



# ESTIMATES COMMITTEE B

## REPORT TO THE LEGISLATIVE ASSEMBLY

### INTRODUCTION

On 26 August 1999, the Legislative Assembly referred proposed expenditures contained in the Appropriation Bill 1999 to estimates committees for examination and report. Organisational units within the portfolios of the following Ministers were allocated to Estimates Committee B —

- Attorney-General and Minister for Justice and Minister for the Arts
- Minister for Police and Corrective Services
- Minister for Emergency Services.

The committee has considered the proposed expenditure using the various budget documents and written and verbal evidence from the relevant ministers and public officials. The Additional Information folder tabled with the report includes questions taken on notice before the hearing, questions taken on notice at the hearing, answers to questions taken on notice, the minutes of committee meetings and the transcript of proceedings.

### EXAMINATION OF THE PROPOSED EXPENDITURE

#### Department of Justice and Attorney-General and Minister for Justice and Minister for the Arts

The vote total for the portfolio is \$406,984,000. As a result of the move to accrual accounting for government financial statements the portfolio is now funded according to outputs and not programs, as has previously been the case. Outputs for the portfolio are:

Output	Total Cost 1999/2000
Human Rights Protection and Promotion	\$7,517,000
Legal Services	\$25,036,000
Civil Justice Administration	\$42,220,000
Criminal Justice Administration	\$86,767,000
Agency and Registration Services	\$9,777,000
Assistance to the Arts	\$85,159,000
<b>Total</b>	<b>\$256,476,000</b>

#### *New initiatives include:*

- \$20.7 million for a new approach to collection of court imposed fines and penalties for statutory infringements to ensure that imprisonment is a last resort for non payment of fines
- \$1.5 million for information technology in the higher courts in improve operational efficiency and communication with clients
- \$2.5 million for Legal Aid Queensland
- Aboriginal and Torres Strait Islander Justices of the Peace will increasingly convene courts ion remote communities
- The Land and Resources Tribunal will commence operation following the decision to establish an independent body to determine matters involving mining activity and native title
- \$0.25 million additional funding for the Regional Arts Development Fund
- \$7.6 million over the next 2 years for the redevelopment of the Empire Office Furniture Building
- commencement of the Musgrave Park Cultural Centre
- a feasibility study for the Brisbane Film Studio
- \$19 million over 2 years for additional storage facilities for the state’s cultural heritage and natural history collection
- major performing arts companies will receive assistance to address the recommendations of the commonwealth’s Major Performing arts Inquiry.

#### *Issues raised by committee members at the hearing include:*

- investments by the Anti-Discrimination Commission
- revenue from user charges for the Anti-Discrimination Commission
- alternative dispute resolution

- funding for the Director of Public Prosecutions
- new approach for the collection of court imposed fines and penalties
- expansion of information technology in the state's higher courts
- funding for legal aid/community legal aid centres
- code of conduct/departmental use of frequent flyer points
- travel undertaken by the director-general
- staffing for Magistrates Courts
- drug courts
- funding for victims of crime
- confiscation of the profits from crime
- hire of furniture by the director-general
- staffing of the law reform commission
- the allocation of funds from the interest on solicitor's trust accounts
- funding for protection of children at risk of abuse or neglect
- funding for the Regional Arts Development Fund
- capital funding for the Queensland Cultural Centre 2000 project
- location of additional Cultural Centre buildings
- land owned by the Commercial Rowing Club
- the Queensland Biennial Festival of Music
- impact of the GST on the arts industry
- funding for youth arts.

## **QUEENSLAND POLICE SERVICE AND DEPARTMENT OF CORRECTIVE SERVICES**

### **Queensland Police Service (including the Crime Commission)**

The Vote Total for the Queensland Police Service is \$761,791,000. This amount includes funding for 6 outputs. The funding levels for outputs are:

<b>Output</b>	<b>Total Cost 1999/2000</b>
General Duty – Proactive, Problem-Solving Policing	\$190,765,000
General Duty – Crime Detection, Investigation and Prosecution	\$141,906,000
Preservation of Public Safety	\$114,642,000
Combating Major and Organised Crime	\$163,999,000
Traffic Policing, Speed Management and Camera Operations	\$112,423,000
Ethical Standards and Public Accountability	\$16,642,000
<b>Total</b>	<b>\$740,377,000</b>

#### ***New initiatives include:***

- a further 4 police beat shop fronts will be opened at Townsville, Mackay, Cairns and Chermside
- the planned growth in police numbers will result in an average increase of 325 officers per year to a total of 1,968 by 2005.

#### ***Issues raised by committee members at the hearing include:***

- the creation of the Ethical standards Command
- budgets for police regions and headquarters
- capital works program for the Queensland Police Service
- the effect of the equity return payment on the assets of the QPS
- police beat shop fronts
- a new methodology to reduce the impact of illicit drugs on the Queensland community
- the Problem-oriented and Partnership Policy initiative
- housing for recruits at the North Queensland campus of the Police Academy
- the operating costs of the Weapons Licensing Branch
- secondment of officers to the Criminal Justice Commission
- the civilianisation program
- contingency planning for potential Y2K problems

- random breath testing policy
- police numbers, including the number of women police
- the budget for the Crime Commission
- issues surrounding the confiscation of the profits of crime.

**Department of Corrective Services**

The Vote Total for the Department of Corrective Services is \$382,297,000. This amount includes funding for 4 outputs. The funding for outputs is as follows:

<b>Output</b>	<b>Total Cost 1999/2000</b>
Secure Custody Correctional Services	\$247,306,000
Open Custody Correctional Services	\$30,253,000
Community Custody Correctional Services	\$14,807,000
Community Supervision Correctional Services	\$24,831,000
<b>Total</b>	<b>\$317,197,000</b>

*New initiatives include:*

- reorganisation of the department to improve efficiency and effectiveness
- strategies to divert offenders from custodial sentences
- additional 400 beds at Woodford Correctional Centre
- construction of a new 500 bed centre at Maryborough
- Moreton A Correctional Centre is to be demolished
- construction of a 400 bed centre to replace the current centre at Rockhampton.

*Issues raised by members of the committee at the hearing:*

- Department of Corrective Services loan fund arrangements
- the impact of the equity return payment on asset management
- funding for capital works

- the wages and salaries component of the Department of Corrective Services
- use and trafficking of drugs in correctional centres
- the cost of operating and maintaining the Hummer armoured perimeter vehicles
- the court advisory project
- \$1 million for upgrade of correctional information system
- the cost of private provision of correctional services
- the number of community corrections staff
- membership of the Corrective Services Advisory Council
- Department of Corrective Services conference at Greenmount
- the Women’s Policy Unit
- community work by people under community service orders.

**DEPARTMENT OF EMERGENCY SERVICES, QUEENSLAND AMBULANCE SERVICE & QUEENSLAND FIRE AND RESCUE AUTHORITY**

The Vote Total for the portfolio is \$181,490,000. This amount includes grants from the consolidated fund of \$103,653,000 million for the Queensland Ambulance Service and \$39,076,000 million for the Queensland Fire and Rescue Authority. The Ministerial Portfolio Statement does not contain output summaries for QAS and QFRA. The output summary for the Department of Emergency Services is as follows:

<b>Output</b>	<b>Total Cost 1999/2000</b>
Disaster Management Services	\$8,598,000
Emergency Helicopter Services	\$14,442,000
SES and VMR Operational Preparedness	\$13,898,000
Chemical Hazards and Emergency Management Information and Advisory Services	\$2,003,000
<b>Total</b>	<b>\$38,941,000</b>

*Key output/investment initiatives include:*

- funding to a maximum of \$1.2 million for enhanced disaster mitigation and management

- funding to enable the upgrade of VMR vessels
- \$1 million to support the SES cadet program
- additional funding of \$4.8 million to meet growth in demand
- additional funding for the free ambulance service for pensioners policy
- \$12.2 million for the Enterprise partnership Agreement
- capital acquisitions to a total of \$38 million.

***Issues raised by members of the committee at the hearing:***

- development of a regional computer aided dispatch
- TAFE involvement in QAS training
- appointment of training staff to districts
- ambulance services in the Gold Coast region
- allocation of funds to local government for disaster services
- no extra funding for local government to support SES groups
- increased funding for the growth in demand for ambulance services
- rescue package for the QFRA
- QFRA's public safety budget/QFRA training
- natural disaster mitigation and risk assessment
- problems with filling SES equipment requests
- safe crewing levels for the QFRA
- crewing levels in regional areas
- the CPR 2000 project
- new stations, refurbishment and residences for QAS
- funding for surf lifesaving
- maintenance and replacement of SES equipment
- QAS operational staff vacancies
- classification of SES positions within the Department of Emergency Services
- minor works funding for fire stations
- QAS baby capsule hire service.

## **RECOMMENDATION**

The committee recommends that the proposed expenditure, as outlined in the Appropriation Bill 1999 for the organisational units in the portfolios referred to it, be agreed to by the Legislative Assembly without amendment.

## **ACKNOWLEDGMENTS**

The committee thanks the ministers and departmental staff for their cooperation during the estimates process. The committee acknowledges the support and assistance of the staff from Hansard and the committee's secretariat.

Mr Pat Purcell MLA

Chairman

October 1999

### **COMMITTEE MEMBERS**

Mr P Purcell MLA (Chairman)  
 Mr L Springborg MLA (Deputy Chairman)  
 Hon J Fouras MLA  
 Mr M Horan MLA  
 Mrs L Lavarch MLA  
 Mr T Malone MLA  
 Mr G Wilson MLA<sup>1</sup>

### **SECRETARIAT**

Mr Les Dunn (Research Director)  
 Ms Gillian Rawlings (Executive Assistant)

**The transcript from the public hearing is available on the internet via the Hansard site at [www.parliament.qld.gov.au](http://www.parliament.qld.gov.au)**

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<sup>1</sup> Replaced Mrs Lavarch for the hearing on 6 October 1999.

## **DISSENTING REPORT ATTORNEY-GENERAL AND MINISTER FOR JUSTICE AND MINISTER FOR THE ARTS**

### **The Office of the Director of Public Prosecutions**

Non-government members are concerned that there was no representation during committee hearings from the Office of the Director of Public Prosecutions. This clearly was a departure from past practice.

Since the inception of the estimates committee process for the Queensland Parliament, the Director of Public Prosecutions and or his Deputy and or the General Manager of the Office have attended Estimate Committee B hearings.

Records indicate this to be the case, in the years 1994, 1995, 1996 and 1997, (during both the Goss and Borbidge Administration), with no official record of a DPP representative at last years estimates (the first budget of the Beattie Administration).

The Attorney Generals' own admission at this years hearings was that no-one was in attendance representing the Office of the Director of Public Prosecutions. Instead he said to the committee should direct question relevant to that Office to his Director-General.

This consolidates a worrying erosion of accountability by the current Attorney-General so far as the Estimates process is concerned.

While the Director of Public Prosecutions is not the accountable officer under the *Financial Administration and Audit Act*, he is nevertheless an independent statutory officer responsible for an Office which plays a central role in the justice system in this State. It is appropriate and sensible, therefore, that a senior officer from the Office be in attendance at Estimates Committee hearings.

It is concerning that after previous years of significant attendance at the estimates committee hearings relevant to the office of the DPP, the DPP or other officers of his office attended, and this was not the case this year.

The Office of the DPP has been the subject of much controversy this year and in light of that it was unfortunate that the committee was denied the opportunity to question the DPP or his representative on matters relevant to the running of the Office.

The Attorney-General has justified the absence of the DPP, as previously mentioned, on the basis that he is not an accountable officer under the Financial Administration and Audit Act. Yet even a cursory perusal of the people in attendance, and answering questions, at the various estimates Committees this year, illustrates that a wide variety of public servants attend and participate in the estimates process. It has never been the case that Ministers only bring with them the relevant accountable officer. To justify the non-attendance of a senior officer on the basis that he or she is not the accountable officer ignores the practice adopted by almost all Ministers under all Administrations, past and present.

For example, apart from the Director-General of the Department of Justice and Attorney-General, the Minister also had in attendance at Estimates Committee B, Mr Rod Newton, Director, Financial and Asset Services (who is not an accountable officer) and the Deputy Director-General (Dr K Levy) - also not an accountable officer.

Non-government members, therefore, view with concern this retreat from accountability by the Attorney-General, and believe that if this trend continues, the capacity of Estimates Committees to properly fulfil, their duty to review proposed expenditure will be undermined.

From the viewpoint of the community and of Parliament properly scrutinising the Budget of the Executive, this is a matter of great concern.

### **Relocation expenses of the Director-General of the Department of Attorney-General, Justice and Arts**

During the course of the committee examinations the Attorney-General was asked to table details of the relocation package offered to his Director-General pertinent to furniture hire costing \$4331.

Given the normal period for a relocation arrangements, \$4331 seemed to non-government members an excessive amount for the few items the Attorney-General eventually and reluctantly informed the Committee in his answers to questions.

The Attorney-Generals' failure to disclose the full details of the arrangement including the nature of the agreement, its duration, and the value of the furniture involved, gravely concerned non-government committee members. It also went against public assurances by Premier Beattie that the committee process was the place to ask such questions and that information would be freely given.

This caused frustration for non-government committee members, by not enabling a quick conclusion to questioning on this matter. Non-government members believe that the Attorney-General should have openly tabled the details sought relevant to his Director-Generals furniture hire arrangement.

The Attorney-Generals' less than fulsome provision of information sought by non-government members, again displays a worrying lack of commitment to the principle of transparency, openness and the committee process.

### **Drug Courts**

In answer to question on notice No.6 the Attorney-General was unable to provide any details on the running of Queensland's first trial drug court program, despite the fact that \$1m had been allocated for the program. This is particularly of concern to non-government members as the Attorney-General indicated that the details of the program had not been worked out. From this admission it is impossible to ascertain the adequacy of the funding commitment, or the substance or potential success of the program.

### **The Arts**

Arts Minister Hon Mathew Foley, in answer to non-government members' questions on the Arts, showed that he had no clear vision for the Arts in Queensland and that he had no real idea about his portfolio.

The Minister failed to answer important questions on the Arts while on other occasions had to be hard pressed to give any answer let alone a straight one.

This is in contradiction to Premier Beattie's public utterances that this Labor Government would be open and accountable to the people and that the Opposition would be able to fully question government Ministers during the Estimate Committee hearings.

### **Capital Works**

\$4m was available last financial year to expend on the Queensland Cultural Centre 2000 Project. However non-government members express their grave concern that only \$1.8m of these funds was actually spent.

This year \$28.458m is budgeted to be expended on the Queensland Cultural Centre 2000 Project with forward estimates of \$92.136m post 1999-2000.

Responses provided by the Minister for all this financial year indicate that the Minister has not even

decided upon a location to construct the off-site storage facilities for which these funds are allocated. Also no decision has been made about the overall Queensland Cultural Centre Project.

Moreover as it is now October, more than three months of this financial year have now passed which means there is little chance of these capital works funds being expended, bearing in mind the preparatory works both with drawings and planning that needs to be undertaken for any site eventually chosen of which there is no indication that this will occur this financial year.

### **Question on Notice**

The Minister could not answer Question No.8 in relation to the Queensland Cultural Centre placed on notice by non-government members and only confirmed that the Minister had only at the best a fuzzy vision of the Arts.

**Mr Lawrence Springborg MLA  
Deputy Leader of the Opposition  
Shadow Attorney-General and Shadow Minister  
for Justice**

## **DISSENTING REPORT MINISTER FOR POLICE AND CORRECTIVE SERVICES**

### **Assets Tax**

The Minister appeared ignorant of the effect of this tax or unwilling to admit its impact on the Police Budget. The Minister was questioned on the increase in net asset value of \$91 million which will accrue this year and bring a liability of \$5.5 million upon the Police Department, payable to (or extracted by) Treasury, on 1<sup>st</sup> July 2000.

The Minister was confused about the issue as he answered that the payment had been paid in advance.

This is incorrect.

The Asset Tax payment made to the 1999-2000 budget is for past assets accumulation and calculated on the asset value of the Queensland Police Department at 30 June 1999.

The Opposition members of Estimates B believe the Minister has been caught unawares by Treasury and the Premier and is unable to explain how he will fund the \$5.5 million Asset Tax payment which is accruing day by day during budget year 1999-2000.

### **Output Statement Measures**

Questioning on the measures or targets listed in the Output Statements revealed the Minister is aiming for targets that average the same as last year.

Measures that are of interest and concern to taxpayers such as 'clear up rates of personal and property offences' and 'perceived levels of personal safety and property security' remain at the same average target.

Given the massive recruitment program that was implemented by the former Coalition Government and has delivered a net increase in police numbers of approximately 325 per year — the Opposition believes the Minister should be turning these substantial increases of numbers into an increase in targets for clear-ups and for perceived levels of safety and property security.

The Minister has failed to do this.

### **Weapons Licensing Branch and Firearms Statistics**

The Minister advised that \$2.41 million of the Police Budget is spent on the Weapons Licensing Branch. He further advised that the Branch did not keep

records to show how many firearm offences are committed with illegal or stolen firearms and how many are committed with legally held firearms.

Opposition members of the committee believe this information should be available, particularly to enable an assessment of the recent Weapons Act amendments.

### **North Queensland Police Academy**

The Opposition is concerned that the Minister has been unable to make any progress in 12 months towards the purchase of the facility, which is currently leased, that is used for the North Queensland Police Academy.

Even though the Minister advised the 1998 Estimates Committee that he was determined to see that recruits were no longer housed in a resort hotel at a high cost, the Minister's response to the 1999 committee shows nothing has been done to change this situation.

Given the Minister's opposition to the North Queensland academy whilst in Opposition it is a concern that he has ordered a CJC assessment of the viability of the Townsville campus.

### **Police Seconded to CJC**

Questioning revealed that 89 Police Officers are seconded to service with the Criminal Justice Commission. These officers are mostly of senior rank as advised by the Minister and the Opposition members noted this large, senior and experienced contribution which the Queensland Police Service provides to the Criminal Justice Commission and therefore does not have available for normal crime investigation.

### **Breaking of Queensland's Prudent Financial Principles**

Questioning of the Minister about the source of funds for the Corrective Services Capital Works Program revealed that this Minister and the Beattie Government has broken one of Queensland's basic financial principles.

That is, that social infrastructure be funded by the Government and borrowings are only made for infrastructure that can give the State's economy an economic return.

This principle has led, in part, to Queensland's sound financial position over a number of decades.

The Minister admitted he had borrowed \$130 million in 1998-99 and a further \$44 million in 1999-2000 for the social infrastructure of new jails.

The Minister was unable to give the exact rate of interest which is payable to the Queensland Treasury Corporation for this borrowed money.

Compounding this breakage of Queensland's financial principles is the **double** penalty of the Assets Tax introduced in this budget.

When the Minister's Department pays off an amount of this borrowed money, this amount then contributes to the net increase in asset value of the Corrective Services Department and becomes liable to the 6% Assets Tax.

The Minister has therefore revealed that he pays interest on the borrowed Capital and then an Assets Tax once it is repaid.

The Opposition is gravely concerned at the risk to Queensland's financial status by this borrowing and the double dipping that the Minister has allowed to be extracted from his department's Capital and recurrent budget.

### **Assets Tax**

Again, the Minister was evasive of this questioning and did not seem to understand that the increase in net assets of the Corrective Services Department during the 1999-2000 Budget will accrue a 6% Assets Tax due and payable on 1 July 2000.

On the basis of the Minister's reply to a Question on Notice, this net increase in assets would be \$86.3M, which would attract an Assets Tax of \$5.2M out of the next recurrent budget.

The Minister seems oblivious to the huge cost the Assets Tax will extract from the next budget as it accrues day by day during this financial year.

### **Corrective Services Capital Works**

A serious and major underspend of Capital Works was exposed during questioning.

The Capital Budget for Corrective Services was \$178.439M and increased during the financial year to \$181.374M.

Of this amount, \$40M or 22% was unspent. An amount of \$28M was handed back to Treasury and \$11.8M kept as carryover.

Whilst the Minister blamed wet weather, the independent commission, a Treasury

Interdepartmental Review and a number of other reasons, the Opposition Members of Estimates Committee B express concern about the lack of oversight and direction by the Minister throughout the year to ensure construction targets were met and the funding provided was spent to provide important and promised infrastructure on time.

**Mr Michael Horan MLA**  
**Shadow Minister for Police and Corrective Services**