

# 01

CHAPTER



## Secretary's review

The theme of this year's annual report is *Working across government to achieve shared goals*, which neatly sums up the many demands on the Attorney-General's Department in 2006–07.

The Department's roles and responsibilities continued to grow during the year. This growth came from the expansion of existing functions and the acquisition of new ones.

### New functions

During the year, the Department:

- prepared to take over vetting applicants for aviation and maritime security identification cards through a new division, the Australian Background Checking Service—AusCheck, which commenced operation on 3 September 2007
- assumed the policy and administrative roles of the Office of Film and Literature Classification in relation to films, computer games and publications
- commenced work to set up a national personal property securities scheme including a single, online register in accordance with a Council of Australian Governments decision in April 2007 to pursue personal property securities law reform
- took over the management of Australia's intercountry adoption programs from the States and Territories, and
- opened the first 15 Family Relationship Centres through contracted service providers in July 2006 and established the next 25 centres, which opened in July 2007.

These new responsibilities share two common characteristics. They are principally operational activities and they deliver services to agencies, organisations and people outside the Australian Government.

AusCheck will provide vetting services to around 220 private sector, statutory and government issuers of security identification cards in accordance with the provisions of the *AusCheck Act 2007*, which was passed by Parliament in March 2007. Issuers include Qantas; Virgin Blue; the Sydney, Melbourne and Brisbane Airport Corporations; Fremantle Port Authority; the Sydney and Melbourne Port Corporations; 1-Stop; Fastcards; Veritas Engineering; Total Marine; Dampier Port Authority; the Civil Aviation Safety Authority; and the Australian Customs Service.

From 1 July 2007, the renamed Classification, Legal Services and Native Title Division will support the Classification Board and the Classification Review Board. The Division assumed sole responsibility for classification policy on 1 July 2006. The Classification Board made nearly 7,000 classification decisions during the year, including 402 public exhibition movie decisions for distributors such as Fox, Hoyts and Paramount. Other decisions involved DVDs, computer games, magazines, Internet material and seized material submitted by the Australian Customs Service and law enforcement agencies.

The Personal Property Securities Register is expected to become operational in 2009. Major users will include banks, finance companies and information brokers as well as the general public. The register will contain details of securities over personal property such as cars, boats, shares and book debts. We are currently consulting industry groups (including the Australian Bankers' Association and the Australian Finance Conference) and the States and Territories on the design of the new scheme and register, which is modelled on a similar scheme in New Zealand. It will replace more than 70 existing but separate State, Territory and Commonwealth schemes affecting different classes of securities.

The management of Australia's intercountry adoption programs involves direct dealings with government departments and adoption agencies in 14 countries. We are presently seeking to expand existing programs and negotiate further arrangements with other countries. Individual applications for adoption will continue to be dealt with by the States and Territories.

This program is growing in importance. The Australian Institute of Health and Welfare announced in December 2006 that *the number of intercountry adoptions has tripled over the last 25 years and now accounts for three-quarters of all adoptions*.

In the first year of operation, more than 57,000 people contacted a Family Relationship Centre. The centres provide information and referral to services for people who want help in strengthening their family relationship or overcoming difficulties. The centres help people to access services involving pre-marriage education, relationship counselling, drug and alcohol problems, domestic violence and so on.

Where relationships have broken down, the centres also provide individual help, education programs and joint dispute resolution services designed to assist the participants to focus on the needs of their children after family break up and reduce the stress and conflict that can be associated with protracted court proceedings.

## Increasing responsibilities

At the same time, many of our longer standing roles are being charged with increased and broader responsibilities, often with international aspects.

The Protective Security Coordination Centre coordinated eight counter-terrorism exercises to practise our national counter-terrorism arrangements in preparation for the Asia-Pacific Economic Cooperation ministerial and senior officials' meetings throughout the year and Leaders' Week in Sydney in September 2007.

The National Security Hotline, which continued to provide an important service throughout the year, took its 100,000th call in August 2007. In his weekly radio message on 9 July 2007, the Prime Minister said, 'There is no doubt the Hotline has become a valuable tool in the fight against terrorism'.

In the area of criminal law, the Australian Government and State and Territory governments reached a landmark agreement on sharing DNA information to fight crime. The national DNA database allows police to compare profiles from DNA collected by each jurisdiction, so offenders can no longer avoid detection by simply moving interstate. DNA matching also plays a vital role in identifying disaster victims and missing persons.

Departmental officers concluded negotiations with the United Arab Emirates on treaties for extradition and mutual legal assistance. A mutual assistance treaty was signed with Thailand and a transfer of prisoners agreement was signed with Cambodia.

Those activities were in addition to the continuing responsibility of the Office of International Law to provide advice and assistance on international legal issues including Australia's overseas deployments in Iraq, Afghanistan, Solomon Islands and Timor-Leste.

The Indigenous Justice and Legal Assistance Division assisted the Tasmanian Aboriginal Centre to reach agreement with the British Natural History Museum in London for the return of Aboriginal remains after a mediation conducted by Sir Laurence Street and Lord Woolf.

The Indian Ocean tsunami in December 2005 illustrated the huge damage and loss of life that can be caused by this form of natural disaster. Emergency Management Australia has improved Australia's ability to cope with a tsunami by training key personnel in the best ways to prepare for and respond to a tsunami. EMA has also taken a leading role in setting up a tsunami early warning system in our region.

Australia is used to natural and man-made disasters like floods, earthquakes, bushfires and major accidents. But any of these events, along with a terrorist attack, could have a grave impact on our critical infrastructure, with severe flow on effects for the community. The Security and Critical Infrastructure Division is tackling these issues head-on through its Critical Infrastructure Protection Modelling and Analysis Program.

The program has been developed in conjunction with Geoscience Australia and CSIRO with the cooperation of both public and private sector organisations. It analyses the impact on infrastructure in a nominated area and the likely consequential damage to people, businesses, homes and the economy. It highlights the strengths and weaknesses in Australia's infrastructure and is the only program of its type in the world operating at a national level.

A significant legislative outcome during the year was the passage of the *Copyright Amendment Act 2006*, which was in part responding to obligations under the Australia-United States Free Trade Agreement. It also made it legal for people to record television or radio programs and play them at another time and legalised format shifting—meaning, for example, that people may put their CD collections onto iPods and MP3 players.

This legislation was part of 30 Bills totalling approximately 1,500 pages introduced into Parliament for the Attorney-General's portfolio during the year.

The single most demanding task arose as the year drew to a close. Many areas of the Department were engaged in the Government's Northern Territory Emergency Response. This major initiative followed publication of the *Little children are sacred* report and its detailed exposure of child sex abuse in remote Indigenous communities. The Department's involvement included advice on racial discrimination, native title, constitutional law, criminal law, classification and pornography and police powers, as well as legislative drafting and practical participation in the coordination of operational activities on the ground.

This list of activities and responsibilities old and new is indicative, not exhaustive. However, it illustrates the scope of the functions the Department undertakes and the extent to which they are performed in conjunction with other Australian Government agencies, State and Territory governments and private-sector and non-government organisations.

## Support

None of these functions could be performed effectively without strong support services. The Department is fortunate to have a solid base in information technology, corporate services and financial management.

The Information and Knowledge Services Group provide high quality IT services to the Department and outside agencies as well. It manages the ASNET secure communications network, which is used by all Australian governments. It is assisting with the development of the computer programs that will form the basis of AusCheck and the Personal Property Securities Register.

IKS also established the Australian Disaster Information Network portal during the year. AusDIN provides an information sharing IT facility that involves all the States and Territories. It is aimed at a very large potential audience of emergency management practitioners, volunteers, community groups, school children and curious browsers.

The Corporate Services Group has the constant challenge of recruiting new staff and finding accommodation for them. This task is becoming increasingly

# CHAPTER 01

difficult as the Department has grown from an average staffing level of 988 in the year to 30 June 2006 to an average staffing level of 1,252 this year.

One of the difficulties with rapid growth is ensuring new staff are successfully assimilated into the Department and that they quickly acquire the skills they need to do their job. Recognising some weaknesses in this area, a number of senior officers implemented several training initiatives this year:

- *The AGD survival kit: a working guide to legislation and Bills*—a handbook about how to navigate the process of legislation
- legislation seminars—practical lectures on how to prepare a Bill for introduction and support its passage through Parliament, and
- *Navigating Government* seminar—providing an overview of our system of government and our role in it.

The Department's financial management has improved greatly over the last two years following the implementation of the recommendations made in a review undertaken in 2004 by Mr Len Early.

A new initiative this year was the introduction of a financial management learning and development program. It includes a financial management training program for managers; a module on understanding the external budget, appropriations and financial framework; a module for executive and personal assistants and other administrative staff with financial responsibilities; and training in procurement and the Chief Executive's Instructions.

## Thanks

The Department has worked hard to support the Attorney-General and the Minister for Justice and Customs and advance the Government's program during the year. I thank all the officers of the Department for their contribution to our successful outcomes.



Robert Cornall AO