

PART C

Agency Budget Statements

ATTORNEY-GENERAL'S DEPARTMENT

Section 1: Overview, appropriations and budget measures summary

OVERVIEW

The Attorney-General's Department serves the people of Australia by providing essential expert support to the Government in the maintenance and improvement of Australia's system of law and justice.

The Department is the central policy and coordinating element of the Attorney-General's portfolio, for which the Attorney-General and Minister for Justice and Customs are responsible.

The Department supports the Government in the administration of the federal civil justice system and the protection of rights and interests of individuals, the community and commerce. It also advises on constitutional policy; provides legislative drafting services; and provides advocacy services in relation to international law as well as ensuring compliance with international obligations.

The Department provides policy advice and services that promote coordinated federal criminal justice and security frameworks, including appropriate international arrangements and protection for high-risk persons, premises and facilities, and critical infrastructure protection. The Department also provides national leadership in the development of emergency management measures to reduce risk to communities and manage the consequences of disaster.

APPROPRIATIONS AND RESOURCING

The total appropriation for the Attorney-General's Department in the 2004-05 Budget is \$476.604m. Table 1.1 shows appropriations (2004-05) and other revenue by outcome. In summary, the appropriations for 2004-05 for the Department comprise:

- \$156.627m for price of output appropriations (Appropriation Bill 1)
- \$5.390m for equity injections
- \$268.758m for annual administered appropriations
 - \$175.013m (Appropriation Bill 1)
 - \$93.745m (Appropriation Bill 2), and
- \$45.829m in special appropriations.

ADMINISTERED CAPITAL AND DEPARTMENTAL EQUITY INJECTIONS AND LOANS

The Department does not have any appropriations for administered capital or departmental loans in 2004-05.

The Department has appropriations for equity injections in 2004-05 totalling \$5.390m. The appropriation comprises \$2.500m for the purchase of replacement armoured vehicles for Australian holders of high office and visiting dignitaries; \$2.220m for fitout costs for proposed new office accommodation for the Department; and \$0.670m for fitout for other measures in the 2004-05 Budget.

ATTORNEY-GENERAL'S DEPARTMENT — APPROPRIATIONS 2004–05

Table 1.1: Appropriations and other revenue (\$'000)

Outcome	Departmental (price of outputs)					Administered				Total appropriations
	Revenue from Government (appropriations)			Revenue from other sources	Price of outputs	Annual appropriations		Special appropriations	Total administered appropriations	
	Bill No 1 (A)	Special approps (B)	Total (C = A+B)	(D)	(E = C+D)	Bill No 1 (F)	Bill No 2 (SPPs & NAOs) (G)	(H)	(I = F+G+H)	(J=C+I)
Outcome 1 – An equitable and accessible system of federal civil justice	55,378	-	55,378	1,945	57,323	151,781	93,745	33,743	279,269	334,647
Outcome 2 – Coordinated federal criminal justice, security and emergency management activity, for a safer Australia	101,249	-	101,249	3,357	104,606	23,232	-	12,086	35,318	136,567
Total	156,627	-	156,627	5,302	161,929	175,013	93,745	45,829	314,587	471,214
Departmental capital (equity injections, loans and previous years' outputs)										5,390
Administered assets and liabilities										-
Total appropriations										476,604

- Columns C, E and I refer to information provided in Total Resources for Outcome tables.
- Under the appropriation structure, Bill No 2 includes Specific Purpose Payments (SPPs), New Agency Outcomes (NAOs), administered capital and departmental capital via departmental injections and loans.
- Refer to Budgeted Statement of Financial Performance for application of agency revenue.
- Revenue from other sources includes sales of goods and services. Non-appropriated departmental and administered revenues detailed in Table 1.3.
- Estimated expenses from individual Special Appropriations are shown in Table 1.5.

MEASURES — DEPARTMENT SUMMARY

Table 1.2.1: Summary of expense measures disclosed in the 2004–05 Budget (including depreciation)

Measure	Outcome	Outputs affected	Appropriations Budget 2004–05 (\$'000)			Appropriations Forward Estimate 2005–06 (\$'000)			Appropriations Forward Estimate 2006–07 (\$'000)			Appropriations Forward Estimate 2007–08 (\$'000)		
			Admin expenses	Dept outputs	Total	Admin expenses	Dept outputs	Total	Admin expenses	Dept outputs	Total	Admin expenses	Dept outputs	Total
Sydney Law Courts – refurbishment	1	-	2,400	-	2,400	7,000	-	7,000	34,300	-	34,300	41,200	-	41,200
Commonwealth legal aid – equitable access	1	1.3	12,740	321	13,061	12,791	325	13,116	12,759	330	13,089	13,040	334	13,374
Court security measures	1	1	-	-	-	-	-	-	-	-	-	-	-	-
Attorney-General's Department – additional funding	1,2	Various	-	7,320	7,320	-	-	-	-	-	-	-	-	-
International Criminal Court – contribution	2	-	1,620	-	1,620	1,652	-	1,652	1,689	-	1,689	1,726	-	1,726
Northern Territory Juvenile Diversion Scheme and Aboriginal Interpreter Service – continued funding	2	-	3,900	-	3,900	-	-	-	-	-	-	-	-	-
National Community Crime Prevention Programme	2	2.1	4,000	1,000	5,000	4,000	1,010	5,010	4,000	1,022	5,022	4,000	1,034	5,034
Pacific governance	2	2.1	-	2,772	2,772	-	2,800	2,800	-	2,861	2,861	-	2,924	2,924

Table 1.2.1: Summary of expense measures disclosed in the 2004–05 Budget (including depreciation)

Measure	Outcome	Outputs affected	Appropriations Budget 2004–05 (\$'000)			Appropriations Forward Estimate 2005–06 (\$'000)			Appropriations Forward Estimate 2006–07 (\$'000)			Appropriations Forward Estimate 2007–08 (\$'000)		
			Admin expenses	Dept outputs	Total	Admin expenses	Dept outputs	Total	Admin expenses	Dept outputs	Total	Admin expenses	Dept outputs	Total
Investing in Australia's Security – critical infrastructure protection	2	2.2	-	7,373	7,373	-	9,671	9,671	-	6,210	6,210	-	6,310	6,310
Investing in Australia's Security – National Security Hotline	2	2.4	-	6,161	6,161	-	-	-	-	-	-	-	-	-
Melbourne 2006 Commonwealth Games – contribution	2	2.4	-	800	800	-	1,200	1,200	-	-	-	-	-	-
Investing in Australia's Security – diplomatic guarding	2	2.4, 2.5	-	15,600	15,600	-	-	-	-	-	-	-	-	-
Investing in Australia's Security – replacement armoured vehicles	2	2.4, 2.5	-	300	300	-	304	304	-	308	308	-	312	312
Total			24,660	41,647	66,307	25,443	15,310	40,753	52,748	10,731	63,479	59,966	10,914	70,880

MEASURES — DEPARTMENT SUMMARY (CONTINUED)

Table 1.2.2: Summary of capital funding for measures disclosed in the 2004–05 Budget

Measure	Outcome	Outputs affected	Equity Budget 2004–05 (\$'000)			Equity Forward Estimate 2005–06 (\$'000)			Equity Forward Estimate 2006–07 (\$'000)			Equity Forward Estimate 2007–08 (\$'000)		
			Admin	Dept	Total	Admin	Dept	Total	Admin	Dept	Total	Admin	Dept	Total
Commonwealth legal aid – equitable access	1	1.3	-	27	27	-	-	-	-	-	-	-	-	-
Attorney-General's Department – relocation and fit-out costs	1,2	All	-	2,220	2,220	-	9,350	9,350	-	11,400	11,400	-	-	-
Pacific governance	2	2.1	-	48	48	-	-	-	-	-	-	-	-	-
Investing in Australia's Security – critical infrastructure protection	2	2.2	-	595	595	-	-	-	-	-	-	-	-	-
Investing in Australia's Security – replacement armoured vehicles	2	2.4	-	2,500	2,500	-	-	-	-	-	-	-	-	-
Total			-	5,390	5,390	-	9,350	9,350	-	11,400	11,400	-	-	-

REVENUE FROM INDEPENDENT SOURCES

Table 1.3: Revenue from independent sources

	Notes	Estimated Revenue 2003–04 \$'000	Estimated Revenue 2004–05 \$'000
DEPARTMENTAL REVENUE			
Sales of goods and services	1	7,019	5,213
Total sales of goods and services		7,019	5,213
Resources received free of charge	2	136	136
Other	3	-	89
Total other		136	225
Total Estimated Departmental Revenue		7,155	5,438
ADMINISTERED REVENUE			
Australian Government Solicitor			
- Dividend payments	4	3,940	3,940
- Competitive neutrality payments	4	5,500	5,500
Total dividends and competitive neutrality		9,440	9,440
OTHER SOURCES OF NON-TAXATION REVENUE			
Miscellaneous Receipts		154	154
Other non-tax revenue		170	170
Total other sources of non-tax revenue		324	324
Total Estimated Administered Revenue		9,764	9,764

Notes

Note 1. See Resource Tables for estimates by output.

Note 2. Provisional estimate for notional charge by the Australian National Audit Office for the audit of the Department's financial statements.

Note 3. Reimbursement from the Australian Federal Police for the Department's contribution to the establishment of the Jakarta Centre for Law Enforcement Cooperation.

Note 4. Estimates for 2004–05 are provisionally set at the 2003–04 estimated actuals.

MOVEMENT OF ADMINISTERED FUNDS FROM 2003–04 TO 2004–05

Table 1.4: Movement of administered funds from 2003–04 to 2004–05

Movements of funding between years	\$3.400m
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Diversions Programs for juveniles and Aboriginal Interpreter Services in the Northern Territory

The Northern Territory Agreement is a formal four year agreement between the Australian Government and the Northern Territory Government to fund a juvenile pre-court diversion scheme and jointly fund the Aboriginal Interpreter Service.

The Agreement came into affect on 1 September 2000 and will expire in August 2004, although funding was provided on a financial year basis ending on 30 June 2004. Funding for the payments for July and August 2004 totalling \$0.400m will be moved to 2004–05.

Payments for the provision of legal aid – Expensive Commonwealth criminal cases

The Government established a fund of \$9.000m over four and a half years from 2000–01 for expensive Commonwealth criminal cases with any unspent funds accumulating from year to year. For 2003–04 it is estimated that \$3.000m will remain unspent at 30 June 2004.

SPECIAL APPROPRIATIONS

Table 1.5: Estimates of expenses from special appropriations

	Outcome affected	Estimated Expenses 2003–04 \$'000	Estimated Expenses 2004–05 \$'000
ASSISTANCE TO OTHER GOVERNMENTS			
OTHER			
<i>Judges' Pensions Act 1968</i>	1	30,488	31,690
<i>Remuneration and Allowances Act 1990 – Justices of the High Court</i> ¹	1	2,053	2,053
<i>National Handgun Buyback Act 2003</i> ²	2	82,473	12,086
Total estimated expenses		115,014	45,829

Note 1. The legislation establishing this special appropriation is administered by the Department of Employment and Workplace Relations. The Attorney-General's Department currently processes salaries and related payments for High Court Justices.

Note 2. The majority of the reimbursements to States and Territories under the Handgun buyback program will be made in 2003–04.

SPECIAL ACCOUNTS

Table 1.6: Estimates of special account flows and balances

Special Accounts		Estimate – 2004–05, Heavy Figures				
		Opening Balance	Receipts	Payments	Adjustments	Closing Balance
		2004–05	2004–05	2004–05	2004–05	2004–05
		2003–04	2003–04	2003–04	2003–04	2003–04
		\$'000	\$'000	\$'000	\$'000	\$'000
Other Trust Moneys – s20 FMA Act (A)	1	97	5	5	-	97
		86	16	5	-	97
Services on behalf of other governments and non-public bodies – s20 FMA Act (A)	2	1,064	1,900	2,622	-	342
		387	1,944	3,705	2,438	1,064
Legal Practice – s20 FMA Act (D)	3	-	-	-	-	-
		-	-	-	-	-
Total Special Accounts		1,161	1,905	2,627	-	439
		473	1,960	3,710	2,438	1,161

D = Departmental A = Administered

Acts Glossary:

FMA Act = *Financial Management and Accountability Act 1997*

Notes

- Note 1. For recording of unidentified receipts pending investigation and transfer to correct account or return to payer.
- Note 2. The department makes payments (for which funds have not been appropriated) on behalf of organisations such as the ACT Supreme Court (Chief Justice's salary); Department of Prime Minister and Cabinet (former Governor-General's pension); State and Territory governments (purchase of chemical, biological and radiological equipment (CBR)); and Comcare (salary payments to employees). In these cases the payments are made against money received from the client. The adjustment in 2003–04 relates to CBR receipts received in previous financial years and treated as administered revenue.
- Note 3. The balance of this account, \$43.889m, was transferred to the Australian Government Solicitor in July 1999. The account will be closed.

Section 2: Outcomes and outputs information

OUTCOMES AND OUTPUTS

The Attorney-General's Department works to achieve two outcomes specified by Government. The following section provides a departmental overview. Each outcome is then discussed in turn. The map on the following page shows the relationship between the two outcomes.

Output cost attribution

The Department's divisional structure is aligned with the Department's output structure. Divisional employee and supplier expenses are allocated directly to outputs. Overheads – support services and indirect costs such as property expenses – are allocated to outputs in the basis of divisional staffing estimates.

Outcomes and Outputs Map

Attorney-General's Department Secretary: Mr Robert Cornall	
Total Price of Outputs	\$161.929m
Departmental Outcomes Appropriation	\$156.627m
Total Administered Expenses Appropriation	\$314.587m
Outcome 1: An equitable and accessible system of federal civil justice	
Total Price	\$57.323m
Departmental Outputs Appropriation	\$55.378m
Administered Expenses Appropriation	\$279.269m
Output 1.1: Legal services and policy advice on courts and tribunals, alternative dispute resolution, administrative law, human rights, evidence and procedure Total Price \$12.436m Appropriation \$12.434m	Output 1.4: Legal services and policy advice on international law Total Price \$5.065m Appropriation \$4.919m
Output 1.2: Support for the Attorney-General as First Law Officer, advice on constitutional policy, and promotion of Australian legal services internationally Total Price \$4.102m Appropriation \$4.096m	Output 1.5: Drafting of legislative and other instruments, publication of legislative materials and provision of related legal services Total Price \$7.786m Appropriation \$6.126m
Output 1.3: Legal services and policy advice on family law and legal assistance and the administration of government programs providing legal assistance and family law related services Total Price \$15.047m Appropriation \$15.030m	Output 1.6: Legal services and policy advice on information law Total Price \$7.037m Appropriation \$6.926m
	Output 1.7: Legal services and policy advice on native title Total Price \$5.850m Appropriation \$5.847m

Outcomes and Outputs Map continued

Attorney-General's Department Secretary: Mr Robert Cornall	
Total Price of Outputs	\$161.929m
Departmental Outcomes Appropriation	\$156.627m
Total Administered Expenses Appropriation	\$314.587m

Outcome 2: Coordinated federal criminal justice, security and emergency management activity, for a safer Australia	
Total Price	\$104.606m
Departmental Outputs Appropriation	\$101.249m
Administered Expenses Appropriation	\$35.318m

Output 2.1: 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	
Total Price	\$21.607m
Appropriation	\$21.506m

Output 2.4: Development and promotion of protective security policy, advice and common standards and practices, and the coordination of protective security services, including counter-terrorism and dignitary protection	
Total Price	\$25.474m
Appropriation	\$22.663m

Output 2.2: Legal services and policy advice on security law and critical infrastructure protection	
Total Price	\$10.624m
Appropriation	\$10.587m

Output 2.5: Management and coordination of the delivery of security and guarding services to meet diplomatic, consular and other Commonwealth responsibilities	
Total Price	\$26.334m
Appropriation	\$26.334m

Output 2.3: Provide national leadership in the development of emergency management measures to reduce risk to communities and manage the consequences of disasters	
Total Price	\$20.567m
Appropriation	\$20.159m

CHANGES TO OUTCOMES AND OUTPUTS

Since the publication of the 2003–04 Portfolio Budget Statements in May 2003, there has been one change to the Department's outcomes/outputs structure. The description of Output 2.2 has been expanded to recognise the increased importance and significance of critical infrastructure protection.

OUTCOME 1 — DESCRIPTION

The Department contributes to the achievement of Outcome 1 by providing a diverse range of legal and related services and policy advice. These cover the broad areas of administrative law, alternative dispute resolution, constitutional law, courts and tribunals, evidence and procedure, family law and legal assistance, human rights, information law, international law, and native title. The Department also provides specialised support for the Attorney-General as First Law Officer, promotes Australian legal services internationally, and drafts and publishes legislative materials.

The administered items contributing to the achievement of the outcome include payments for provision of legal aid, community legal services, family relationship support services, financial assistance towards legal costs and related expenses, and expenditure under Part 9 of the *Native Title Act 1993*.

Measures affecting Outcome 1

The measures in the 2004–05 Budget for outcome 1 are:

Sydney Law Courts – refurbishment

The Government will provide \$96.7m over five years (including \$11.8m in 2008–09) towards the refurbishment on the Sydney Law Courts Building.

The building houses the High Court of Australia, the Federal Court of Australia, the Federal Magistrates Court and the New South Wales Supreme Court. The New South Wales Government has agreed in principle to meet its share of the costs of the refurbishment.

Commonwealth legal aid – equitable access

The Government will provide an additional \$52.7m over four years for Commonwealth legal aid.

This measure will increase funding for Commonwealth legal aid by approximately 10 per cent, and will enable redistribution of legal aid funds across jurisdictions to meet demographic changes, an increase in certain caps on grants associated with family law matters, establishment of a family law duty lawyer service and an increase in the base legal aid fee payable to private practitioners to \$120 an hour (excluding GST) in Tasmania, South Australia, Queensland and Western Australia.

Court security measures

The Government will provide \$15.3m over four years to fund security measures in the federal courts, the Administrative Appeals Tribunal and the National Native Title Tribunal. Of this funding, an amount of \$1.7m will be used by the Attorney-General's Department to reimburse the States for security measures in federal courts undertaken by them on behalf of the Australian Government.

The cost of this measure is being fully absorbed within the existing resourcing of the relevant agencies.

Attorney-General's Department – additional funding

The Government will provide \$6.2m in 2004–05 to fund increased expenses associated with increased responsibilities for the Attorney-General's Department. The Department has experienced an increase in its workload arising from the heightened security environment following 11 September 2001. The additional funding will help the Department to meet these increased demands. This measure affects Outcomes 1 and 2.

Depreciation funding of \$1.1m in 2004–05 will also be provided for this measure.

A provision has been made in the Contingency Reserve for possible additional funding from 2005–06, pending a review of the Department's resourcing by the Department of Finance and Administration in consultation with the Attorney-General's Department.

Attorney-General's Department – relocation and fit-out costs

The Government will provide \$23.0m over three years to enable the Attorney-General's Department to co-locate to a single site. This funding is for accommodation fit-out costs only. The relocation cost of this measure is being fully absorbed from within the existing resources of the Attorney-General's Department.

OUTCOME 1 — RESOURCING

Table 2.1.1 shows how the 2004–05 Budget appropriations translate to total resourcing for outcome 1, including administered expenses, revenue from government (appropriation), revenue from other sources, and the total price of outputs.

Table 2.1.1: Total resources for Outcome 1 (\$'000)

		Estimated actual 2003-04 \$'000	Budget estimate 2004-05 \$'000
ADMINISTERED APPROPRIATIONS			
Payments for the provision of legal aid	1	74,444	82,745
Commonwealth Legal Aid Program	2	54,289	65,008
Family Relationships Services Program ((including payments under the <i>Family Law Act 1975</i> and the <i>Marriage Act 1961</i>)	3	29,525	29,399
Financial assistance towards legal costs and related expenses	4	16,296	10,590
Community legal services	5	22,904	23,318
Family Court of WA – operating expenses	5	10,729	10,999
Reimbursements or payments – Family Law Act	5	5,526	5,614
Law Courts Ltd – contribution to operating and capital expenses and costs of the joint Law Library	6	1,753	4,054
Publication of Acts and Statutory Rules	5	1,569	1,628
Expenditure under Part 9 of the <i>Native Title Act 1993</i>		11,000	11,000
International bodies – membership contributions		440	440
Australian organisations – grants	5	704	731
<i>Judges' Pensions Act 1968</i>	5	30,488	31,690
<i>Remuneration and Allowances Act 1990</i> – Justices of the High Court		2,053	2,053
Total administered appropriations		261,720	279,269
from Special Accounts (estimated payments from Special Account balances)			
Other Trust Moneys - s20 FMA Act		5	5
Services on behalf of other governments and non-public bodies – s20 FMA Act		705	680
Legal Practice – s21 FMA Act (D)		-	-
Total Special Account Outflows		710	685
DEPARTMENTAL APPROPRIATIONS			
	7		
Output 1.1 - Legal services and policy advice on courts and tribunals, alternative dispute resolution, administrative law, human rights, evidence and procedure		11,676	12,434
Output 1.2 - Support for the Attorney-General as First Law Officer, advice on constitutional policy, and promotion of Australian legal services internationally		3,803	4,096
Output 1.3 - Legal services and policy advice on family law and legal assistance and the administration of government programs providing legal assistance and family law related services	8	13,702	15,030
Output 1.4 - Legal services and policy advice on international law		4,521	4,919
Output 1.5 - Drafting of legislative and other instruments, publication of legislative materials and provision of related legal services		5,521	6,126
Output 1.6 - Legal services and policy advice on information law		6,486	6,926
Output 1.7 - Legal services and policy advice on native title		5,584	5,847
Total revenue from government (appropriations)		51,293	55,378
Contributing to price of departmental outputs			

Table 2.1.1: Total resources for Outcome 1 (\$'000)

		Estimated actual 2003–04 \$'000	Budget estimate 2004–05 \$'000
REVENUE FROM OTHER SOURCES	9		
Output 1.1 - Legal services and policy advice on courts and tribunals, alternative dispute resolution, administrative law, human rights, evidence and procedure		185	2
Output 1.2 - Support for the Attorney-General as First Law Officer, advice on constitutional policy, and promotion of Australian legal services internationally		32	6
Output 1.3 - Legal services and policy advice on family law and legal assistance and the administration of government programs providing legal assistance and family law related services		208	17
Output 1.4 - Legal services and policy advice on international law		202	146
Output 1.5 - Drafting of legislative and other instruments, publication of legislative materials and provision of related legal services		1,651	1,660
Output 1.6 - Legal services and policy advice on information law		172	111
Output 1.7 - Legal services and policy advice on native title		25	3
Total revenue from other sources		2,475	1,945
Total price from departmental outputs (Total revenue from government and from other sources)		53,768	57,323
Total estimated resourcing for Outcome 1 (Total price of outputs and administered appropriations)		315,488	336,592
Average staffing level (number)	10	358.6	378.1

Notes

1. Adjustments affecting the increase from 2003–04 to 2004–05 are:
 - a movement of funds from 2003–04 to 2004–05 of \$1.800m
 - additional funding for the new 2004–05 budget measure of \$4.503m, and
 - an indexation adjustment.
2. Adjustments affecting the increase from 2003–04 to 2004–05 are:
 - a movement of funds from 2003–04 to 2004–05 of \$1.200m
 - additional funding for the new 2004–05 budget measure of \$8.237m, and
 - an indexation adjustment.
3. The overall decrease in the estimated actual for 2003–04 includes a movement of funds from 2002–03 to 2003–04 of \$0.134m for Grants to Family Relationships Services Program, and an indexation adjustment.
4. Adjustments affecting the decrease from 2003–04 to 2004–05 are:
 - a transfer of \$1.920m from the National Native Title Tribunal to supplement funding for financial assistance towards legal costs and related expenses in native title matters in 2003–04
 - a movement of funds from 2002–03 to 2003–04 of \$2.691m for final payments of financial assistance towards legal costs and related expenses for witnesses who appeared before the Building and Construction Industry (BCI) and the HIH Insurance Royal Commissions, and
 - the 2001–02 budget measure, Additional resourcing for native title decreasing in 2003–04 to 2004–05 by \$1.239m.
5. The increase from 2003–04 to 2004–05 is due to an indexation adjustment.
6. The increase from 2003–04 to 2004–05 is due to the new budget measure for refurbishment of the Sydney Law Courts building of \$2.400m.
7. Funding for the new budget measure, Attorney-General's Department – additional funding has been provisionally allocated on a proportional basis across outputs.
8. The additional increase from 2003–04 to 2004–05 is due to the new budget measure Commonwealth legal aid – equitable access of \$0.321m.
9. The additional reduction in overall revenue reflects one-off revenue that was received in 2003–04.
10. The increase in the estimated average staffing level in 2004–05 is due to new budget measures. These measures include the Commonwealth Legal Aid Program and workload increases in the Attorney-General's Department.

PERFORMANCE INFORMATION FOR OUTCOME 1

Table 2.2.1 provides information on the strategies chosen to deliver Outcome 1, and shows the links between the outputs and the outcome.

Table 2.2.1: Performance information for Outcome 1

Performance information for Outcome 1 administered items (including third party outputs)	
<i>Administered item</i>	<i>Performance measure</i>
Payments for the provision of legal aid	Funds provided in accordance with formal agreements between the Commonwealth and the relevant States and Territories
Commonwealth legal aid program	Funds provided in accordance with formal agreements between the Commonwealth and relevant State and Territory Legal Aid Commissions
Family Relationships Services Program	Funds provided in accordance with Service Agreements between the Commonwealth and individual service providers
Financial assistance towards legal costs and related expenses	Assistance provided in accordance with relevant legislation and in compliance with the terms of individual grants
Community legal services	Funds provided in accordance with Service Agreements between the Commonwealth and individual service providers
Family Court of Western Australia – operating expenses	Quarterly payment made in accordance with the agreement with the WA Government
Reimbursements or payments on account of reimbursement made for services under the <i>Family Law Act 1975</i> and the Child Support Scheme legislation	Funds provided in accordance with Commonwealth/State agreements
Law Courts Limited – contributions to operating and capital expenses and costs of the joint Law Library	Payments made in accordance with Commonwealth/NSW funding agreement and the refurbishment program
Publication of Acts and Statutory Rules	Expenditure in accordance with the Legislative Printing Program
Financial assistance to States and Territories under Part 9 of the <i>Native Title Act 1993</i>	Funds provided in accordance with formal agreements between the Commonwealth and the relevant States and Territories
International bodies – membership contributions	Grants made in accordance with agreed rates of contribution
Australian organisations – grants	Grants made in accordance with agreed funding arrangements
Compensation payments made under Part 2 of the <i>Native Title Act 1993</i>	Payments made in accordance with the provisions of Division 5 of Part 2 of the <i>Native Title Act 1993</i>
<i>Judges' Pensions Act 1968</i>	Payments made in accordance with entitlements and agreed arrangements
<i>Remuneration and Allowances Act 1990</i> – Justices of the High Court	Payments made in accordance with entitlements and agreed arrangements

Performance information for Outcome 1 departmental outputs	
<i>Output description</i>	<i>Performance measure</i>
<p>Output 1.1: Legal services and policy advice on courts and tribunals, alternative dispute resolution, administrative law, human rights, evidence and procedure</p> <p>(Administration, development and advancement of policy* to enhance the federal system of civil justice, including in relation to:</p> <ul style="list-style-type: none"> • human rights and discrimination law • federal courts and tribunals, civil jurisdiction and legal procedure, alternative dispute resolution and administrative law.) 	<p>Timely and sound assistance to the Attorney and the Government to:</p> <ul style="list-style-type: none"> • maintain and develop institutional frameworks that deliver efficient and effective justice • develop policies that recognise <ul style="list-style-type: none"> - needs, rights and responsibilities of individuals and families - an appropriate balance of competing community interests - legitimate business and other economic interests • explain, implement and apply the Government's policies
<p>Output 1.2: Support for the Attorney-General as First Law Officer, advice on constitutional policy, and promotion of Australian legal services internationally</p> <p>(Support for the Attorney-General as the First Law Officer and contribution to the maintenance of a system of law and justice which provides for the protection of rights and freedoms and the equality and equity before the law, including:</p> <ul style="list-style-type: none"> • provision of advice on legal profession issues and the progression of proposals for the establishment of a national legal profession • provision of advice on, and administration of the rules and policies relating to, the delivery of legal services to the Commonwealth, particularly the conduct of litigation involving the Commonwealth • the development of policies and provision of advice in relation to tied Commonwealth legal work, counsel fees, settlement of monetary claims against the Commonwealth, assistance to Ministers and officials in relation to legal proceedings, the Commonwealth's obligations as a model litigant and the use of in-house lawyers by Commonwealth agencies • provision of advice on constitutional issues having general implications for Commonwealth and federal arrangements and development of related proposals • provision of support to the International Legal Services Advisory Council in improving Australia's performance in the export of legal services 	<p>Advancement of a national legal profession</p> <p>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 and other regions</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"> • provide regular advice to government on proposed changes to simplify the legislation and keep it up-to-date • consultation about personal insolvency legislation acknowledged by stakeholders as effective and constructive

Performance information for Outcome 1 departmental outputs	
<i>Output description</i>	<i>Performance measure</i>
<ul style="list-style-type: none"> • provision of advice on international trade in legal services and international legal cooperation matters • coordination of the Commonwealth's involvement in the Standing Committee of Attorneys-General • provision of policy advice on classification and personal insolvency • provision of policy advice on tort law reform issues • provision of legal and policy advice to the Attorney-General in his capacity as a shareholder Minister of the Australian Government Solicitor.) 	
<p>Output 1.3: Legal services and policy advice on family law and legal assistance and the administration of government programs providing legal assistance and family law related services</p> <p>(Development, advancement and implementation of policies*, systems and practices, and administration of payments for, and delivery of, Government programs including:</p> <ul style="list-style-type: none"> • legal aid and family law dispute resolution services and advice on international and domestic marriage and family law • contractual arrangements to provide family law dispute resolution and legal assistance, including the assessment of service providers, negotiation of contracts, monitoring financial and operational performance against agreed targets, and liaison with providers • grants of financial assistance, including the assessment of applications, preparation of decision notes, liaison with clients and their legal representatives and monitoring of progress and outcomes • the processing and handling of international family law matters, including requests relating to international child abduction and maintenance.) 	<p>Timely and sound assistance to the Attorney and the Government to develop and implement policies that recognise:</p> <ul style="list-style-type: none"> • needs, rights and responsibilities of individuals and families • an appropriate balance of competing community interests <p>Management of programs:</p> <ul style="list-style-type: none"> • successful negotiation of agreements/contracts which reflect the Commonwealth's requirements • effective monitoring of performance of funded programs • successful implementation of new or enhanced programs/projects within available budget <p>Administration of programs:</p> <ul style="list-style-type: none"> • applications for assistance, or payments made, under special schemes, assessed in accordance with agreed arrangements or guidelines for financial assistance <p>Consultation/liaison with stakeholders:</p> <ul style="list-style-type: none"> • maintenance of effective partnerships and consultative arrangements with stakeholders <p>International casework:</p> <ul style="list-style-type: none"> • process of international casework meets/satisfies requirements of Australian and foreign law

Performance information for Outcome 1 departmental outputs	
<i>Output description</i>	<i>Performance measure</i>
	<p>Evaluations</p> <p>Review of the Community Legal Service Program – New South Wales (continuing)</p> <p>Evaluation of the legal aid aspects of the Magellan project</p>
<p>Output 1.4: Legal services and policy advice on international law</p> <p>(Protection of Australia's interests internationally and compliance with Australia's international obligations, including reporting requirements and participation in international forums:</p> <ul style="list-style-type: none"> the development of international legal instruments, including involvement in negotiations and the provision of advice and assistance to other agencies the provision of advice on the interpretation and implementation of international law representing Australia and providing advice and assistance in relation to international litigation and domestic legal proceedings involving international law international law related projects, particularly those relating to international trade law, maritime law, and treaties international reporting on Australia's compliance with treaties, including human rights treaties, and responding to communications under international human rights treaties) 	<p>Relevant, sound and timely legal advice on international law issues</p> <p>Development and implementation of sound and effective policy advice on international law issues</p> <p>Effective response to challenges to Australia's interests and rights in international courts</p> <p>Treaties and arrangements negotiated, concluded and administered in a manner consistent with Australia's interests</p> <p>Compliance with reporting requirements of international treaties and appropriate responses to international committees</p>
<p>Output 1.5: Drafting of legislative and other instruments, publication of legislative materials and provision of related legal services</p> <p>('Access to law' services and provision of drafting services and services connected with the making of legislative and other instruments for the Australian Government, departments and agencies, and providing advice about drafting and interpreting legislation to Ministers and their departments and agencies, including:</p> <ul style="list-style-type: none"> drafting regulations under Acts, rules of court, the ordinances of Australia's external Territories and regulations under ordinances, as well as instruments for signature by the Governor-General and Ministers 	<p>Level of demand for drafting and advising services (billable and non-billable)</p> <p>Satisfaction of clients with the advice and service provided, and the quality of legislative instruments, as expressed in Parliament by the Senate Standing Committee on Regulations and Ordinances</p> <p>Availability of reprints and electronic consolidations of Commonwealth legislation and compliance with publishing and tabling standards and the level of user satisfaction</p> <p>Extent to which new and consolidated Commonwealth legislation, and related information, is available on SCALEplus in a timely way and the level of user satisfaction</p>

Performance information for Outcome 1 departmental outputs	
<i>Output description</i>	<i>Performance measure</i>
<ul style="list-style-type: none"> arranging for regulations and ordinances to be printed, gazetted and tabled in Parliament, and monitoring the progress of tabled instruments through the Parliamentary system through the use of plain English and simplified styles, the production of instruments that are legally effective and meet client policy objectives, are accurate, easy to read and understand, meet best practice drafting, legal and parliamentary standards and are easily accessible, includes rewriting laws that are old or have been frequently amended and are difficult to use or understand because of the language or structure providing services to ensure the availability of Commonwealth legislation, and information about Commonwealth legislation, in printed and electronic form, including up-to-date reprints and consolidations of Commonwealth legislation.) 	<p>Extent to which new legislative instruments, and related information, are available on the Legislative Instruments Database (LID) in a timely way and the level of user satisfaction</p>
<p>Output 1.6: Legal services and policy advice on information law</p> <p>(Administration, development and advancement of policy* in relation to:</p> <ul style="list-style-type: none"> privacy, freedom of information, parliamentary privilege and defamation copyright and circuit layouts law a domestic legal framework for electronic commerce, including public key authentication and electronic signatures an international legal framework for electronic commerce, including public key authentication and electronic signatures international copyright interests including treaties and bilateral and regional negotiation/cooperation.) 	<p>Policies recognise rights and responsibilities of stakeholders</p> <p>Policies provide solutions for, and recognise an appropriate balance of, competing interests</p> <p>Commonwealth laws (and State/Territory laws with which they interact) and Government policies are effectively explained, implemented and applied</p>
<p>Output 1.7: Legal services and policy advice on native title</p> <p>(Administration, development and advancement of policy* in relation to native title and the <i>Native Title Act 1993</i> (the Act), including in relation to:</p> <ul style="list-style-type: none"> the resolution of native title applications the management of Commonwealth involvement in native title litigation 	<p>Timely and sound assistance to the Attorney (and the Government):</p> <ul style="list-style-type: none"> in the development of policies that maintain, develop and deliver efficient and effective justice in relation to native title for all Australians by providing solutions that: <ul style="list-style-type: none"> achieve an appropriate balance of competing interests

Performance information for Outcome 1 departmental outputs	
<i>Output description</i>	<i>Performance measure</i>
<ul style="list-style-type: none"> • the future use of land subject to the provisions of the Act • financial assistance to the States and Territories for native title compensation and some administrative matters • facilitating development by the States and Territories of their own native title future act systems • the overall effectiveness and efficiency of the native title system.) 	<ul style="list-style-type: none"> - recognise the needs, rights and responsibilities of individuals and groups (including families), and legitimate business and other economic interests - facilitate equitable resolution of native title issues • in the development and maintenance of legislative frameworks (Commonwealth laws and State/Territory laws with which they interact) that are appropriate for that purpose • to ensure that those policies are adequately explained, implemented and applied.

* Administration, development and advancement of policy covers a range of tasks and processes including: research and analysis; consultation; preparation of issues papers; development of policy options; presentation of submissions; preparation of drafting instructions; provision of advice; the legislative process; implementation; monitoring; evaluation; providing advice on the effectiveness of policy and briefing on the public reaction to the policy.

EVALUATIONS

Information on planned evaluation activity is included in Table 2.2.1 and will be reported on in the Annual Report.

OUTCOME 2 — DESCRIPTION

The Department contributes to the achievement of Outcome 2 by providing legal and related services and policy advice in relation to security law, critical infrastructure protection, the Commonwealth's domestic and international responsibilities for criminal justice and crime prevention, and obligations in relation to extradition and mutual assistance. It also provides national leadership in the development of emergency management measures and critical infrastructure protection; develops and promotes protective security policy, advice and common standards and practices; and coordinates protective security services including counter-terrorism and dignitary protection.

The administered items contributing to the achievement of the outcome include payments to the Northern Territory Government for diversionary programs for juveniles and the National Counter-Terrorism Committee.

Measures affecting Outcome 2

International Criminal Court – contribution

The Government will provide \$6.7m over four years for Australia's contribution to the operation of the International Criminal Court. Australia has an obligation under Article 115 of the International Criminal Court Statute to contribute financially to the Court.

Northern Territory Juvenile Diversion Scheme and Aboriginal Interpreter Service – continued funding

The Government will provide \$3.9m in 2004–05 to divert juveniles from the criminal justice system and to help alleviate the language barrier faced by Aboriginal persons in the Northern Territory. The funding will enable the continuation until 30 June 2005 of the pre-court Juvenile Diversion Scheme, related services for young people such as case management and mentoring, and the Aboriginal Interpreter Service. These initiatives are delivered through an Agreement with the Northern Territory Government.

National Community Crime Prevention Programme

The Government will provide \$20.1m over four years to establish a National Community Crime Prevention Programme.

The program will provide grants to community organisations to enable them to respond to local crime and safety issues. The program will support projects addressing concerns such as crime in indigenous communities; youth crime; alcohol-related crime; family violence; and crime prevention initiatives for seniors.

Pacific governance

The Government will provide \$11.4m over four years (including \$0.048m in capital funding) to enhance good governance and security in the Pacific region.

This funding will establish a South Pacific Section within the Attorney-General's Department to meet existing and proposed commitments, including those in Papua New Guinea and the Solomon Islands. This measure will also establish a Financial Intelligence Support Team located in Suva, Fiji, which will provide a regional approach to the provision of ongoing legal and strategic policy advice. The team will assist Pacific Island Countries to meet their international obligations regarding anti-money laundering and counter-terrorist financing.

Investing in Australia's Security – critical infrastructure protection

The Government will provide funding of \$50.2m (including \$1.7m capital funding) over four years as part of continuing efforts to ensure there are adequate levels of protective security in respect of critical infrastructure, minimal single potential points of failure and rapid, tested recovery arrangements. This funding provides resources for eight Government agencies for a range of activities to progress three key areas of critical infrastructure protection. They are:

- national coordination and leadership – including activities such as the provision of expanded Secretariat support to the Trusted Information Sharing Network for Critical Infrastructure
- infrastructure identification, analysis and remediation – including activities such as the testing of the Australian Government and private sector national information infrastructure, and
- infrastructure interdependence modelling and analysis – including activities to model and analyse interdependencies between different critical systems and networks.

The Government will assume a leadership role in these core areas of activity, working in partnership with the States and industry to progress critical infrastructure protection.

Funding for the Attorney-General's Department for this measure is \$29.9m over four years (including \$0.6m capital funding). Depreciation funding of \$0.3m over four years will also be provided.

Investing in Australia's Security – National Security Hotline

The Government will provide \$6.2m in 2004–05 for the continuation of the National Security Hotline. This funding includes \$1.5m for a public awareness campaign.

The Hotline provides an effective interface, and accessible point of contact, between the Government and the Australian public in relation to national security matters.

Melbourne 2006 Commonwealth Games – contribution

The Government will provide a cross-portfolio package of assistance totalling \$272.5m over four years from 2003–04 to 2006–07 to contribute to the staging of the Melbourne Commonwealth Games (M2006) to be held from 15–26 March 2006.

Funding of \$2.0m over the two years 2004–05 to 2005–06 will be provided to the Attorney-General's Department to contribute to security planning support and dignitary protection coordination.

Investing in Australia's Security – diplomatic guarding

The Government will provide an additional \$15.6m in 2004–05 to ensure that Australia continues to comply with its international obligations with respect to the protection of foreign diplomatic and consular interests. The funding will also enhance the protection to be provided to Australian Holders of High Office and Internationally Protected Persons.

Investing in Australia's Security – replacement armoured vehicles

The Government will provide funding of \$3.7m over four years (\$2.5m capital funding and \$1.2m expense funding) to replace its fleet of ten armoured vehicles. The expense funding will meet an increase in operating costs associated with the current security environment, the requirement to move vehicles to different locations around Australia, and increased storage costs.

Attorney-General's Department – additional funding

See description under Outcome 1.

OUTCOME 2 — RESOURCING

Table 2.1.2 shows how the 2004–05 Budget appropriations translate to total resourcing for Outcome 2, including administered expenses, revenue from government (appropriation), revenue from other sources, and the total price of outputs.

Table 2.1.2: Total resources for Outcome 2 (\$'000) continued

		Estimated actual 2003–04 \$'000	Budget estimate 2004–05 \$'000
ADMINISTERED APPROPRIATIONS			
Diversionary programs for juveniles in the Northern Territory	1	4,600	4,300
National Counter-Terrorism Committee	2	17,446	11,636
National Community Crime Prevention Programme	3	-	4,000
Australia's Contribution to the International Criminal Court	4	4,931	2,994
Australian organisations – grants	5	249	251
International bodies – membership contributions		51	51
<i>National Handgun Buyback Act 2003</i>	6	82,473	12,086
Total administered appropriations		109,750	35,318
from Special Accounts (estimated payments from Special Account balances)⁽²⁾			
Other Trust Moneys - s20 FMA Act		-	-
Services on behalf of other governments and non-public bodies – s20 FMA Act		3,000	1,942
Legal Practice – s21 FMA Act (D)		-	-
Total Special Account Outflows		3,000	1,942
DEPARTMENTAL APPROPRIATIONS			
	7		
Output 2.1 - 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	8	20,359	21,506
Output 2.2 - Legal services and policy advice on security law and critical infrastructure protection	9	2,728	10,587
Output 2.3 - Provide national leadership in the development of emergency management measures to reduce risk to communities and manage the consequence of disasters	10	27,036	20,159
Output 2.4 - Development and promotion of protective security policy, advice and common standards and practices, and the coordination of protective security services, including counter-terrorism and dignitary protection	11	19,817	22,663
Output 2.5 - Management and coordination of the delivery of security and guarding services to meet diplomatic, consular and other Commonwealth responsibilities	12	31,157	26,334
Total revenue from government (appropriations) Contributing to price of departmental outputs		101,097	101,249

Table 2.1.2: Total resources for Outcome 2 (\$'000) continued

		Estimated actual 2003–04 \$'000	Budget estimate 2004–05 \$'000
REVENUE FROM OTHER SOURCES	13		
Output 2.1 - 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		303	101
Output 2.2 - Legal services and policy advice on security law and critical infrastructure protection		337	37
Output 2.3 - Provide national leadership in the development of emergency management measures to reduce risk to communities and manage the consequence of disasters		313	408
Output 2.4 - Development and promotion of protective security policy, advice and common standards and practices, and the coordination of protective security services, including counter-terrorism and dignitary protection		3,591	2,811
Output 2.5 - Management and coordination of the delivery of security and guarding services to meet diplomatic, consular and other Commonwealth responsibilities		-	-
Total revenue from other sources		4,544	3,357
Total price from departmental outputs (Total revenue from government and from other sources)		105,641	104,606
Total estimated resourcing for Outcome 2 (Total price of outputs and administered appropriations)		215,391	139,924
Average staffing level (number)	14	400.7	425.3

Notes

1. Adjustments affecting the movements from 2003–04 to 2004–05 are:
 - a movement of funds between 2003–04 to 2004–05 of \$0.400m, and
 - a new budget measure Northern Territory Juvenile Diversion Scheme and Aboriginal Interpreter Service continued funding, of \$3.900m.
2. The decrease from 2003–04 to 2004–05 is due to funding for the 2003–04 budget measure, A Safer Australia – upgrade of the Australian Secure Network communications infrastructure decreasing in 2004–05.
3. The increase from 2003–04 to 2004–05 is due to funding provided in 2004–05 for the new budget measure, National Community Crime Prevention Programme of \$4.000m.
4. The decrease from 2003–04 to 2004–05 is due to an extra payment being made in 2003–04 for the previous year.
5. The increase in 2004–05 is due to an indexation adjustment.
6. The decrease in appropriations from 2003–04 to 2004–05 is due to the majority of the reimbursement to States and Territories under the Handgun Buyback Program being made in 2003–04.
7. Funding for the new budget measure, Attorney-General's Department – additional funding, has been provisionally allocated on a proportional basis to outputs.
8. Additional adjustments affecting the movements from 2003–04 to 2004–05 are:
 - National Crime Prevention Program funding ceasing and reducing by \$4.000m
 - Increased funding of \$1.000m for the National Community Crime Prevention Programme new budget measure, and
 - Increased funding of \$2.772m for the Pacific governance new budget measure.
9. The increase from 2003–04 to 2004–05 is due to the new budget measure, critical infrastructure protection of \$7.373m, and an indexation adjustment.
10. The reduction from 2003–04 to 2004–05 is due to a reduction in the 2002–03 budget measure, incident response capabilities funding, by \$7.900m from 2003–04 to 2004–05.

11. Adjustments affecting the movements of 2003–04 to 2004–05 are:
 - Increased funding of \$0.300m for the armoured vehicles operating expenses, and
 - Increased funding of \$0.800m for the new budget measure security for the Melbourne 2006 Commonwealth Games contribution.
12. Adjustments affecting the movements of 2003–04 to 2004–05 are:
 - A one-off increase in funding in 2003–04 of \$20.700m for the 2003–04 guarding budget measure, and
 - Increased funding of \$15.600m for the new 2004–05 budget measure diplomatic guarding.
13. Reduction in overall revenue reflects one-off revenue that was received in 2003–04.
14. The increase in the estimated average staffing level in 2004–05 is due to additional funding for new 2004–05 budget measures. These measures include security support for the 2006 Commonwealth Games, the national security hotline, the National Community Crime Prevention Programme and Critical Infrastructure Protection.

PERFORMANCE INFORMATION FOR OUTCOME 2

Table 2.2.2 provides information on the strategies chosen to deliver Outcome 2, and shows the links between the outputs and the outcome.

Table 2.2.2: Performance information for Outcome 2

Performance information for Outcome 2 administered items (including third party outputs)	
<i>Administered item</i>	<i>Performance measure</i>
Diversionary programs for juveniles in the Northern Territory	Expenditure in accordance with Government decision and agreed arrangements
National Counter-Terrorism Committee – operating expenses	Expenditure in accordance with Government decision and as approved by the Committee
Australian organisations – grants	Grants made in accordance with agreed funding arrangements
<i>National Firearms Program Implementation Act 1996 – Administration</i>	Expenditure in accordance with the objectives of the Program
Handgun Buyback program	Expenditure in accordance with the legislation
Australia's contribution to the International Criminal Court	Grants made in accordance with Government decisions and agreed rates of contribution
International bodies – membership contributions	Grants made in accordance with Government decisions and agreed rates of contribution

Performance information for Outcome 2 departmental outputs	
<i>Output description</i>	<i>Performance measure</i>
<p>Output 2.1: 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>(Administration, development and advancement of policy* to develop and enhance Australia's federal criminal justice system including:</p> <ul style="list-style-type: none"> • criminal justice and criminal law reform • law enforcement and the prevention of violence and crime within the community • extradition and mutual assistance in criminal matters, and status of visiting forces requests, including mutual assistance in business regulation, assistance to the International War Crimes Tribunals • major law enforcement issues, including fraud, firearms, illicit drugs, portfolio law enforcement agencies and National Common Police Services • Commonwealth sentencing laws, the administration of federal prisoners, Commonwealth sentencing laws and international prisoner transfers • Australia's interests in relation to international criminal justice, including participation in international arrangements, proposals and programs in the criminal justice field, updating of treaties and other international arrangements • strategies for violence and crime prevention including the implementation of a coordinated Commonwealth led crime prevention program involving commissioned research, capacity building funding, national training frameworks and community education.) 	<p>Policy advice:</p> <ul style="list-style-type: none"> • sound policy advice provided to meet the Government's and Minister's timetable • effective coordination and representation of Commonwealth interests in international and domestic policy development forums • Government's legislation requirements met <p>Development of appropriate strategies for violence and crime prevention</p> <p>Management of programs:</p> <ul style="list-style-type: none"> • agreements/contracts negotiated which reflect the Commonwealth's requirements • performance of contractual and agreement obligations monitored, reported and evaluated • successful implementation of new or enhanced programs/projects within available budget <p>Casework:</p> <ul style="list-style-type: none"> • 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 <p>Evaluation Part ID Crimes Act, Forensic Procedures Review to be conducted in 2004–05.</p>

Performance information for Outcome 2 departmental outputs	
<i>Output description</i>	<i>Performance measure</i>
<p>Output 2.2: Legal services and policy advice on security law and critical infrastructure protection</p> <p>(Administration, development and advancement of policy* to develop and enhance Australia's national security capability including national security, critical infrastructure protection, counter-terrorism, telecommunications interception, surveillance, secrecy and public order)</p>	<p>Policies recognise rights and responsibilities of stakeholders</p> <p>Policies provide solutions for, and recognise an appropriate balance of, competing interests</p> <p>Government policies are effectively explained, implemented and applied</p> <p>Effective leadership, coordination and representation of Commonwealth interests in international and domestic forums</p>
<p>Output 2.3: Provide national leadership in the development of emergency management measures to reduce risk to communities and manage the consequences of disasters</p> <p>(Coordination of Commonwealth support to the states and territories and our region in times of disaster.</p> <p>Enhancement of national emergency management capabilities by developing Commonwealth and national emergency management policies, plans and programs.)</p>	<p>Develop a strategic emergency management framework agenda</p> <p>Build more effective relationships between emergency management and other sector stakeholders</p> <p>Enhance emergency management capability</p> <p>Facilitate the process of developing resilient and safer sustainable communities</p>
<p>Output 2.4: Development and promotion of protective security policy, advice and common standards and practices, and the coordination of protective security services, including counter-terrorism and dignitary protection</p> <p>(The development and promotion of protective security policy, advice, common standards and practices, and the coordination of protective security services, including in relation to:</p> <ul style="list-style-type: none"> • protective security policy, including the development of policy in consultation with Commonwealth agencies and the provision of advice to Commonwealth departments and agencies on issues relating to protective security procedures and practices • protective security education and awareness, including the provision of related training to Commonwealth, State and Local Government employees and contractors • security vetting services • the national counter-terrorism program, including supporting PM&C in the management of the National Counter-Terrorism Committee (NCTC) and its exercise, training and equipment 	<p>Effective coordination of security issues through cooperative relationships between governments and law enforcement and justice agencies within and outside of Australia</p> <p>Security education and awareness meets clients needs and reflects standards as set out in the Protective Security Manual</p> <p>Security clearance investigations conducted in accordance with standards specified in the Protective Security Manual in line with Memoranda of Understanding with client agencies</p> <p>Effective management and coordination of security arrangements for Australian office holders, visiting dignitaries and diplomatic and consular personnel and premises</p> <p>Effective protective security practices, procedures and standards for Commonwealth departments and agencies</p> <p>Evaluation</p> <p>The National Counter-Terrorism Committee (NCTC) has commissioned an evaluation of progress against the key findings from the National Counter-Terrorism Capability Analysis conducted by Deloitte Consulting in 2002. The NCTC is expected to consider the outcomes of the review in mid 2004.</p>

Performance information for Outcome 2 departmental outputs	
<i>Output description</i>	<i>Performance measure</i>
<p>procurement programs, the management of the Commonwealth Counter-Terrorism Committee (CCTC), assisting with the provision of executive and secretariat support to the NCTC, its sub-committees and ad hoc project groups, provision of executive and secretariat support to the CCTC and development and maintenance of the National Counter-Terrorism Plan and associated Handbook</p> <ul style="list-style-type: none"> • coordination of the Commonwealth's responsibilities in counter-terrorism crisis management • the management and coordination of dignitary protection services in respect of those for whose protection the Commonwealth has an international responsibility or legal obligation, including the Prime Minister, the Governor-General, Commonwealth Ministers and Parliamentarians, their staff and families, former Prime Ministers and Governors-General, visiting foreign dignitaries, the diplomatic and consular community • maintain a dedicated security coordination and response management facility, known as the Watch Office, in support of Outputs 2.4 and 2.5 • manage the National Security Hotline (1800 123 400) to provide a 24 hour/7days per week facility for the public to seek assurance or report matters of security that are of concern to them. Information reported is forwarded to the relevant State, Territory and/or Commonwealth agencies in a timely manner.) 	
<p>Output 2.5: Management and coordination of the delivery of security and guarding services to meet diplomatic, consular and other Commonwealth responsibilities</p> <p>(Provision for guarding services at diplomatic missions and residences, Official Establishments, residences and electorate offices of office holders under threat, and as otherwise required).</p>	<p>No security failure attributed to the Protective Security Coordination Centre</p> <p>Level of guarding is commensurate with the level of threat and risk</p>

* Administration, development and advancement of policy covers a range of tasks and processes including: research and analysis; consultation; preparation of issues papers; development of policy options; presentation of submissions; preparation of drafting instructions; provision of advice; the legislative process; implementation; monitoring; evaluation; providing advice on the effectiveness of policy and briefing on the public reaction to the policy.

EVALUATIONS

Information on planned evaluation activity is included in Table 2.2.2 and will be reported on in the Annual Report.

Section 3: Budgeted financial statements

ANALYSIS OF BUDGETED FINANCIAL STATEMENTS

Departmental

Statement of Financial Performance

The budgeted variations in annual appropriation revenues across years relate primarily to movements in funding for budget measures. In particular, a number of measures in the 2004-05 Budget provide funding for 2004-05 only with funding in future years subject to review. These include diplomatic guarding, the National Security Hotline and workload increase funding.

Statement of Financial Position

Budgeted net assets increase across years in accordance with the timing of capital funding for fit-out for the Department's proposed relocation.

Administered

Schedule of Budgeted Revenues and Expenses

The decrease in administered expenses from 2003-04 to 2004-05 is due to reimbursements to the States in 2003-04 under the Handgun Buyback program.

Schedule of Budgeted Assets and Liabilities

The Department's major administered assets are an appropriation receivable in relation to accruing judges' pension entitlements and investments in associated and controlled entities in the portfolio. The department's major administered liability is the provision for accruing judges' pension's entitlements.

Table 3.1: Budgeted Departmental Statement of Financial Performance for the period ended 30 June

	Estimated Actual 2003-04 \$'000	Budget Estimate 2004-05 \$'000	Forward Estimate 2005-06 \$'000	Forward Estimate 2006-07 \$'000	Forward Estimate 2007-08 \$'000
REVENUE					
Revenues from ordinary activities					
Revenues from government	152,390	156,627	130,083	125,904	128,718
Sales of goods and services	7,019	5,213	5,213	5,213	5,213
Other	136	225	222	224	226
Total	159,545	162,065	135,518	131,341	134,157
EXPENSE					
Expenses from ordinary activities (excluding borrowing costs expense)					
Employees	66,367	72,093	66,354	65,544	67,095
Suppliers	111,903	85,049	66,358	61,990	63,253
Depreciation and amortization	5,831	4,923	3,806	3,807	3,809
Expenses from ordinary activities (excluding borrowing costs expense)	184,101	162,065	135,518	131,341	134,157
Borrowing costs expense	-	-	-	-	-
Net surplus or deficit	(24,556)	-	-	-	-

Table 3.2: Budgeted Departmental Statement of Financial Position as at 30 June

	Estimated Actual 2003–04 \$'000	Budget Estimate 2004–05 \$'000	Forward Estimate 2005–06 \$'000	Forward Estimate 2006–07 \$'000	Forward Estimate 2007–08 \$'000
ASSETS					
Financial assets					
Cash	2,007	2,007	2,007	2,007	2,007
Receivables	30,915	32,796	32,061	29,794	33,527
Total financial assets	32,922	34,803	34,068	31,801	35,534
Non-financial assets					
Land and buildings	5,271	5,271	5,271	5,271	5,271
Infrastructure, plant and equipment	15,259	17,266	27,351	41,018	37,285
Intangibles	6,824	6,824	6,824	6,824	6,824
Inventories	134	134	134	134	134
Other	833	833	833	833	833
Total non-financial assets	28,321	30,328	40,413	54,080	50,347
Total assets	61,243	65,131	74,481	85,881	85,881
LIABILITIES					
Interest bearing liabilities					
Leases	2,021	2,021	2,021	2,021	2,021
Other	96	96	96	96	96
Total interest bearing liabilities	2,117	2,117	2,117	2,117	2,117
Provisions					
Employees	20,869	19,367	19,367	19,367	19,367
Total provisions	20,869	19,367	19,367	19,367	19,367
Payables					
Suppliers	9,286	9,286	9,286	9,286	9,286
Other	7,131	7,131	7,131	7,131	7,131
Total Payables	16,417	16,417	16,417	16,417	16,417
Total liabilities	39,403	37,901	37,901	37,901	37,901
EQUITY					
Contributed equity	22,408	27,798	37,148	48,548	48,548
Reserves	10,133	10,133	10,133	10,133	10,133
Retained surpluses	(10,701)	(10,701)	(10,701)	(10,701)	(10,701)
Total equity	21,840	27,230	36,580	47,980	47,980
TOTAL ASSETS AND LIABILITIES BY MATURITY					
Current assets	33,889	35,770	35,035	32,768	36,501
Non-current assets	27,354	29,361	39,446	53,113	49,380
Current liabilities	33,889	35,770	35,035	32,768	36,501
Non-current liabilities	27,354	29,361	39,446	53,113	49,380

**Table 3.3: Budgeted Departmental Statement of Cash Flows
for the period ended 30 June**

	Estimated Actual 2003–04 \$'000	Budget Estimate 2004–05 \$'000	Forward Estimate 2005–06 \$'000	Forward Estimate 2006–07 \$'000	Forward Estimate 2007–08 \$'000
OPERATING ACTIVITIES					
Cash received					
Appropriations	176,065	154,746	130,818	128,171	124,985
Goods and services	7,019	5,213	5,213	5,213	5,213
GST receipts	6,700	6,700	6,700	6,700	6,700
Other	-	89	86	88	90
Total cash received	189,784	166,748	142,817	140,172	136,988
Cash used					
Employees	65,374	73,595	65,354	65,544	67,095
Suppliers	111,768	84,913	66,222	61,854	63,117
GST payments	6,700	6,700	6,700	6,700	6,700
Other	70	72	73	74	76
Total cash used	183,912	165,280	138,349	134,172	136,988
Net cash received from operating activities	5,872	1,468	4,468	6,000	-
INVESTING ACTIVITIES					
Cash Received					
Other	-	-	-	-	-
Total cash received	-	-	-	-	-
Cash used					
Purchase of property, plant and equipment	7,776	6,858	13,818	17,400	-
Total cash used	7,776	6,858	13,181	17,400	-
Net cash used for investing activities	(7,776)	(6,858)	(13,818)	(17,400)	-
FINANCING ACTIVITIES					
Cash received					
Cash from capital injections	251	5,390	9,350	11,400	-
Total cash received	251	5,390	9,350	11,400	-
Net cash received from financing activities	251	5,390	9,350	11,400	-
Net increase/(decrease) in cash held	(1,653)	-	-	-	-
Cash at the beginning of the reporting period	3,660	2,007	2,007	2,007	2,007
Cash at the end of the reporting period	2,007	2,007	2,007	2,007	2,007

Table 3.4: Departmental Capital Budget Statement for the period ended 30 June

	Estimated Actual 2003-04 \$'000	Budget Estimate 2004-05 \$'000	Forward Estimate 2005-06 \$'000	Forward Estimate 2006-07 \$'000	Forward Estimate 2007-08 \$'000
CAPITAL APPROPRIATIONS					
Total equity injections	251	5,390	9,350	11,400	-
Total loans	-	-	-	-	-
Appropriation for previous years' outputs	5,151	-	-	-	-
Total	5,402	5,390	9,350	11,400	-
Represented by:					
Purchase of non-financial assets	251	5,390	9,350	11,400	-
Other	5,151	-	-	-	-
Total	5,402	5,390	9,350	11,400	-
PURCHASE OF NON-FINANCIAL ASSETS					
Funded by capital appropriations	251	5,390	9,350	11,400	-
Funded internally by departmental resources	7,525	1,468	4,468	6,000	-
Total	7,776	6,858	13,818	17,400	-

Table 3.5: Departmental Non-financial Assets — Summary of Movement (Budget year 2004–05)

	Land	Buildings	Specialist military equipment	Other infrastructure plant and equipment	Heritage and cultural assets	Computer software	Other intangibles	Total
	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
Carrying amount at the start of year	2,075	3,196	-	15,259	-	6,824	-	27,354
Additions	-	-	-	6,858	-	-	-	6,858
Disposals	-	-	-	-	-	-	-	-
Revaluation increments	-	-	-	-	-	-	-	-
Recoverable amount write-downs	-	-	-	-	-	-	-	-
Net transfers free of charge	-	-	-	-	-	-	-	-
Depreciation/amortisation expense	-	-	-	(4,851)	-	-	-	(4,851)
Write-off of assets	-	-	-	-	-	-	-	-
Carrying amount at the end of year	2,075	3,196	-	17,266	-	6,824	-	29,361
Total additions								
Self funded	-	-	-	1,468	-	-	-	1,468
Appropriations	-	-	-	5,390	-	-	-	5,390
Total	-	-	-	6,858	-	-	-	6,858

Table 3.6: Schedule of Budgeted Revenues and Expenses Administered on behalf of Government for the period ended 30 June

	Estimated Actual 2003-04 \$'000	Budget Estimate 2004-05 \$'000	Forward Estimate 2005-06 \$'000	Forward Estimate 2006-07 \$'000	Forward Estimate 2007-08 \$'000
REVENUES					
Non-taxation					
Dividends	9,440	9,440	9,440	9,440	9,440
Other sources of non-taxation revenues	324	324	324	324	324
Total non-taxation	9,764	9,764	9,764	9,764	9,764
Total revenues administered on behalf of the Government	9,764	9,764	9,764	9,764	9,764
EXPENSES					
Suppliers	170	170	170	170	170
Subsidies	19,906	16,540	21,444	48,996	56,168
Grants	319,023	264,304	249,202	254,137	261,536
Personal Benefits	32,541	33,743	33,743	33,743	33,743
Total expenses administered on behalf of the Government	371,640	314,757	304,559	337,046	351,617

Table 3.7: Schedule of Budgeted Assets and Liabilities Administered on behalf of Government as at 30 June

	Estimated Actual 2003-04 \$'000	Budget Estimate 2004-05 \$'000	Forward Estimate 2005-06 \$'000	Forward Estimate 2006-07 \$'000	Forward Estimate 2007-08 \$'000
ASSETS					
Financial assets					
Cash	277	277	277	277	277
Receivables	374,947	396,180	396,180	396,180	396,180
Investments	187,696	187,696	187,696	187,696	187,696
Total financial assets	562,920	584,153	584,153	584,153	584,153
Non-financial assets					
Land and buildings	-	-	-	-	-
Infrastructure, plant and equipment	12	12	12	12	12
Inventories	131	131	131	131	131
Other non-financial assets	49	49	49	49	49
Total non-financial assets	192	192	192	192	192
Total assets administered on behalf of the Government	563,112	584,345	584,345	584,345	584,345
LIABILITIES					
Payables					
Suppliers	1,206	1,206	1,206	1,206	1,206
Personal benefits payable	359,183	380,416	380,416	380,416	380,416
Leases	3,629	3,629	3,629	3,629	3,629
Other payables	2,309	2,309	2,309	2,309	2,309
Total payables	366,327	387,560	387,560	387,560	387,560
Total liabilities administered on behalf of the Government	366,327	387,560	387,560	387,560	387,560

Table 3.8: Schedule of Budgeted Administered Cash Flows for the period ended 30 June

	Estimated Actual 2003-04	Budget Estimate 2004-05	Forward Estimate 2005-06	Forward Estimate 2006-07	Forward Estimate 2007-08
	\$'000	\$'000	\$'000	\$'000	\$'000
OPERATING ACTIVITIES					
Cash received					
Cash from official public account for appropriation	351,439	293,354	304,389	336,876	351,447
Interest and dividends	9,440	9,440	9,440	9,440	9,440
GST received from ATO	2,500	2,500	2,500	2,500	2,500
Other	324	324	324	324	324
Total cash received	363,703	305,618	316,653	349,140	363,711
Cash used					
Subsidies paid	19,906	16,540	21,444	48,996	56,168
Grant payments	319,189	264,470	249,368	254,303	261,702
Suppliers	170	170	170	170	170
Cash to official public account	9,594	9,594	9,594	9,594	9,594
Personal benefits	12,344	12,344	33,577	33,577	33,577
GST paid to suppliers	2,500	2,500	2,500	2,500	2,500
Other	-	-	-	-	-
Total cash used	363,703	305,618	316,653	349,140	363,711
Net cash from operating activities	-	-	-	-	-
FINANCING ACTIVITIES					
Cash received					
Administered GST appropriation	2,500	2,500	2,500	2,500	2,500
Total cash received	2,500	2,500	2,500	2,500	2,500
Cash used					
Return of GST appropriation to the OPA	2,500	2,500	2,500	2,500	2,500
Total cash used	2,500	2,500	2,500	2,500	2,500
Net cash from financing activities	-	-	-	-	-
Net increase in cash held	-	-	-	-	-
Cash at the beginning of the reporting period	277	277	277	277	277
Cash at the end of the reporting period	277	277	277	277	277

NOTES TO THE FINANCIAL STATEMENTS

Departmental Financial Statements and Notes Administered Items

Under the Commonwealth's accrual budgeting framework, and consistent with Australian Accounting Standards, transactions that agencies control (departmental transactions) are separately budgeted for and reported on from transactions agencies do not have control over (Administered transactions). This ensures that agencies are only held fully accountable for the transactions over which they have control. Differences are:

- Departmental items are those assets, liabilities, revenues and expenses in relation to an agency or authority that are controlled by the agency. Departmental expenses include employee and supplier expenses and other administrative costs, which are incurred by the agency in providing its goods and services, and
- Administered items are revenues, expenses, assets and liabilities that are managed by an agency or authority on behalf of the Government according to set Government directions. Administered expenses include subsidies, grants and personal benefit payments and Administered revenues include taxes, fees, fines and excises.

Appropriations in the accrual budgeting framework

Under the Commonwealth's accrual budgeting framework, separate annual appropriations are provided for:

- Departmental price of outputs appropriations—representing the Government's purchase of outputs from agencies
- Departmental capital appropriations—for investments by the Government for either additional equity or loans in agencies
- Administered expense appropriations—for the estimated Administered expenses relating to an existing outcome, a new outcome or a Specific Purpose Payment to the states, and
- Administered capital appropriations—for increases in Administered equity through funding non-expense Administered payments.

Special appropriations fund the majority of payments from the Consolidated Revenue Fund (especially those that are entitlement driven or involve transfers to State governments).

Administered investments in controlled entities

Each Commonwealth Department is required to show an Administered investment in each *Commonwealth Authority and Company Act 1997* (CAC) entity within their portfolio. These Administered investments should be valued at the Commonwealth's ownership interest in the net assets of those CAC entities, fixed at a notional acquisition date of 30 June 1997.

Asset valuation

From 1 July 2002 Commonwealth agencies and authorities are required to use either the cost basis or the fair value basis to measure Property, Plant and Equipment. The shift from the deprival method of valuation to fair value should occur gradually over a three-year period. Fair value essentially reflects the current market value of an asset.

Section 4: Purchaser/Provider and Cost Recovery arrangements

PURCHASER/PROVIDER ARRANGEMENTS

The Department has a Business Partnership Agreement with the Department of Family and Community Services (FACS) for the delivery of family law related dispute resolution services. Under the Agreement, administered expenses for this purpose are appropriated to the Department for payment to FACS to enable FACS to purchase the services from community based organisations.

COST RECOVERY ARRANGEMENTS

The Attorney-General's Department does not have any significant cost recovery arrangements as defined in the Commonwealth Cost Recovery Guidelines.