

GOVERNMENT QUESTION ON NOTICE

Question on Notice No. 1, Tuesday, 19 July 2011

LEGAL AFFAIRS, POLICE, CORRECTIVE SERVICES AND EMERGENCY SERVICES COMMITTEE asked the Deputy Premier and Attorney-General, Minister for Local Government and Special Minister of State (Mr Lucas) -

With reference to page 3-170 of the SDS regarding the construction of the new \$570 million Supreme and District Court building in Brisbane, will the Minister update the committee on the progress of this major infrastructure project and how the new courthouse will contribute to a stronger justice system for Queensland?

MR LUCAS:

Construction of the new Brisbane Supreme Court and District Court is proceeding extremely well as the project is anticipated to be completed within budget and scope. Due to good cost control, I am pleased to advise the project budget has been revised from the original estimate of \$600 million to \$570 million.

The construction of this new world class facility will deliver a unique structure as it will be the only Court building in Australia that combines the facilities of the Supreme Court and District Court in one building. This innovative, state of the art infrastructure project will significantly contribute to the efficiency of the justice system.

The structure has now reached its maximum height and the construction of the façade and internal fit-out are well advanced. The building and the new adjoining public square will be a major feature of the Brisbane cityscape and create a new Brisbane CBD legal precinct.

A strong justice system needs an adequate number of properly equipped courtrooms and judicial accommodation to allow cases to be disposed of quickly and efficiently.

With a capacity of 45 courtrooms and 62 judges' chambers, the building will provide sufficient courtroom space and judicial areas for at least a 50% increase in the workload of both courts in the future.

This building sets new standards in public facilities and ensures that people attending the courts will be amongst state of the art facilities.

There is a secure circulation system for juries to enable empanelled jurors to move around the building without public contact. There is a large jury assembly room and a secure lounge dedicated for jurors. As part of stress management when juries are confined, jury rooms are spacious and all have large windows.

General public areas in the building are spacious and have external views. Accommodation is provided for the court volunteers who assist members of the public and there is also a coffee shop, family lounge and a secure garden for members of the public during their attendance at court.

Vulnerable witnesses, who are predominately child witnesses, have a secure suite with lounges and rooms for giving video evidence. This area has a secure entrance away from the general public areas.

The courtroom technology in the building is of the highest possible standard with all courts able to record proceedings remotely and display electronic evidence. Fourteen courtrooms have additional computer facilities to conduct trials that rely more heavily on electronic evidence and fifteen courtrooms are able to receive evidence from video sources outside the building.

Security in the new building is a major improvement on the old buildings. There will be X-ray scanning of bags on entry, video monitoring of all public areas and a modern cell block for management of persons in custody.

Members of the media, Legal Aid Queensland, Office of the Director of Public Prosecutions and the private legal profession all have dedicated rooms.

In summary, the new Brisbane Supreme Court and District Court will be a fitting centrepiece of the Queensland justice system and enable the Queensland court system to operate efficiently and carry out its essential functions in the best possible facilities for the foreseeable future.

As announced on 23 March 2011 in Parliament, the current advised date of completion is mid 2012.

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Question on Notice No. 2, Tuesday, 19 July 2011

LEGAL AFFAIRS, POLICE, CORRECTIVE SERVICES AND EMERGENCY SERVICES COMMITTEE asked the Deputy Premier and Attorney-General, Minister for Local Government and Special Minister of State (Mr Lucas) -

With reference to page 3-172 of the SDS regarding the state's new Sentencing Advisory Council, will the Minister outline the council's priorities for its first full year of operation in 2011-12?

MR LUCAS:

The Sentencing Advisory Council (the Council) was established in 2010 to help bridge the gap between expectations of the community, courts and Government on the issue of sentencing.

The Council performs an important role in providing advice to Government, gauging community views, and releasing research and information on sentencing.

The Council is chaired by Professor Geraldine Mackenzie, the Dean of Law at Bond University and its members represent a broad range of interests and areas of expertise related to the operation of the criminal justice system.

To carry out its work, the Council's budget of \$1.3 million last year has been increased to \$1.8 million this financial year.

One of the legislative functions of the Council is to provide advice to the Attorney-General on sentencing matters on request.

The Government's first reference to the Council follows an announcement by the Queensland Government in October last year to introduce a minimum standard non-parole period scheme for a number of serious violent offences and sexual offences.

The Council has been tasked with providing advice to me by 30 September 2011 on what offences the scheme should apply to and at what level standard non-parole periods should be set. The Council has also requested community feedback and input on this issue and submissions can be made by accessing the Sentencing Advisory Council's website at www.sentencingcouncil.qld.gov.au.

I intend introducing legislation into the Parliament establishing this scheme by the end of this year.

Research on sentencing trends is a key focus of the Sentencing Advisory Council with a research paper to be published in 2011-12 that focuses on the sentencing outcomes of the Queensland courts. This information will prove invaluable as it will provide an

important resource for key stakeholders, the courts, community and others with an interest in sentencing.

The Council has also commenced a project working with victims of crime to understand their experiences and views of the sentencing process. This research will produce evidence to assist in developing the best way to support the needs of victims of crime.

Furthermore, the Sentencing Advisory Council will identify new and innovative sentencing initiatives that have been shown to promote the rehabilitation of offenders and lead to a reduction in crime. Such initiatives will increase the cost-effectiveness of the Government's responses to law and justice issues, while continuing to ensure community safety.

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Question on Notice No. 3, Tuesday, 19 July 2011

LEGAL AFFAIRS, POLICE, CORRECTIVE SERVICES AND EMERGENCY SERVICES COMMITTEE asked the Deputy Premier and Attorney-General, Minister for Local Government and Special Minister of State (Mr Lucas) -

With reference to pages 3-169 and 3-171 of the SDS regarding the vital role played by the Adult Guardian, will the Minister inform the committee how the government is supporting this important work as demand increases for guardianship services?

MR LUCAS:

In 2010-11, the Office of the Adult Guardian received an extra \$20.3 million over four years to respond to the increasing demand for guardianship, and enhance its frontline service delivery capacity across the State.

This funding strengthens the successful delivery of guardianship services in Queensland, by helping to ensure that the human rights of the most vulnerable members of the community are upheld and protected.

In 2010-11, the Office of the Adult Guardian:

- employed an additional 22 frontline staff to support its guardianship work across all regions of Queensland;
- commenced a State-wide guardianship information service to assist appointed non-statutory guardians; and
- established a new guardianship office in Ipswich for the western corridor and west/south western regions of the State, to provide more responsive service delivery to clients and stakeholders in these regions.

In 2011-12, the average number of guardianship caseloads was 116. This is a slight reduction from 2009-10 and can attributed to the employment of additional frontline staff.

In 2011-12, the Office of the Adult Guardian proposes to:

- employ an additional 10 frontline staff to support its guardianship work; and
- upgrade the north/far north Queensland office to larger premises, in response to increasing demand for guardianship services.

Resources were also invested in expanding training to frontline staff, updating policies and procedures to facilitate the successful expansion of frontline guardianship services, and the implementation of a new database to support the work of the Office.

GOVERNMENT QUESTION ON NOTICE

Question on Notice No. 4, Tuesday, 19 July 2011

LEGAL AFFAIRS, POLICE, CORRECTIVE SERVICES AND EMERGENCY SERVICES COMMITTEE asked the Deputy Premier and Attorney-General, Minister for Local Government and Special Minister of State (Mr Lucas) -

With reference to pages 3-170 and 3-171 of the SDS regarding financial and professional support for victims of crime, will the Minister inform the committee of the services being provided through Victim Assist Queensland and the government's grants funding to community organisations?

MR LUCAS:

The Queensland Government established Victim Assist Queensland (Victim Assist) to provide victims of violent crime with timely access to professional support services and financial assistance. Access to professional support services includes referral to specialist counselling through the Victims Counselling and Support Service, referral to specialist court support such as Protect All Children Today and the Aboriginal and Torres Strait Islander Women's Legal Service and enabling access to a range of health practitioners as part of a financial assistance grant.

In 2010-11, Victim Assist received 1,593 applications for financial assistance and made payments totalling over \$8.4 million to assist victims in their recovery.

Victims LinkUp, the primary point of contact for Victim Assist, anticipates that it will provide information, referral and support to 13,300 client contacts in 2010/11.

As part of the Queensland Government's commitment to ensuring victims have access to support, Victim Assist commenced its court support program in 2010. Senior court support officers are located in five regional courthouses in Queensland. These officers work closely with local community services to ensure appropriate and timely referral to support services. In 2010/11 the court support program assisted over 600 clients with victim impact statements, information and court support.

To assist victims in rural, remote and Indigenous communities, Victim Assist also employs regional coordinators in North and Far North Queensland to improve awareness and access to services for victims.

Victim Assist has developed a suite of targeted resources for victims of crime including a comprehensive plain English Guide for Victims of Crime in Queensland which is available on-line or in hard copy.

Under the Victim of Crime Services Funding Program, Victim Assist administers funding of over \$1.69 million annually to five community organisations

Relationships Australia Queensland receives over \$1 million each year to deliver the Victims Counselling and Support Service. This is a state-wide service operating 24

hours a day, offering telephone information and referral services, face to face and telephone counselling for victims of crime and community education.

Funding of \$324,000 per annum is provided to the Queensland Homicide Victims Support Group which provides services to support people across the state in the aftermath of homicide. Services include crisis response, specialised grief and trauma services, peer support services and 24 hour telephone support.

Women Working alongside Women with an Intellectual and Learning Disability (WWILD) receives over \$145,000 each year to deliver the Disability Training Program aimed at supporting victims of crime with an intellectual disability, particularly women with an intellectual disability who have experienced sexual assault. Funding contributes to community education and the training of workers, parents, carers and individuals.

Annual funding of close to \$42,000 helps Spiritus Living Well operate its interactive website for men who have experienced childhood sexual abuse or sexual assault, their partners, family, friends and service providers. In 2010-11 a one-off grant funding of \$100,000 was distributed across two organisations under the Building Capacity for Victims of Crime Services Funding Program.

In Central Queensland, the Central Queensland Community Legal Centre receives funding of over \$90,000 to provide assistance such as court support, referral, information, community education and training.

These programs clearly highlight the Queensland Government's commitment to providing financial and professional support to victims of violent crime in Queensland.

GOVERNMENT QUESTION ON NOTICE

Question on Notice No. 5, Tuesday, 19 July 2011

LEGAL AFFAIRS, POLICE, CORRECTIVE SERVICES AND EMERGENCY SERVICES COMMITTEE asked the Deputy Premier and Attorney-General, Minister for Local Government and Special Minister of State (Mr Lucas) -

With reference to page 3-173 of the SDS, will the Minister outline the role of the Dispute Resolution Branch in providing a practical alternative to expensive, adversarial legal proceedings through conciliation, mediation and other services that help Queenslanders settle their differences more quickly, cheaply and amicably?

MR LUCAS:

The Bligh Labour Government provided over \$2.6M in 2010-11 to fund the Dispute Resolution branch.

The role of the Dispute Resolution Branch is to provide the Queensland community with highly effective and timely dispute resolution services across four main types of services:

- Mediation of civil disputes through its six Dispute Resolution Centres located in Cairns, Townsville, Mackay Rockhampton, Hervey Bay and Brisbane;
- Mediation of suitable criminal matters through the justice mediation program in Brisbane, Southport, Townsville and Cairns;
- A culturally appropriate mediation service in the remote Indigenous community of Mornington Island; and
- Conflict management training and educational services to the community and businesses.

Through the Dispute Resolution Centres, 3,020 civil mediations were performed in 2010-11. This is 420 more mediations than last year and represents a 16% increase. This is mainly due to the increased number of referrals from the Queensland Civil and Administrative Tribunal (QCAT).

Currently, the most common dispute types are peace and good behaviour referrals, neighbourhood disputes, family and workplace disputes. The effectiveness of these mediations in resolving disputes is reflected in the high agreement rate (80%).

The majority of civil mediations (2,550 or 84%) were referred from courts and from the Queensland Civil and Administrative Tribunal (QCAT), 390 more than 2009-10 and represents an 18% increase.

QCAT now refers the majority of Minor Civil Disputes from courts all over Queensland to the Dispute Resolution Branch for Abbreviated Mediation prior to a hearing being scheduled.

This is in recognition that approximately 50% of the matters sent to Abbreviated Mediation result in an agreement and therefore do not proceed to the tribunal for hearing – thereby cutting the tribunal's potential caseload for these kinds of matters in half.

84% of all civil mediations are completed within 30 days highlighting that not only are civil disputes being resolved, they are being resolved quickly.

In 2010-11, the Dispute Resolution Centres mediated 392 criminal matters through the justice mediation program. Although criminal matters tend to be lengthier and more complex, 65% of all criminal files were completed within 65 days - slightly below the target of 70% set for 2010-11.

The Report on Government Services (RoGS) 2011 states that the average cost to Government per finalisation for civil matters in Queensland Magistrates Courts was \$250. This means that in 2010-11, civil mediation saved the Queensland Government approximately \$340 000 by successfully resolving these matters outside of the court system. The benefits to the broader community are significantly greater when savings in legal costs and speedier resolution of disputes are taken into account for the parties involved.

These mediations maintained an outstanding clearance rate of 98%, compared to the target of 60%.

The Mornington Island Restorative Justice Project is a partnership between the Dispute Resolution Branch and Indigenous Elders of Mornington Island in delivering a mediation or peacemaking service, which respects traditional culture and is acceptable to the criminal justice system. The project has mediated 64 significant disputes since it commenced in 2009 and has involved more than half the island's adult population. The project is jointly funded with the Australian Government.

The Dispute Resolution Branch also provides training in mediation skills and conflict management. In 2010-11 approximately 600 people attended 60 courses aimed at improving their ability to manage their own and other people's conflict more effectively.

The majority of the Dispute Resolution Branch's mediation services remain free to members of the community and, while everyone is encouraged to get legal advice prior to mediation, most parties do represent themselves in mediation which means that they don't incur the same legal expenses as they might if they went to court.

The community is becoming increasingly aware that mediation serves as a practical, timely, non-adversarial and effective means of resolving disputes including business disagreements, family conflicts, neighbourhood differences, issues in the workplace and minor criminal offences.

The Dispute Resolution Branch plays an important role in providing the Queensland community with practical, effective and timely alternatives to expensive adversarial legal proceedings.

GOVERNMENT QUESTION ON NOTICE

Question on Notice No. 6, Tuesday, 19 July 2011

LEGAL AFFAIRS, POLICE, CORRECTIVE SERVICES AND EMERGENCY SERVICES COMMITTEE asked the Deputy Premier and Attorney-General, Minister for Local Government and Special Minister of State (Mr Lucas) -

With reference to 3-211 of the Service Delivery Statement, what role did Queensland Government Agencies play in providing legal support to Queenslanders post the devastating natural disaster events?

MR LUCAS:

Following the recent natural disasters, Legal Aid Queensland, in partnership with other Queensland legal organisations, set up Flood and Cyclone Legal Help right across the State.

Legal Aid Queensland provided \$250,000 directly to community legal centres to create a state-wide network of lawyers to deliver free flood and cyclone legal information and advice.

The funding from Legal Aid Queensland has allowed community legal centres to provide extra services and supported the coordination of the legal profession's pro bono work. It has extended free flood and cyclone legal advice services into northern and regional Queensland. Community legal centres in Cairns, Townsville, Central Queensland, Toowoomba and South-West Brisbane benefited from the funding.

Community legal centres have made an important contribution to this work, enabling lawyers to be on the ground in affected areas helping flood and cyclone victims with legal issues, predominantly insurance claims. LAQ, to date, have assisted Queenslanders by representing 109 clients out of 461 clients disputing insurance claims.

Community legal centres have devoted part of their practice to helping flood and cyclone victims, including convening community meetings in affected areas, with hundreds of people attending. The centres are helping affected Queenslanders with a variety of legal issues, such as insurance claims, as well as tenancy agreements, employment, credit, debt, fencing, damage to motor vehicles and family law.

Following this initial response, Legal Aid Queensland also established a new collaborative Insurance Law Service to help clients experiencing delays in getting a response to their insurance claim or who have had their claim fully or partially refused. Approximately 600 Queenslanders have been, or are currently being, assisted by the service, there have been a number of successful wins for clients in overturning claim decisions on review to date.

With extra funding from the Commonwealth Government and the Insurance Council of Australia, Legal Aid Queensland has been able to direct extra resources to its consumer protection unit to help people affected by the recent floods and cyclones.

GOVERNMENT QUESTION ON NOTICE

Question on Notice No. 7, Tuesday, 19 July 2011

LEGAL AFFAIRS, POLICE, CORRECTIVE SERVICES AND EMERGENCY SERVICES COMMITTEE asked the Deputy Premier and Attorney-General, Minister for Local Government and Special Minister of State (Mr Lucas) -

Many Queenslanders rely on the vital services provided by Legal Aid Queensland. With reference to 3-211 of the Service Delivery Statement, how will the Government's financial commitment ensure these vital services will continue?

MR LUCAS:

Legal Aid Queensland (LAQ) is an independent statutory body under the *Legal Aid Queensland Act 1997*, which provides legal help to financially disadvantaged Queenslanders.

LAQ provides a range of free preventative and early intervention services, such as community legal education, information and advice, and duty lawyer services in criminal, civil and family law matters.

For people who are eligible for a grant of aid, LAQ also provides dispute resolution services and representation in courts and tribunals.

Its services contribute to the efficient operation of the justice system in Queensland.

LAQ receives state and federal funding and the 2011-12 Budget includes \$16.6 million in extra state appropriation funding to Legal Aid Queensland, as part of a \$61 million commitment by the state over four years.

This funding will enable LAQ to continue to provide services for vulnerable Queenslanders. During 2010-11 LAQ:

- provided free preventative and early intervention services on over 190,085 occasions;
- guided adults through 60,045 appearances in the Magistrates Courts and children through 8,081 Children's Court appearances;
- approved aid for 15,987 people charged with criminal offences to be represented, including in 828 Supreme Court matters, and 96 appeals to the Court of Appeal and the High Court of Australia;
- supported the effective administration of the child protection system by providing separate representation for children in 496 child protection proceedings, and representing 1,397 parents and carers in child protection matters;
- funded 1,435 matters to help people involved in domestic violence proceedings;
- in partnership with other Queensland legal organisations, set up Flood and Cyclone Legal Help unit earlier this year in response to the natural disasters experienced across the state. LAQ's response included providing free legal advice through its call centre, developing a special website with legal information resources, arranging for lawyers to attend recovery centres right across

Queensland, convening community meetings in flood affected areas, and assisting people to challenge adverse insurance decisions;

- assisted the implementation of the reform of Queensland's civil and criminal justice system by revising its grants of aid for criminal law matters and training practitioners about the impact of reforms on legal practice;
- established a new Queensland Legal Assistance Forum website, a "one-stop-shop" for information about legal services and legal information resources available from member organisations including LAQ and community legal centres;
- made significant steps in its business improvement program, including completing a business analysis of its grant of aid system as a platform for implementing improvements in 2010-11, and began implementation of an electronic document record management system;
- continued to play a key role in whole of government programs such as Breaking the Cycle Domestic Violence Court Pilot in Rockhampton, and the Drug Court; and
- commenced implementation of the National Partnership Agreement on Legal Assistance Services.

During 2011-12 LAQ expects to:

- continue with implementation of an electronic document and records management system (eDRMS);
- commence a grants management system modernisation project to enhance business processes and improve data integrity;
- implement a legal advice renewal project to provide assistance to people who experience, or are at risk of, social exclusion; and
- continue to implement the National Partnership Agreement on Legal Assistance Service through increased investment in preventative and early intervention legal services, initiating innovative service delivery pilots and implementing a new legal education strategy.

GOVERNMENT QUESTION ON NOTICE

Question on Notice No. 8, Tuesday, 19 July 2011

LEGAL AFFAIRS, POLICE, CORRECTIVE SERVICES AND EMERGENCY SERVICES COMMITTEE asked the Deputy Premier and Attorney-General, Minister for Local Government and Special Minister of State (Mr Lucas) -

Page 3-254 of the Service Delivery Statement refers to the Public Trustee and the important services it provides to Queensland. Will the Minister outline how these services are delivered to regional communities.

MR LUCAS:

The invaluable services of the Public Trustee Office have been delivered to Queenslanders for nearly one hundred years. Annually, these services include the administration of more than 2500 deceased estates, acting as Trustee to more than 800 testamentary trusts and 4400 trusts for minors, preparing more than 21,00 wills free of charge and acts as an administrator for adults with impaired capacity.

Public Trustee will improve the effectiveness of its service delivery to Queenslanders in 2011-12. Following a review of The Public Trustee's current service delivery model; services traditionally provided from 16 regional offices will be provided by a mix of regional offices and satellite offices.

Regional Offices are: Ipswich; Southport; Brisbane Metro; Redcliffe; Toowoomba; Sunshine Coast; Maryborough; Rockhampton; Townsville; Mackay and Cairns. Offices that have been re-classified as satellites are Mount Isa, Bundaberg and Gladstone; while Strathpine has operated as a Satellite successfully for many years and Nambour was made a satellite following the opening of the new Sunshine Coast Office in 2010.

To better deliver services, the administrative functions currently performed by some satellite offices are being slowly transitioned to Regional Offices. The Public Trustee's satellite offices will retain a range of services including free will making which has been operating since 1916. These administrative efficiencies will not result in a reduction of services to Queenslanders or staff job losses. The Public Trustee will continue to have a strong presence in each of these regional areas. Additionally, greater efficiencies, knowledge sharing and staff development will result from regional offices supporting their satellite offices in their service delivery.

The Public Trustee will be expanding its focus on increasing outreach services throughout the State; with greater utilisation of Magistrates' Courts and Queensland Government Agent Program offices. There will also be increased development of mobile document making services. Currently The Public Trustee provides some key services through 30 outreach locations, including 19 courthouses, eight Centrelink offices, two RSL locations and one community centre.

GOVERNMENT QUESTION ON NOTICE

Question on Notice No. 9, Tuesday, 19 July 2011

LEGAL AFFAIRS, POLICE, CORRECTIVE SERVICES AND EMERGENCY SERVICES COMMITTEE asked the Deputy Premier and Attorney-General, Minister for Local Government and Special Minister of State (Mr Lucas) -

With reference to pages 3-171 and 3-173 of the Service Delivery Statement, which refers to a two year pilot of drink safe precincts, to combat alcohol-related violence, will the Minister inform the committee of the progress with drink safe precincts?

MR LUCAS:

The safety of the Queensland public is a priority for the Bligh Government and this issue is being addressed through a multi-faceted program involving education and intervention strategies along with increase law enforcement activity.

As part of the Government's focus on public safety, in 2009, a Parliamentary Inquiry into Alcohol Related Violence and its ramifications was conducted.

In conducting the inquiry, the Parliamentary Law, Justice and Safety Committee considered more than 150 submissions, held four public hearings and visited late night venues throughout Queensland.

In March 2010, the Committee released its report with recommendations highlighting the importance of community safety and preventative measures to reduce levels of alcohol-related violence and its ramifications.

Drink Safe Precincts and Banning Orders are part of the Government's response to those recommendations. Amendments to the Liquor Act 1992 came into force in December 2010 allowing the creation of the three Drink Safe Precincts (DSPs) in Townsville, Fortitude Valley and Surfers Paradise.

The Queensland Government has made over \$8.5 million available in funding for the two year pilot to fund in additional police presence and community group support services in the three pilot precincts. Adopting a place-based management approach, drink safe precincts aim to reduce alcohol related violence, improve community safety and public amenity.

The Queensland Government has coordinated the establishment of Drink Safe Precinct committees in each of these locations using the combined resources of the State and local government agencies, as well as industry and community organisations. The committees have developed local management plans aimed at curbing alcohol related violence, delivering practical solutions to local problems in each area.

This builds on the excellent work that is already being achieved locally in each of these locations and includes additional police presence and community group support services in the pilot precincts.

The pilots commenced in December 2010 and results to date include:

- an increased and more visible police presence within the precincts;
- improved transport information and traffic control, addressing issues such as crowding and footpath queuing;
- establishment of safe zones where people can access help services; and
- better on-the-ground coordination between community groups, security, police and licensees.

In addition, the Queensland Government has introduced new laws allowing courts to impose banning orders as a new sentencing option for offences relating to violence in, or in the vicinity of licensed premises, as well as a condition of bail.

There are significant penalties and consequences for persons found contravening a banning order or breaching a ban imposed through bail conditions. Penalties include a fine of up to \$4,000 or up to one year imprisonment.

Within the 3 Drink Safe Pilots, as at 19 May this year there have been a total of 53 banning orders applied for by police with 17 having been imposed, 5 refused and 31 pending. There have been 4 banning orders issued without police application in Drink Safe Pilots.

Areas outside the Drink Safe Pilots are also able to apply for banning orders. In non DSP areas, police have made a total of 26 applications for banning orders with 14 having been issued, 5 refused and 7 pending. There have been 40 banning orders issued without police application.

The Department of the Premier and Cabinet is evaluating the pilot and has created a snapshot of information about the first three months of the trial which is publicly available on the Office of Liquor and Gaming Regulation's internet site.

Although it is too early to gauge the success of this initiative, feedback from stakeholders represented on the Drink Safe Precincts committees has been positive.

Evaluation of the precinct pilots will inform both the public and the Queensland Government about the success of this initiative. It will help the Queensland Government make informed decisions in our drive to minimise harm from alcohol use and misuse in Queensland.

GOVERNMENT QUESTION ON NOTICE

Question on Notice No. 10, Tuesday, 19 July 2011

LEGAL AFFAIRS, POLICE, CORRECTIVE SERVICES AND EMERGENCY SERVICES COMMITTEE asked the Deputy Premier and Attorney-General, Minister for Local Government and Special Minister of State (Mr Lucas) -

With reference to page 3-173 of the Service Delivery Statement, which refers to supporting the community to adopt green technology, like solar, through the Gambling Community Benefit Funds program, how has the Government assisted the community through these community benefit funds?

MR LUCAS:

This year, the Gambling Community Benefit Fund, the Jupiters Casino Benefit Fund and the Reef Hotel Casino Benefit Fund will inject approximately \$45 million back into the Queensland economy through community organisations.

One of the positive flow-on effects from gambling is the money returned to community organisations in the form of grants for the purchase of office and sporting equipment, upgrade of community facilities, development of pilot programs and the provision of solar items.

In 2010-11, a total of 2, 182 applications were approved by the Gambling Community Benefit fund, totalling almost \$42 million.

The Queensland Government also established the Solar Sport and Community Group Grants initiative to encourage community groups to do the “bright thing” and by installing solar panels help to build Queensland’s virtual solar power station.

As part of this initiative, eligible sporting and community organisations across Queensland can apply to the Gambling Community Benefit Fund for grants to support the purchase and installation of 1.5 kilowatt solar photovoltaic panels and/or solar hot water systems.

Since launching this initiative in June 2010, 318 Solar Sport and Community Group Grant applications have been approved totalling more than \$2.9 million. In addition to these grants the Gambling Community Benefit Fund has also distributed during this period more than \$500,000 to other solar related applications. The grants allow these sporting and community organisations to reduce their electricity consumption and greenhouse gas emissions as well as save on their electricity costs.

NON - GOVERNMENT QUESTION ON NOTICE

Question on Notice No. 1, Tuesday, 19 July 2011

LEGAL AFFAIRS, POLICE, CORRECTIVE SERVICES AND EMERGENCY SERVICES COMMITTEE asked the Deputy Premier and Attorney-General, Minister for Local Government and Special Minister of State (Mr Lucas)

With reference to Service Delivery Statements SDS 3-175 service summary,

What is the breakdown of how the court and tribunal services appropriation is to be split between the various units, divisions, and sections in the 2009/10 budget (reporting separately including ODPP, Court Services, and any other components within the output area) and how does this compare to the 2008/09 budget and actual spend for each area (reported separately by year)?

MR LUCAS:

I refer the member to previous Estimates Question on Notice, number 1, asked in July 2009.

NON - GOVERNMENT QUESTION ON NOTICE

Question on Notice No. 2, Tuesday, 19 July 2011

LEGAL AFFAIRS, POLICE, CORRECTIVE SERVICES AND EMERGENCY SERVICES COMMITTEE asked the Deputy Premier and Attorney-General, Minister for Local Government and Special Minister of State (Mr Lucas)

With reference to the service delivery statement 3-181 total cost

- a) What is the overall operational budget for the ODPP in 2011/12 (reported by base, civil confiscations, major cases, revenue generated and capital works); and
- b) What was the budget and actual spend for the ODPP in the 2010/11 financial year reported by budget line item?

MR LUCAS:

The total operational budget for the Office of the Director of Public Prosecutions (ODPP) for 2011/12 is \$40.643 million comprising \$40.457 million base funding and \$186,000 own sourced revenue. The confiscations function of the ODPP's core business is included in the overall base funding allocation. With the completion of the high profile cases allocated special prosecutions funding in previous financial years, no additional special prosecutions funding has been provided to the ODPP for the 2011/12 financial year.

The total operational budget for the ODPP in 2010/11 was \$39.791 million comprising \$39.607 million base funding and \$184,000 own sourced revenue. The estimated total expenditure for 2010/11 is \$39.791 million.

NON - GOVERNMENT QUESTION ON NOTICE

Question on Notice No. 3, Tuesday, 19 July 2011

LEGAL AFFAIRS, POLICE, CORRECTIVE SERVICES AND EMERGENCY SERVICES COMMITTEE asked the Deputy Premier and Attorney-General, Minister for Local Government and Special Minister of State (Mr Lucas)

With reference to SDS 1-175 Staffing

What is the current actual staffing level breakdown within the ODPP (reported by office and staff classification) and of that staff breakdown what is the current caseload for each legal officer/prosecutor as at June 30 2011 (reported by office location)?

MR LUCAS:

I note the Member for Kawana asked the same question on 9 March 2011 and was provided with a comprehensive response.

As previously advised, the Office of the Director of Public Prosecutions (ODPP) had 7, 050 active files in March 2011. As at 30 June 2011, the ODPP had 6, 865 active files. The ODPP have advised that the employment of additional staff have contributed to the reduction in active case files.

The Member for Kawana was also advised that there was 324 full time staff as at 7 March 2011. As of 30 June 2011, there was 328 full time staff engaged in legal work at the ODPP.

NON - GOVERNMENT QUESTIONS ON NOTICE

Question on Notice No. 4, Tuesday, 19 July 2011

LEGAL AFFAIRS, POLICE, CORRECTIVE SERVICES AND EMERGENCY SERVICES COMMITTEE asked the Deputy Premier and Attorney-General, Minister for Local Government and Special Minister of State (Mr Lucas)

With reference to service delivery statement SDS 3-179 and 3-180 performance statement

- a) What was the total operating budget and expenditure for QCAT in 2010/11 (reported by expenditure)
- b) How many matters were lodged, adjudicated and finalised in QCAT in 2010/11 reported by type)
- c) How many matters were appealed in 2010/11 (reported by appeal type) and who conducted such appeals?

MR LUCAS:

Over the last 12 months, QCAT have made significant achievements including effectively managing the amalgamation of 18 tribunals and 23 jurisdictions into a single tribunal.

The total operating budget for QCAT in 2010/11 was \$18.72 million.

I am also advised that over the past year, QCAT have achieved an outstanding clearance rate of 98%, compared to a target of 60%.

From 1 July 2010 to 31 May 2011 there have been 415 matters appealed in QCAT with the majority including appeals from Minor Civil Disputes.

NON - GOVERNMENT QUESTION ON NOTICE

Question on Notice No. 5, Tuesday, 19 July 2011

LEGAL AFFAIRS, POLICE, CORRECTIVE SERVICES AND EMERGENCY SERVICES COMMITTEE asked the Deputy Premier and Attorney-General, Minister for Local Government and Special Minister of State (Mr Lucas)

With reference to the service delivery statement 3-175 Service Summary – Criminal and Civil Justice

- a) What is the total operating budget and expenditure for each of the courts innovations projects including murri court, drug court and special circumstances court and all other programs in 2009/10 and 2010/11 (reported separately for each program and for each of the past two years)? and
- b) What is the estimated budget for each program in the 2011/12 financial year? (reported by program)

MR LUCAS:

The courts innovations programs include: Murri Courts, the Queensland Indigenous Alcohol Diversion Program (QIADP), the Community Justice Groups' Grants program, the Justices of the Peace (Magistrates Courts) in Discrete Indigenous Communities, the Special Circumstances Court, the Co-ordinated Domestic and Family Violence Response pilot at Rockhampton, the Queensland Magistrates' Early Referral Into Treatment (QMERIT) program, the Illicit Drugs Court Diversion Program, and the Drug Court.

These programs contribute towards achieving the Queensland Government's *Toward Q2: Tomorrow's Queensland* ambitions of Fair and Healthy. Each program responds to a different group of offenders, addressing the underlying causes of their offending in an effort to reduce the likelihood of them re-offending. For example:

The operating budgets for 2009/10 and 2010/11 for the courts innovations programs (rounded to the nearest \$1,000) were \$8,367,000 and \$9,314,000 respectively. The following table shows annual budget broken down over the nine programs:

Court Innovation Programs' Annual Budget

Program	2009/10	2010/11
Murri Court	\$1,158,000	\$1,200,000
QIADP	\$911,000	\$800,000
Community Justice Groups	\$4,791,000	\$5,748,000
Justices of the Peace Mags Courts	\$212,000	\$168,000
Special Circumstances Court	\$519,000	\$486,000
DV Trial Rockhampton	\$54,000	\$70,000
QMERIT	\$77,000	\$80,000
Illicit Drug Court Diversion	\$309,000	\$385,000
Drug Court	\$336,000	\$377,000
Total	\$8,367,000	\$9,314,000

The expenditure figure for these same programs during 2009-10 was \$7,638,000. The 2010/11 estimated actual expenditure is \$8,735,000. The following table shows actual annual expenditure broken down over the nine Courts Innovation Programs:

Court Innovation Programs' Annual Expenditure

Program	2009/10	2010/11
	Expenditure	Expenditure
Murri Court	\$1,048,000	\$1,200,000
QIADP	\$594,000	\$800,000
Community Justice Groups	\$4,557,000	\$5,286,000
Justices of the Peace Mags Courts	\$180,000	\$168,000
Special Circumstances Court	\$651,000	\$478,000
DV Trial Rockhampton	\$30,000	\$70,000
QMERIT	\$77,000	\$80,000
Illicit Drug Court Diversion	\$306,000	\$387,000
Drug Court	\$195,000	\$266,000
Total	\$7,638,000	\$8,735,000

- b) The 2011/12 estimated operating budget for all Courts Innovation Programs will be \$8,783,700, as per the following table:

Court Innovation Programs' Estimated Budget

Program	2011/12
	Operating Budget
Murri Court	\$1,200,000
QIADP	\$800,000
Community Justice Groups	\$5,524,700
Justices of the Peace Mags Courts	\$169,000
Special Circumstances Court	\$240,000
DV Trial Rockhampton	\$70,000
QMERIT	\$80,000
Illicit Drug Court Diversion	\$400,000
Drug Court	\$300,000
Total	\$8,783,700

NON - GOVERNMENT QUESTION ON NOTICE

Question on Notice No. 6, Tuesday, 19 July 2011

LEGAL AFFAIRS, POLICE, CORRECTIVE SERVICES AND EMERGENCY SERVICES COMMITTEE asked the Deputy Premier and Attorney-General, Minister for Local Government and Special Minister of State (Mr Lucas)

With reference to Service Delivery Statement 3-173 Departmental Services Criminal and Civil Justice –

- a) What was the total operating budget and actual spend for the crown law division in 2010/11 and what is the operating budget for 2011/12 (reported separately); and
- b) How many appeals did the Attorney General lodge and how many were successful in 2010/11 (reported separately)?
- c) How much costs were awarded against the state in 2010/11 for failed appeals?

MR LUCAS:

It should be noted that Crown Law is reported as a Legal Service within Part 16 of the Service Delivery Statement and not in the Criminal and Civil Justice Service section.

- a) The total operating budget in 2010-11 for Crown Law is \$39.042 million. The estimated actual spend is \$39.042 million. The 2011-12 budget for Crown Law is \$39.142 million.
- b) During the 2010-11 financial year, nine Attorney-General appeals against the sentence imposed at first instance were lodged in the Court of Appeal. Seven of those appeals were heard by the Court of Appeal. Of that seven, three appeals were dismissed, three were allowed and one decision has been reserved. One appeal is listed for hearing on 11 August 2011 and one appeal is yet to be listed for hearing.

During the 2010-2011 financial year, one Attorney-General appeal was lodged in the Supreme Court under the *Dangerous Prisoner (Sexual Offenders) Act 2003*, that of Robert John Fardon, against a decision to rescind the continuing detention order and institute a supervision order. The appeal was successful.

During the 2010-2011 financial year, 22 Mental Health Court appeals were lodged, 11 of which were dismissed or withdrawn, one decision is pending, and 10 were allowed.

- c) With respect to the appeals lodged in 2010-2011 by the Attorney-General, no costs orders were made against the State.

Notes:

(The 2011-12 estimate includes the CPI increase of 3%, however, it is offset by a reduction in revenue as a result of an anticipated reduction in legal services funding in departments).

NON - GOVERNMENT QUESTION ON NOTICE

Question on Notice No. 7, Tuesday, 19 July 2011

LEGAL AFFAIRS, POLICE, CORRECTIVE SERVICES AND EMERGENCY SERVICES COMMITTEE asked the Deputy Premier and Attorney-General, Minister for Local Government and Special Minister of State (Mr Lucas)

With reference to Service delivery statement 3-179 Service area – criminal and civil justice – service standards

- a) How many defendants were sentenced to an actual term of imprisonment in the supreme and district courts in 2009/10 and 2010/11 (reported by year, court and length of sentence- less than 1 year, 1 – 2 years, more than 3 years)?
- b) How many defendants were sentenced to probation in 2009/10 and 2010/11? (Reported by either Supreme or District Court jurisdiction); and
- c) How many defendants were sentenced to periods of community service in the supreme and district court 2009/10, 2010/11 (reported by court jurisdiction)?

MR LUCAS:

- (a) The number of defendants sentenced to an actual term of imprisonment in the Supreme and District Courts for 2009-10 and 2010-11 (as at 31 May 2011) broken down by the specified length of imprisonment are shown below.

Supreme Court			
	Less than 1 year	1 to 2 years	More than 3 years
2009-10	90	163	181
2010-11 (as at 31 May 2011)	93 (inc.)	246 (inc.)	194 (inc.)

District Court			
	Less than 1 year	1 to 2 years	More than 3 years
2009-10	490	884	364
2010-11 (as at 31 May 2011)	500 (inc.)	941 (inc.)	472 (inc.)

- (b) The number of defendants sentenced to probation in 2009-10 and 2010-11 (as at 31 May 2011) are shown below.

	2009-10	2010-11 (as at 31 May 2011)
Supreme Court	97	86 (inc.)
District Court	614	678 (inc.)

- (c) The number of defendants sentenced to community service in 2009-10 and 2010-11 (as at 31 May 2011) are shown below.

	2009-10	2010-11 (as at 31 May 2011)
Supreme Court	72	56 (inc.)
District Court	271	258 (inc.)

Note: 2010-11 figures are incomplete as they are as at 31 May 2011.

NON - GOVERNMENT QUESTION ON NOTICE

Question on Notice No. 8, Tuesday, 19 July 2011

LEGAL AFFAIRS, POLICE, CORRECTIVE SERVICES AND EMERGENCY SERVICES COMMITTEE asked the Deputy Premier and Attorney-General, Minister for Local Government and Special Minister of State (Mr Lucas)

With reference SDS 3-180 debt pool under compliance

- a) What is the total amount of outstanding fines being managed by SPER reported by each of the four categories as at June 30 2011; and
- b) how much money was repaid to SPER in 2009/10 and 2010/11 (reported separately);
- c) How many SPER clients had their driver licence cancelled in 2010/11 for non compliance with SPER arrangements?

MR LUCAS:

The Bligh Government's tough measures to ensure fines are paid are paying off, with, I am advised, a record total of \$166.4 million in unpaid fines collected in 2009-10.

For 2010-11, all figures are publicly available on the SPER website, www.justice.qld.gov.au/justice-services/sper.

SPER does not have the legislative power to cancel driver licences. SPER can only suspend driver licences for non compliance.

NON - GOVERNMENT QUESTION ON NOTICE

Question on Notice No. 9, Tuesday, 19 July 2011

LEGAL AFFAIRS, POLICE, CORRECTIVE SERVICES AND EMERGENCY SERVICES COMMITTEE asked the Deputy Premier and Attorney-General, Minister for Local Government and Special Minister of State (Mr Lucas)

With Reference to SDS 3-175 Staffing

- a) What is the actual staffing break down per work unit and division for the Courts and Tribunal Services? (Reported by unit/area as at June 30 2011)
- b) What was the total number of staff separations for the department of Justice and Attorney General in 2010/11 (reported by separation type)?

MR LUCAS:

- a) It should be noted that the Courts and Tribunal Services is now referred to as 'Criminal and Civil Justice Services' and includes Queensland courts and tribunals. It also provides coronial and prosecution services and manages the State's collection of fines and penalties. This service area provides diversion programs to address crime, related social programs, Justice of the Peace services and civil and criminal mediation services across the State.

As at 30 June 2011, there were 2,046 full time equivalent staff employed within the Criminal and Civil Justice Services area of the Department of Justice and Attorney-General. The following table details the staffing break down per work division.

Work division	Staff (rounded)
Office of the Director of Public Prosecutions	370
Justice Administration Directorate (incl. Courts Project)	5
Magistrates Courts	32
Justice Services Support	34
Office of the State Coroner	31
Courts Innovation Program	34
Supreme and District Courts	212
Courts Information Services	41
State Reporting Bureau	193
Regional Operations	615
Community Justice Services Directorate	2
State Penalties Enforcement Registry	141
Dispute Resolution	22
Justices of Peace	13
QLD Civil and Administrative Tribunal	111
Body Corporate and Community Management	28
Land Court and Tribunal	16
Sentencing Advisory Council	8
Corporate Services	137
TOTAL	2045

b) The total number of separations for the Department of Justice and Attorney is 732. The breakdown of separation type is outlined in the table below:

Separation Type	
Contract End	190
Deceased	4
Dismissed	17
Ill Health Retirement	1
Machinery of Govt change	4
Other reason	41
Redundancy	2
Resigned	328
Retired	36
Transfer to another dept	108
Voluntary Early Retirement	1
Grand Total	732

NON - GOVERNMENT QUESTION ON NOTICE

Question on Notice No. 10, Tuesday, 19 July 2011

LEGAL AFFAIRS, POLICE, CORRECTIVE SERVICES AND EMERGENCY SERVICES COMMITTEE asked the Deputy Premier and Attorney-General, Minister for Local Government and Special Minister of State (Mr Lucas)

With reference to SDS 3-183 Guardianship services

- a) What is the average case load for matters held by the Adult Guardian in 2009/10 and 2010/11? (Reported by year and region); and
- b) What is the average wait time for a client to have their first visit from the Adult Guardian after coming into Guardianship of the Office?; and
- c) How many staff left the Adult Guardian in 2009/10 and 2010/11 (reported by year and reason for separation)?

MR LUCAS:

The Office of the Adult Guardian (Adult Guardian) plays a vital role in protecting and promoting the rights of adults with impaired decision making capacity.

In 2010-11, the State Government allocated an extra \$20.3 million over four years to the Adult Guardian, a significant funding boost, to support and manage the increasing demand for guardianship services.

In relation to the average case load and staffing levels for 2009-10, I refer the Member to previous Question on Notice number 1239. I would also note that in 2009 the Opposition had a staff turn-over rate of more than 80%, with 18 staff separations from the Opposition Office, out of an establishment of 22 positions.

As at 30 June 2011, the average guardianship caseloads for the Office of the Adult Guardian were approximately:

Greater Brisbane	46
South West	39
North Queensland	31

As outlined in previous Question on Notice number 1239, the Office of the Adult Guardian does not provide information on the average wait time for a client to have their first visit. A search of individual records to establish the average time would be an unreasonable use of staff time and resources. These resources would be better directed by the Office of the Adult Guardian towards front-line service delivery.

In 2010-11, five permanent staff left the Adult Guardian and I am advised that all of these positions have since been filled.