

Secretary's review





Mr Robert Cornall,
Secretary

The Attorney-General's Department contributes to the Government's policy agenda in many areas. Examples of its achievements in 2004–05 are set out in the highlights which follow this review.

When I reflect on the Department's overall performance during the year, five things stand out.

International involvement

The first reflection is that the Department has had a much increased international involvement over the last few years. This involvement has included our traditional role of providing advice on Australia's obligations under international law in areas ranging from treaty negotiations to free trade agreements and military engagements.

But it has also included direct participation in a number of Australia's important recent international commitments. These examples demonstrate the point.

Australia and Indonesia co-hosted a regional ministerial forum on counter-terrorism in 2004. The forum established a Legal Issues Working Group chaired by the Attorney-General's Department to improve cooperation and encourage implementation of United Nations counter-terrorism obligations. Since early 2005, we have provided drafting and policy expertise to develop a counter-terrorism bill for Cambodia which can be used as a template for similar laws in other nearby countries which do not have terrorism laws.

The Department is assisting Pacific island countries to prevent money laundering and terrorist financing.

We have been negotiating arrangements for extradition of alleged offenders and for mutual assistance in criminal matters with countries in our region to facilitate the investigation and prosecution of criminal cases, including terrorism.

Another illustration is our participation in the Proliferation Security Initiative, under which 20 countries are taking steps to stop the proliferation of weapons of mass destruction (WMD) by limiting the movement of WMD and their components.

Then there is the Enhanced Cooperation Program (ECP) for Papua New Guinea. One of the program's aims is to help PNG's law and justice sector to fight corruption, protect the citizens of PNG and ensure that the country does not become a haven for criminal and terrorist activity.

Under the ECP, the Attorney-General's Department agreed to provide judges, prosecutors, legal policy officers and a solicitor-general. Some of them are in Port Moresby now, working in those positions, despite the complications caused by the successful constitutional challenge to aspects of the ECP in the *Wenge Case*.



Shoulder ride in Bougainville.
Photo by Richard Fairbrother.

A final example is the involvement of Emergency Management Australia (EMA) in our response to the Boxing Day tsunami. EMA provided national management and coordination for seven Australian Government medical and public health teams and an engineering team sent to Banda Aceh, Phuket, the Maldives and Sri Lanka as part of Operation Tsunami Assist.

Diversity of activities

The second reflection concerns the diversity of our activities.

The Attorney-General's Department administers 145 Acts of Parliament. They cover telephone interception and copyright; extradition and age discrimination; family law and the Geneva Conventions; criminal law and native title.

That in itself creates a broad range of challenging responsibilities. But what has been particularly noticeable over the last few years is the increase in our administrative roles.

These include the establishment of the Federal Register of Legislative Instruments; the coordination of national preparedness and response to all sorts of disasters through the Australian Emergency Management Committee; the management of the Australian Government's national security media awareness campaign; the National Security Hotline; security for the Melbourne 2006 Commonwealth Games and APEC meetings in 2007; and management of the ASNET secure communications system.

Whole-of-government

Next is our increasing participation with other departments and agencies in whole-of-government initiatives.

National security measures are in the forefront of this category. The Protective Security Coordination Centre provides a great deal of support to the activities of the National Counter-Terrorism Committee

and manages our relationships with States and Territories. Emergency Management Australia supplies the secretariat for the Australian Emergency Management Committee. The Department gives legal and policy advice to portfolio agencies and other departments. In the international area, we frequently work in partnership with the Department of Foreign Affairs and Trade. We are leading a significant cross-portfolio program to strengthen Australia's identity security system.

The most recent addition to this list is our participation in the whole-of-government approach to the delivery of services to Indigenous people since 1 July 2004. We are directly responsible for the Indigenous law and justice programs. During the year, we placed contracts for the provision of these services with successful tenderers in Western Australia, Victoria and Queensland and established 13 new family violence prevention legal centres.

Equally important, we contributed to shared responsibility agreements with other departments and provided advice on the legal issues relating to the more effective economic use of Indigenous land.

Adaptability

Taking on the Indigenous law and justice programs is one recent example of the Department's ability to adapt to meet the changing needs of government. Establishing the National Security Hotline is another. But they are not the only ones.

A very important part of the Government's family policy is the introduction of major reforms to family law. The Department was allocated funds in the 2005-06 Budget to implement these reforms, which include the establishment of 65 family relationship centres over the next three years, in conjunction with the Department of Family and Community Services. Families will be encouraged to go to the centres at

the first sign of relationship difficulties to obtain information and referral to services. Separating families will access the centres for advice and dispute resolution.

Another area is critical infrastructure protection. One major project which commenced during the year was to test computer vulnerability. Under that project, we join with non-government bodies and retain computer experts to attack that body's computer network to detect weaknesses in order to improve its security.

This adaptability is, in my view, the main reason why the Attorney-General's Department is one of only three departments of state that commenced with Federation on 1 January 1901 and are still operating under the same name and broadly the same charter 104 years later.

We are able—and will continue—to meet the Government's needs today and adapt to meet different needs tomorrow. The validity of this observation can be tested by comparing the Department's roles and responsibilities say 10 years ago with the roles and responsibilities highlighted in this report.

Resources and funding

The fifth reflection is that adaptability and growth bring their own pressures onto an organisation.

In our case, extraordinary increases in workload since 1 July 2001 meant that the Department's running costs exceeded its budget allocation. We undertook an analysis of our financial position during the year with the Department of Finance and Administration. That review resulted in the Department's base funding being increased by \$75 million from July 2005.

However, our funding will only be adequate to meet the Department's projected financial needs if we manage it very carefully. We engaged a new Chief Finance Officer in April 2005 to assist in this task and are paying very close attention to expenditure and cost control. In addition, we are working hard to improve our management of new policy proposals to better align our expenditures with the allocations made for each year.

We also restructured the Department in 2004–05 to reflect the changes in our activities. The current structure is set out in the organisational chart included in this annual report. The National Security and Criminal Justice Group includes all of the areas of the Department that fall under that new title. The divisions within the group reflect our current national security, criminal law and law enforcement responsibilities, including critical infrastructure protection and identity security projects.



Attorney-General, The Hon Philip Ruddock MP (right), visits the new National Emergency Management Coordination Centre at Bruce with Secretary Robert Cornall (left) and Director-General of Emergency Management Australia, David Templeman.

The Civil Justice and Legal Services Group now has divisions covering all of the Department's civil responsibilities. The administrative support groups have been varied to include a third group—the Financial Services Group—to more strictly oversee our financial management.

Our growth during the year meant that we continued to acquire more accommodation. Our Corporate Services and Information and Knowledge Services Groups responded well to the demanding task of establishing new offices in a short time with a minimum of fuss and disruption.

Looking ahead

Looking ahead to the coming year, we have a lot to do.

We must implement the new Indigenous affairs arrangements. We have to deliver the family law reforms. The Government has foreshadowed major enhancements to national security laws and the aviation security review undertaken by Sir John Wheeler could lead to further work for the Department. The Government's ambitious program of free trade negotiations will stretch our international law resources; copyright is becoming an increasingly important area of our activities (particularly in free trade negotiations); and the security demands of the Commonwealth Games and preparations for APEC necessitate the

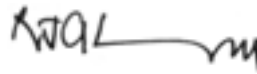
engagement and training of more staff. We have a leading role in the implementation and management of the continuity of government plan.

Hurricane Katrina and the demolition of New Orleans have dramatically underscored the importance of thorough preparation for, and an immediate and coordinated response to, a catastrophe, however caused. Reviewing and enhancing disaster plans in conjunction with State and Territory colleagues will be a major part of Emergency Management Australia's work in 2005–06.

Opportunities not guarantees

While these new demands and changing responsibilities have provided the Department with the opportunity to take a more central role in achieving the Government's agenda, we recognise they do not come with a guarantee that we can meet the challenges they present.

The fact that we have done so during 2004–05 is the result of the combined efforts of all our staff and I congratulate each of them on their contribution to our successes over the last year.



Robert Cornall