001–02. This included measures to combat serious and organised crime and the major package of terrorism legislation.

His contribution was marked by the highest levels of expertise, team work and capacity to find solutions.

#### CIVIL JUSTICE AND LEGAL SERVICES, GENERAL MANAGER'S AWARD 2002—Noel Bugeia

In recognition of outstanding service in support of measures for the effective delivery of high quality services by the Office of Legislative Drafting, particularly in relation to the management of legislative and publication services.

**CRIMINAL JUSTICE AND SECURITY,  
GENERAL MANAGER'S AWARD  
2002—EMA Emergency Management  
Coordination Centre Team**

**Steven Banks, Brian Flanagan, Trevor Haines, Kevin Naphthali, Don Patterson, Vivienne Philippa, Mark Sullivan and Gen Tarlinton**

In recognition of a team effort in the coordination and provision of Commonwealth assistance to NSW and ACT in combating the intense bushfires that occurred during the 2001–02 Christmas and New Year period. Their dedication, commitment and the quality of their efforts were outstanding.

**CORPORATE SERVICES, GENERAL  
MANAGER'S AWARD 2002—  
Helen Lewis**

For outstanding service to the Department in consistently producing quality outcomes characterised by their accuracy, attention to detail and the rigour of research involved. Through her commitment to achieving quality outcomes, Helen has contributed significantly to enhancing the reputation of the Department for its professionalism and excellence.

**INFORMATION AND KNOWLEDGE  
SERVICES, GENERAL MANAGER'S  
AWARD 2002— Nick Strmota**

In recognition of sustained and exemplary efforts in the provision of voice and data networking services to the Department, particularly the implementation of the new PABX; the network infrastructure upgrade; construction of the new computer room; relocations to the George Knowles Building, the Edmund Barton Building, 10–12 Brisbane Avenue; and the integration of EMA into the Department.

**ACADEMIC ACHIEVEMENT  
AWARD—Gabrielle Mackey**

In recognition of her outstanding achievements academically, in her job performance, and for maintaining a healthy work-life balance.

**AUSTRALIA DAY ACHIEVEMENT  
AWARDS**

**Gary Anderson**, Information and Knowledge Services Group—for long and outstanding service to the Department in provision of library and internet services.

**Nicole Conduit**, Office of Legislative Drafting—for the achievement of high standards in the provision of gazettal, publication and tabling services on behalf of the Office of Legislative Drafting.

**Kerin Leonard**, Criminal Justice Division—for outstanding professionalism and commitment in the introduction of the International Transfer of Prisoners Scheme between Australia and Thailand and the States Parties to the Council of Europe Convention on the Transfer of Sentenced Persons.

**Scott Matheson**, Protective Security Coordination Centre—for providing outstanding leadership and effectively managing the security of the diplomatic and consular community.

**Meng Ngai**, Information and Knowledge Services Group—for professionalism and commitment in the provision of computing services to the Commonwealth Heads of Government Meeting, the integration of Emergency Management Australia into the Department's network and the roll-out of new desktop computers.

**Debbie Parr**, Office of Legislative Drafting—for dedication, teamwork and an ongoing commitment to professional standards beyond the requirements of her substantive position over an extended period.

**John Tucker**, Office of Legal Services Coordination—for his professional contribution and dedication to the work of the International Legal Services Section and the Secretariat of the International Legal Services Advisory Council for more than a decade, and in particular his outstanding work in 2001 and 2002 on bilateral free trade negotiations with Singapore.

**Susie van den Heuvel**, Corporate Services Group—for leadership of the Public Affairs Unit including in particular the response to the Bali bombings and the Government's terrorism awareness campaign.

**Lester Watson**, Corporate Services Group—for dedication and professionalism in the service of the Department and portfolio Ministers and outstanding leadership of the Ministerial and Parliamentary Section ensuring the continued high standard of performance of that Section.

**Margery Webster**, Emergency Management Australia—for outstanding efforts in guiding the process for compliance with the Australian Quality Training Framework of Emergency Management Australia's education and training program and assisting in EMA's response and coordination arrangements in respect of the Bali assist campaign, particularly in the repatriation of deceased Australians, killed in the Bali bombings.

**Gaye Worthy**, Corporate Services Group—for dedication and professionalism in the task of rehabilitation and reintegration of officers returning to the workforce.

**Jennie Booth, Marcella Hawkes, Mike Rothery and Alex Webling**, Information and Security Law Division—for a significant contribution to the development of a constructive partnership between business and government in the protection of Australia's critical infrastructure.

**Stephen Bouwhuis, Bill Campbell, Greg Manning, Mandy Williams and Mark Zanker**, Office of International Law—for excellence in preparations for, and the conduct of, Australia's defence of the Volga Case before the International Tribunal for the Law of the Sea in Hamburg.

**Matt Hall, Catherine Hawkins, Renee Leon, Anne Timperley, Scott Wilson and Dhayani Yogesvaran**, Civil Justice Division—for excellent work on the development of age discrimination legislation proposals.

## OTHER AWARDS

**Susie van den Heuvel**, Corporate Services Group—awarded the Australia Day Achievement Award as a member of the Department of the Prime Minister and Cabinet Taskforce on the National Security Information Campaign.

**Fiona Skivington**, Criminal Justice Division—awarded the Australia Day Achievement Award as a member of the Department of the Prime Minister and Cabinet Taskforce on the National Security Information Campaign.

## OTHER ACHIEVEMENTS

**Bill Campbell**, Office of International Law—appointed Commonwealth Queen's Counsel on 19 December 2002.

# APPENDIX 9

## OCCUPATIONAL HEALTH AND SAFETY

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

The Department's Occupational Health and Safety Policy and Agreement were implemented in 2001. The Policy and the Agreement comply with element 1 of Comcare's 'Safety Map' audit tool. The documents are available to all staff electronically through the Department's intranet and promoted in 'HR Matters', the Human Resources Branch Newsletter.

The Department is committed to providing a healthy and safe work environment for all staff, contractors and visitors. It recognises 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 met on a quarterly basis during the year and the minutes of the meeting were made available to staff electronically. No new Health and Safety Representatives were elected in 2002–03.

### REPORTING REQUIREMENTS UNDER THE ACT

<b>Section 68 Occurrences</b> (notification and reporting of accidents and dangerous occurrences)	There was one notification.
<b>Investigations</b>	No investigations were conducted.
<b>Section 45 Directions</b> (Power to direct that workplace etc. not be disturbed)	No directions were given to the Department under s 45 of the Act.
<b>Section 29 Notices</b> (Provisional Improvement Notices)	No notices were issued under s 29 of the Act.
<b>Section 30 Notices</b> (Duties of employers in relation to health and safety representatives)	No notices were issued under s 30 of the Act.
<b>Section 46 Notices</b> (Power to issue prohibition notices)	No notices were issued under s 46 of the Act.
<b>Section 47 Notices</b> (Power to issue improvement notices)	No notices were issued under s 47 of the Act.

## GENERAL OUTCOMES

The Department continued to conduct regular workplace inspections throughout 2002–03. Reports were provided to Division Heads outlining suggested recommendations and improvements. There was continual improvement across the Department, with Divisions displaying an ongoing commitment to eliminating OH&S hazards. Staff awareness of OH&S has increased, resulting in improved prevention of and early intervention for workplace injuries and illnesses.

A number of OH&S policies were reviewed and implemented during 2002–03:

- Accident and Occurrence Reporting
- Eyesight Testing for Screen Based Equipment
- Health and Wellbeing Program
- Return to Work Policy for Compensable Illness and Injuries, and
- Fitness for Continued Duty.

The Department implemented the Health Practices – Health and Wellbeing Program. This Program works toward maximising the health of employees and minimising days lost through illness and injury. The Department supports employee involvement in its health practices.

The Department continues to facilitate staff attendance at lunchtime activities that are designed to enhance their health and wellbeing. 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.

All accidents/occurrences are recorded in the Aurion Human Resource OH&S Module, which meets reporting requirements and allows the Department to address occurrences and trends.

## PRIORITIES FOR 2003–04

The Department's priorities for 2003–04 are to:

- establish new Employee Assistance Program provider arrangements
- promote the Department's integrated wellbeing program
- coordinate work station assessments
- target longer term compensation claims, and
- enhance the reporting of health and wellbeing performance.

# APPENDIX 10

## 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, the Attorney-General's Department reports on its role as policy adviser and employer.

### 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 2002–03:** All relevant policies/programs are assessed for their impact on the lives of people with disabilities prior to decision. Areas of particular focus include the ongoing development of Disability Standards for accessibility to public premises, public transport 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 2002–03:

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 2002–03:

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.

## EMPLOYER ROLE

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### PERFORMANCE INDICATOR 1

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

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

**Current level of performance 2002–03:** The Department has approximately 40 employment policies and programs. All were considered/reviewed as part of the development of the Certified Agreement 2002. During 2002–03 the following policies and programs were developed or reviewed in keeping with the principles of the *Disability Discrimination Act 1992*:

- Organisational Change Policy
- People Development Strategy
- Non-SES Recruitment and Movement Guidelines
- Health and Wellbeing Policy, and
- Managing Underperformance Policy.

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

**Goals for 2003–04:** Leading into the development of the next Certified Agreement, the Department will again review the following employment policies and procedures in keeping with the principles of the Disability Discrimination Act:

- Certified Agreement
- Induction Program
- Workplace Diversity Program, and
- Health and Wellbeing Program

**Actions for 2003–04:** During the review of the Workplace Diversity Program and the development of the next Certified Agreement, specific attention will be given to the principles of the Disability Discrimination Act.

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### PERFORMANCE INDICATOR 2

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*Recruitment information for potential job applicants is available in accessible formats on request.*

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#### Performance measures:

Percentage of recruitment information requested and provided in:

- accessible electronic formats, and
- accessible formats other than electronic.

Average time taken to provide accessible information in:

- electronic formats, and
- formats other than electronic.

#### Current level of performance 2002–03:

The Department's Recruitment Unit did not receive any requests for documentation in any type of accessible format. The Service Level Agreement (SLA) specifies that selection documentation will be provided within two working days of request. Documentation is currently able to be provided as html, .txt file and in large print upon request.

**Goals for 2003–04:** To explore the options for non-electronic accessible formats and to provide selection documentation in accessible formats within timings specified in the SLA.

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 2003–04:** To make alternative options available for non-electronic accessible formats.

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### PERFORMANCE INDICATOR 3

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*Agency recruiters and managers apply the principle of reasonable adjustment.*

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

**Current level of performance 2002–03:** Recruitment and Selection Guidelines do not contain advice on reasonable adjustment and advice for managers on reasonable adjustment is not available on the Department's intranet. The performance measure for both internal recruiters and managers is 0 per cent.

**Goals for 2003–04:** 100 per cent of internal recruiters will receive advice on reasonable adjustment at the start of the recruitment process, and 100 per cent of managers will receive updated advice on the principles and practice of reasonable adjustment.

**Actions for 2003–04:** The Department will update the Recruitment and Selection Guidelines and the intranet to include advice/information on reasonable adjustment.

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### PERFORMANCE INDICATOR 4

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*Training and development programs consider the needs of staff with disabilities.*

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

**Current level of performance 2002–03:** 100 per cent of training and development nomination forms ask staff to identify any disability related needs at the time of registration. 100 per cent of training and development evaluation forms ask

staff to assess the management of their disability related needs following the training session. 100 per cent of staff with disabilities who attend training or development programs report having their particular access needs addressed.

**Goals for 2003–04:** The introduction of an on-line enrolment and training module in the Department's human resource information system will capture information that considers the needs of staff with disabilities, and produce automated reports.

**Actions for 2003–04:** To populate the human resource information system, and develop and refine reporting capabilities.

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### PERFORMANCE INDICATOR 5

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

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

**Current level of performance 2002–03:** The Department offers 50 training and development programs during the year. Five of these programs – Orientation, Graduate Program, Management Skills Program, and two Client Relationship courses address disability and diversity issues.

**Goals for 2003–04:** The Department will review its Professional Development Strategy to ensure courses provide for valuing diversity and difference.

**Actions for 2003–04:** The Human Resources Branch will conduct a review by June 2004 of the Department's People Development Strategy.

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## PERFORMANCE INDICATOR 6

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

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

**Current level of performance 2002–03:**

The Department has an established process for complaints handling, which includes access to external mechanisms, eg 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 2003–04:** 100 per cent of staff to receive updated advice on the complaints/grievance process.

**Actions for 2003–04:** The Human Resources Branch to update and distribute advice on the complaints/grievance process and available avenues of support by June 2004.

# APPENDIX 11

## EXTRADITION, MUTUAL ASSISTANCE AND CRIMINAL JUSTICE CERTIFICATES

### 11.1 EXTRADITION MATTERS DEALT WITH IN 2002–03 OR CONTINUING AS AT 30 JUNE 2003

#### EXTRADITION REQUESTS MADE BY AUSTRALIA

Requests carried forward from 2001–02	10
New requests made	12
Requests granted	6
Requests withdrawn	1
Requests refused	0
Requests otherwise discontinued	0
Requests continuing	15

The following countries granted Australian extradition requests:

Canada	1
Poland	1
Singapore	1
South Africa	1
Thailand	1
United States	1

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

Australia	4
Iraq	1
South Korea	1

People were surrendered for the following major categories of offences:

Fraud	4
Armed robbery	1
People smuggling	1

In previous reporting years, Australia has requested the prosecution of people in foreign countries that had refused Australian extradition requests for those people on the grounds of nationality. At 30 June 2003, one such case was continuing (Vann La).

The following countries were still considering requests:

Canada	2
Egypt	1
Greece	1
Hong Kong – Special Administrative Region of the People's Republic of China	1
Netherlands	2
South Africa	1
South Korea	1
Spain	1
Sweden	1
Thailand	1
United Kingdom	2
United States	1

## EXTRADITION REQUESTS MADE TO AUSTRALIA

Requests carried forward from 2001–02	36
New requests received	23
Requests granted	8
Requests withdrawn	1
Requests refused	6
Requests otherwise discontinued	1
Requests continuing	43

Australia granted extradition requests made by the following countries:

Germany	1
Jordan	1
Mexico	1
Singapore	1
United Kingdom	1
United States	3

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

Australia	1
China	1
Germany	1
Jordan	1
Mexico	1
New Zealand	1
Singapore	1
United Kingdom	1

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

People were surrendered for the following major categories of offences:

Aggravated assault	1
Child sex	1
Fraud	5
Interfering with evidence	1

Australia was still considering requests made by the following countries:

Argentina	1
Cambodia	1
Croatia	2
Greece	1
Hong Kong – Special Administrative Region of the People's Republic of China	3
Hungary	5
Italy	3
Philippines	1
Poland	6
Portugal	1
Singapore	1
South Africa	2
Spain	2
Sri Lanka	1
Switzerland	1
United Kingdom	4
United States	8

**Note:** Extradition requests vary considerably in complexity and the time it takes to resolve them. The complexity of an extradition request depends 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.

## 11.2 MUTUAL ASSISTANCE MATTERS DEALT WITH IN 2002–03 OR CONTINUING AS AT 30 JUNE 2003

### MUTUAL ASSISTANCE IN CRIMINAL MATTERS REQUESTS MADE BY AUSTRALIA

Requests carried forward from 2001–02	77
New requests made	135
Requests executed	62
Requests otherwise completed *	22
Requests continuing	128

\* *Requests otherwise completed include, for example, requests made but not executed by the requested country or subsequently withdrawn by Australia.*

The following countries executed Australian mutual assistance in criminal matters requests:

Albania	1
Argentina	1
Belize	2
Brazil	1
Canada	2
Fiji	1
Germany	5
Hong Kong – Special Administrative Region of the People's Republic of China	5
Hungary	1
Kosovo	1
Liechtenstein	1
Lebanon	1
New Zealand	4
Netherlands	15
Panama	3
Philippines	1
Serbia and Montenegro	1
St Vincent and the Grenadines	1
Spain	1
Sweden	1
Turkey	1
United Kingdom	4
United States of America	7
Vanuatu	1

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

Obtain bank/business records	18
Search and seizure	4
Proceeds of crime (restraining and confiscation orders)	4
Service of documents	4
Other (obtain statement/conduct interview; obtain criminal records; obtain company records; obtain telecommunications records; obtain e-mail records etc.)	38

These figures total more than the number of requests executed. This is because requests often seek more than one type of assistance.

## MUTUAL ASSISTANCE IN CRIMINAL MATTERS REQUESTS MADE TO AUSTRALIA

Requests carried forward from 2001–02	110
New requests	166
Requests executed	124
Requests refused	2
Requests otherwise completed	38
Requests continuing	112

Australia executed requests for the following countries:

Austria	5
Belgium	1
Cambodia	1
Chile	1
Czech Republic	3
Denmark	2
Greece	1
Hungary	34
Hong Kong – Special Administrative Region of the People’s Republic of China	2
Indonesia	1
Israel	2
Italy	4
Latvia	2
Japan	1
Netherlands	13
New Zealand	4
Panama	1
Papua New Guinea	1
Poland	4
Portugal	1
Russia	1
Slovenia	3
Spain	5
Switzerland	5
Turkey	6
United Kingdom	12
United States of America	8

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

Obtain bank/business records	5
Take evidence	2
Search and seizure	1
Service of documents	61
Other (obtain statement/conduct interview; obtain telecommunications records; obtain brief of evidence; obtain certificates of conviction etc.)	56

These figures total more than the number of requests executed. This is because requests often seek more than one type of assistance.

## MUTUAL ASSISTANCE IN BUSINESS REGULATION REQUESTS MADE TO AUSTRALIA

Three requests (two from the United States of America and one from New Zealand) were received and executed under the *Mutual Assistance in Business Regulation Act 1992* in the past financial year.

## INTERNATIONAL WAR CRIMES

There were seven new requests for assistance from the International War Crimes Tribunal for the former Yugoslavia (ICTY) in The Hague during 2002–03 (and two requests carried over from 2001–02). Included in the seven new requests were requests for an Australian expert to give evidence on mass graves in Bosnia, and for statements from witnesses in the prominent trial of Slobodan Milosevic. Other assistance provided to the ICTY 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 or the Special Court for Sierra Leone.

## 11.3 CRIMINAL JUSTICE CERTIFICATES DEALT WITH IN 2002-03 OR CONTINUING AS AT 30 JUNE 2003

### Criminal Justice Certificates issued:

Commonwealth Entry <sup>1</sup>	5
Commonwealth Stay <sup>1</sup>	41
State Entry (endorsed) <sup>2</sup>	9

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

Commonwealth Entry	2
Commonwealth Stay	40
State Entry <sup>4</sup>	n/a

### Criminal Justice Certificates current as at 30 June 2003:

Commonwealth Entry	14
Commonwealth Stay	136

- 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 2002-03 the Commonwealth Attorney-General's Department was not notified of the cancellation of any State Certificate.

### Nationalities of people who held current Commonwealth Criminal Justice Certificates as at 30 June 2003:

Bolivia	1	Mexico	1
Brazil	4	Netherlands	7
Canada	4	New Zealand	2
China	9	Nigeria	4
Colombia	5	Pakistan	1
Germany	1	Peru	1
Hong Kong – Special Administrative Region of the People's Republic of China	5	St Vincent and the Grenadines	1
India	2	Singapore	11
Indonesia	11	South Africa	5
Iraq	2	Spain	3
Ireland	3	Syria	1
Israel	2	Taiwan	1
Italy	3	Thailand	7
Japan	7	Tonga	1
Korea, Democratic Republic of	4	United Kingdom	19
Malaysia	10	United States of America	11
		Uruguay	1

## 11.4 COMPARATIVE STATISTICS FOR EXTRADITION AND MUTUAL ASSISTANCE CASES 1998–99 TO 2002–03

### EXTRADITION REQUESTS MADE BY AUSTRALIA

YEAR	CASES CARRIED FORWARD	NEW REQUESTS MADE	REQUESTS GRANTED	REQUESTS REFUSED	REQUESTS OTHERWISE COMPLETED
1998–99	23	6	10	0	2
1999–2000	17	6	6	1	0
2000–01	16	7	4	1	0
2001–02*	13	7	4	1	5
2002–03	10	12	6	0	1

### EXTRADITION REQUESTS MADE TO AUSTRALIA

YEAR	CASES CARRIED FORWARD	NEW REQUESTS MADE	REQUESTS GRANTED	REQUESTS REFUSED	REQUESTS OTHERWISE COMPLETED
1998–99	33	16	8	2	5
1999–2000	34	22	13	1	2
2000–01	39	15	13	1	2
2001–02*	32	16	8	3	1
2002–03	36	23	8	6	2

\* During 2001–02 the Extradition Unit 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, identified some discrepancies between opening and closing balances.

### MUTUAL ASSISTANCE REQUESTS MADE BY AUSTRALIA

YEAR	CASES CARRIED FORWARD	NEW REQUESTS MADE	REQUESTS GRANTED	REQUESTS REFUSED	REQUESTS OTHERWISE COMPLETED
1998–99*	72	60	64	1	17
1999–2000*	41	61	61	1	6
2000–01	32	63	31	0	10
2001–02	54	88	44	2	19
2002–03	77	135	62	0	22

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

## MUTUAL ASSISTANCE REQUESTS MADE TO AUSTRALIA

YEAR	CASES CARRIED FORWARD	NEW REQUESTS MADE	REQUESTS GRANTED	REQUESTS REFUSED	REQUESTS OTHERWISE COMPLETED
1998-99*	33	117	84	0	10
1999-2000*	66	149	122	0	5
2000-01	78	153	148	0	38
2001-02	45	156	78	0	13
2002-03	110	166	124	2	38

\* Figures for mutual assistance requests during the 1998-99 and 1999-2000 reporting years included work done on matters preparatory and ancillary to the making and execution of mutual assistance requests.