



ESTIMATES COMMITTEE B - 2004

REPORT TO THE LEGISLATIVE ASSEMBLY

INTRODUCTION

On 18 June 2004 the Legislative Assembly referred proposed expenditures contained in the *Appropriation Bill 2004* and the *Appropriation (Parliament) Bill 2004* to estimates committees for examination and report. Organisational units within the portfolios of the following ministers were allocated to Estimates Committee B —

- Minister for Child Safety;
- Attorney-General and Minister for Justice; and
- Minister for Police and Corrective Services.

The committee has considered the proposed expenditure using the various budget documents along with written and verbal evidence from the relevant ministers and public officials. The additional information folder tabled with the report includes answers to questions asked on notice before the hearing, answers to questions taken on notice at the hearing on 14 July 2004 and minutes of committee meetings.

The transcript of the hearing held is available on the Hansard web-page at www.parliament.qld.gov.au.

CHILD SAFETY PORTFOLIO

The Department of Child Safety was established in February 2004 following the recommendations of the Crime and Misconduct Commission (CMC) report *Protecting Children: an Inquiry into Abuse of Children in Foster Care*. The department's key focus is in child protection activities, and while the final structure of the department is continuing to be refined, the key outputs that have been identified are Early Intervention Services, Immediate Response Services and Continuing Support Services.

The total appropriation provided to the Department of Child Safety in the *Appropriation Bill 2004* is \$297,224,000.

Issues the committee raised with the minister included:

- case loads of child safety officers;
- early intervention and therapeutic services;
- implementation of the CMC inquiry recommendations;
- reforms for the child protection system in Queensland, including the engagement of The Consultancy Bureau;

- implementation and consistency in training of staff across the state;
- change of culture and ethos in the department;
- recruitment of experienced staff in regional areas and positions for indigenous people;
- increases in payments to carers;
- immediate response services;
- funding for unpaid wage claims;
- Aboriginal and Islander Child Care Agencies;
- the remaining phases of the foster care audits;
- development of new practice standards;
- accountability and review processes;
- community visitors for children in alternative care;
- support for children with high needs and disabilities; and
- the role and functions of the Child Guardian.

ATTORNEY-GENERAL AND JUSTICE PORTFOLIO

The Attorney-General and Justice portfolio is comprised of a variety of statutory bodies and individual statutory appointments, which have varying degrees of independence from ministerial control. The key bodies identified within the portfolio are the Department of Justice and Attorney-General, Anti-Discrimination Commission, Electoral Commission, Public Trust Office and Legal Aid.

The total appropriation provided to the Attorney-General and Justice portfolio in the *Appropriation Bill 2004* is \$327,680,000 with the following budgets provided:

- Department of Justice and Attorney-General \$319,283,000; and
- Electoral Commission of Queensland \$8,397,000.

Issues the committee raised with the minister included:

- powers and role of the Attorney-General in prosecution decisions;
- matters involving sexual allegations against children;
- legislative responsibility and administration of the juvenile justice system;
- Legal Services Commission;
- Criminal Assets Confiscation Unit;

- court facilities and services, including construction of new courthouses;
- Brisbane District and Supreme Courts upgrades;
- increases in jury service allowances and support;
- drug court and drug diversion programs;
- Legal Aid Office initiatives;
- unclaimed moneys from the Public Trustee Office;
- conduct of recent state and local government elections by the Electoral Commission;
- public soliciting offences and diversion initiatives;
- State Penalties Enforcement Register;
- implementation of new systems for the State Reporting Bureau;
- Office of the Adult Guardian and the Guardianship and Administration Tribunal;
- Dispute Resolution Branch;
- e-lodgement and the civil case register system;
- Office of the State Coroner; and
- the JPs in the Community initiative.

POLICE AND CORRECTIVE SERVICES PORTFOLIO

The Police and Corrective Services portfolio comprises the Department of Police (Queensland Police Service), the Department of Corrective Services and the Prostitution Licensing Authority, a statutory body which reports to the Minister.

The total appropriation provided to the Police and Corrective Services portfolio in the *Appropriation Bill 2004* is \$1,502,026,000 with the following budgets provided:

- Department of Police \$1,104,270,000; and
- Department of Corrective Services \$397,756,000.

Issues the committee raised with the minister included:

Department of Police:

- Queensland Police Service (QPS) performance indicators;
- clear-up rates and targets for unlawful entry offences;
- forensic workload at the John Tonge Centre;
- Counter-Terrorism Coordination unit;
- targets for additional police officers;
- public safety in the Queen Street Mall;
- opportunities for indigenous people in the QPS justice entry program;
- establishment of additional police beats;
- Live-Scan fingerprinting systems;
- soliciting charges and drug diversion programs;
- capital works funding for police stations;
- speed cameras and road safety initiatives;
- QPS forensic facility upgrades;
- drug detection handler dog teams;

- research projects for rural and remote traffic accidents;
- impact of anti-hooning laws; and
- the *Meeting Challenges, Making Choices* program.

Department of Corrective Services:

- audit of prison procedures;
- overcrowding in correctional centres;
- prisoner transfers and appeal processes;
- DNA testing of prisoners;
- management of illicit drug use;
- replacement of perimeter patrol vehicles;
- post-prison employment programs;
- upgrade of the Woodford Correctional Centre;
- sex offender programs;
- impact of the drug court program;
- videoconferencing facilities in prisons;
- enhanced surveillance systems;
- food contamination in prisons;
- correctional intervention services;
- Work Outreach Camps; and
- targeting factors contributing to criminal behaviour.

RECOMMENDATION

The committee recommends that the proposed expenditure, as outlined in the *Appropriation Bill 2004* for the organisational units in the portfolios referred to it, be agreed to by the Legislative Assembly without amendment.

ACKNOWLEDGEMENTS

The committee thanks ministers and their staff for their cooperation and assistance during the estimates process.

[Original Signed]

Mrs Julie Attwood MP
Chair
 August 2004

COMMITTEE MEMBERS

Mrs Julie Attwood MP (Chair)
 Mr Vaughan Johnson MP (Deputy Chair)
 Mr John English MP
 Mr Chris Foley MP
 Mr Andrew Fraser MP
 Ms Rosemary Menkens MP
 Mrs Desley Scott MP

SECRETARIAT

Mr Rob Hansen (Research Director)
 Ms Jo Mathers (Research Officer)
 Ms Margaret Telford (Executive Assistant)

STATEMENT OF RESERVATIONS

ESTIMATES COMMITTEE B

Vaughan Johnson MP

Shadow Minister for Police and Corrective Services

Member for Gregory

I would like to acknowledge and thank the Shadow Minister for Primary Industries and Fisheries and Member for Toowoomba South, Mike Horan, for standing in for me during the Estimates Hearings for Committee B, as I was attending the funeral of Sir James Walker in Longreach. I have spoken to Mr Horan about the Hearing for Police and Correctives Services and read the transcript in forming my Statement of Reservation.

The process of Estimates Committee hearings in relation to the Ministerial Program Statement for the Department of Police and Corrective Services highlights yet again the weaknesses in the operations of Estimates Committees in Queensland as a mechanism for scrutinizing expenditures by government Departments.

These weaknesses include

- The limit on the number of Questions on Notice able to be asked as part of the Estimates process.
- The receipt of replies to such Questions on Notice less than 24 hours prior to the actual hearing meeting of the Committee.
- The limited time available for the conduct of hearings for each Department thus limiting the capacity of the Parliament to explore issues of concern to finality
- The limit on each questioning session generally to 20 minutes thus inhibiting the capacity to pursue issues of interest until finality is reached.
- The use by Ministers and Government Members of questions to provide a basis for propaganda statements rather than genuinely exploring issues relating to Departmental Expenditures.
- The failure of Ministerial Program Statements to contain comprehensive, consistent and readily understandable performance standards that are consistently applied on a year by year basis.
- The Grouping of inappropriate activities in programs and subprograms that inhibit capacity to explore individual activities by government.
- The failure to permit statutorily independent officers and organizations to be directly responsible to and answer questions directly by Members of Parliament thus undermining their independence from Executive government.

- The use and placement of Departmental Displays behind Estimates Committees reflecting a lack of impartiality in Committee processes and a denial of the capacity of Non-government members to utilise similar opportunities

In addition to these general comments about the Estimates Committee process the hearings of Estimates Committee B on 14 July 2004 also highlighted the following matters on which the response of the Minister was unsatisfactory:

- The removal by the Minister of thirty per cent of performance indicators from the Ministerial Portfolio Statement, including for crimes such as sexual assault, break and enter, and car theft reduces the Opposition and the public's ability to scrutinise the Government's budget allocation against whether these targets are being met. Despite an increase in police numbers by around 300 officers per year, clear up rates for unlawful entry into homes remains at fourteen per cent statewide (the same figure as last financial year). This is another example of the secretive nature of the Beattie Government.
- The concession by the Minister that the Government is looking at outsourcing testing of DNA samples from the John Tonge Centre to an accredited agency in a southern state highlights the inability of the Government to clear the backlog of cases, despite the budget allocation of \$5 million this year.
- The inappropriate budget for the Counter-Terrorism Unit, which will only be funded to provide for six police officers and one civilian as well as the Government's failure to commit to the introduction of telephone tapping powers to assist in effective detection and disruption of acts of terrorism.
- The Minister's response to overcrowding in some of our secure correctional facilities, with the suggestion of moving some prisoners to open custody centres.
- The inability of the Minister to answer questions on issues relating to the Corrective Services Portfolio, including the success of sex offender programs and the management of illicit drugs in correctional centres, resulting in these having to be taken on notice.

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Vaughan Johnson MP
Shadow Minister for Police and Corrective Services

STATEMENT OF RESERVATIONS

ESTIMATES COMMITTEE B

Rosemary Menkens MP

Shadow Minister for Child Safety

Member for Burdekin

As the Opposition has previously indicated the Opposition has offered bipartisan support in the establishment of the new Department of Child Safety and the implementation of the recommendations of the Protecting Children Inquiry into abuse of children in foster care conducted by the Crime and Misconduct Commission.

The findings of the Inquiry have highlighted the need for accountability and this includes the Opposition seeking assurances that the Department is achieving the desired outcomes. I am disappointed therefore that the Minister has chosen to see that genuine attempts to seek information as being “against bipartisan support”.

Bipartisan support will be maintained whilst the Opposition is satisfied that the implementation process proceeds in accordance with the CMC’s recommendations and the desired outcomes are achieved.

I recognise that there is presently a transition taking place and that it will take some time for the new Department to be “up and running”. For this committee to assess progress in this respect it is critical that the necessary information is available for this progress to be benchmarked.

- It is unfortunate therefore that the Minister was not able to give an indication of the current workload of departmental staff as the CMC identified that onerous case loads was fundamental to the systemic failure of the previous Department.
- Recommendation 5.3 of the CMC was for an empirically rigorous means of calculating workloads. The response by the Minister that work had been undertaken to “*reduce the case loads of child safety officers from 32 towards a case load of 15.*” Whilst commendable this information does nothing to enable the committee to determine real progress and indeed prevents any useful comparison for next year as well.
- Similarly confirmation that the only output measures provided in the Budget documents are derived from the Department itself raises some concern at objective assessment of the Departments performance. It was for this reason that I asked the Minister to compare the performance outcomes with that of similar authorities interstate. The Minister correctly indicated the need to ensure that these measures be standardised nationally for meaningful benchmarking to occur. In note that the Minister is seeking to pursue this matter with his Interstate Ministerial Colleagues shortly and I encourage him to advance this issue so that the performance outcomes can be objectively assessed.
- Again as the CMC identified, the availability of an adequate information system is critical for the successful operation of the proposed “blueprint”. I note that the Minister has indicated that the integrated client management system ICMS will take three years to deliver although I believe that some interim deliverables may be achieved before that. I would like

to stress that because of the criticality of this system to the successful case management and information exchange it will be critical for the delivery milestones to be achieved and the Parliament must be kept informed of progress in this respect.

I welcome advice from the Minister that it proposed to enable staff to be rostered on a 24 hour basis from early 2005 on and his advice that the decentralisation of services is also being actively pursued.

The Opposition looks forward to the implementation of the “Blueprint” and will continue to ensure scrutiny of progress in the interests of the protection of our children.

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STATEMENT OF RESERVATIONS

ESTIMATES COMMITTEE B Attorney-General and Justice

**Rosemary Menkens MP
Member for Burdekin**

The process of Estimates Committee hearings in relation to the Ministerial Program Statement for the Department of Attorney General and Minister for Justice highlights yet again the weaknesses in the operations of Estimates Committees in Queensland as a mechanism for scrutinizing expenditures by government Departments.

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In addition to these general comments about the Estimates Committee process, a series of questioning by the Leader of the Opposition Lawrence Springborg MP also highlighted the following matters on which the response of the Minister was unsatisfactory throughout the hearings of Estimates Committee B on 14 July 2004:

- The failure of the Minister to ensure that requested witnesses were present at the Committee Hearings to be questioned.
- The inability of the Minister to advise the Parliament of details about the dropping by the Director of Public Prosecutions of the prosecution of matters involving sexual offences concerning children following committal for trial and the principles applied in arriving at such decisions.
- The inability of the Minister to explain to the Parliament the reasons behind the processes adopted by the Office of the Director of Public Prosecutions for accepting untested defence allegations to justify dropping prosecution in the Scott Volkers matter as criticised by the Crime and Misconduct Commission
- The failure of the Minister to provide a satisfactory explanation for the inability of the Criminal Justice System to provide adequate treatment and assistance to street prostitutes suffering from drug addiction
- The inability of the Minister to satisfactorily explain the failure of the Board of Legal Aid Queensland and the Crime and Misconduct Commission to speedily conclude investigations into serious complaints of discrimination and harassment in the Legal Aid Office.
- The failure of the Minister to adequately plan for and fund refurbishments to the Supreme and District Courts in Brisbane.

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Rosemary Menkens MP
Member for Burdekin