

3. PUBLIC ORDER AND SAFETY

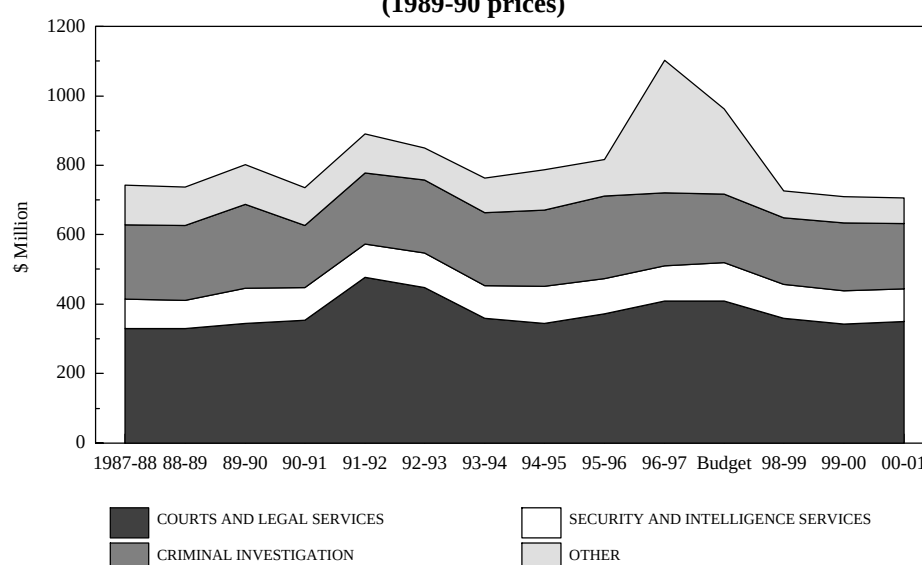
NATURE OF OUTLAYS

The purpose of these outlays is to ensure that all Australians have access to appropriate legal services and protection under the law. They cover courts and related legal services (other than those concerned with industrial relations), legal aid, law enforcement, security and intelligence services and a range of other public safety activities.

This function includes outlays of the following portfolios:

- Attorney-General's;
- Foreign Affairs and Trade;
- Environment, Sport and Territories;
- Industry, Science and Tourism; and
- Prime Minister and Cabinet.

Chart 1. Overview of Commonwealth Outlays on Public Order and Safety (1989-90 prices)



TRENDS IN PUBLIC ORDER AND SAFETY OUTLAYS

Outlays on Public Order and Safety increased in 1989-90 due to the creation of the Australian Transaction Reports and Analysis Centre and funding provided to the Australian Federal Police (AFP) for purposes such as a major office refit and additional salary costs arising from decisions of the Police Arbitral Tribunal.

The subsequent decline in outlays in 1990-91 reflected the introduction of user charging by the Australian Protective Service and the transfer of funding to the Australian

Capital Territory (ACT) Government for the ACT Magistrates Court and the AFP's policing activities in the ACT.

1991-92 saw another increase in outlays, largely associated with the purchase of land for the Brisbane court building, the installation of the Legal Office Information System (LOIS) within the Attorney-General's Department and the preparation of war crimes legislation.

The transfer of funding for legal services to other functions in 1992-93 led to a reduction in outlays in this function. This trend continued in 1993-94 as projects under the Courts Construction Programme and LOIS were completed. Outlays rose again in 1995-96 as the first initiatives of the previous government's Justice Statement commenced.

The peak in 1996-97 reflects the Commonwealth Government's contribution to the National Firearms Program. These costs mainly constitute the Commonwealth's reimbursement of payments made by the States and Territories to firearm owners, dealers and collectors who surrender guns as part of the compensation-for-surrender scheme. The reimbursement has been funded from the gun levy collected as a one-off increase in 1996-97 of 0.2 per cent in the Medicare levy raising approximately \$500 million. It is now estimated that \$169 million of the \$500 million will be expended in 1997-98, as the gun amnesty expires in September 1997. Commonwealth reimbursements to the States may continue to be made after this date.

The forward estimates indicate that the real value of outlays will decline from a peak in 1996-97, despite temporary increases in two subfunctions in 1997-98. The measures that most affected the forward estimates include: changes to the financing arrangements for the construction of the Melbourne Law Courts building; the limiting of Commonwealth legal aid contributions to matters arising under Commonwealth law; divestment and restructuring of commercial business units in the Attorney-General's portfolio; and savings identified by the Attorney-General (including a 4 per cent reduction to the portfolio's running costs) to contribute to the achievement of the Government's fiscal targets.

These reductions have been partly offset by increases in funding to the Federal Court of Australia for native title matters, and to the National Crime Authority to target fraud against the Commonwealth and related crime.

1997-98 AND FORWARD ESTIMATES

		1996-97 Estimate	1997-98 Budget	1998-99 Estimate	1999-00 Estimate	2000-01 Estimate
3.1	Courts and Legal Services	\$m 472.6	483.0	434.8	425.3	446.7
		%	2.2	-10.0	-2.2	5.0
3.2	Security and Intelligence Services	\$m 118.7	130.8	118.0	120.0	119.4
		%	10.2	-9.8	1.7	-0.5
3.3	Criminal Investigation	\$m 242.4	234.3	233.4	241.4	236.7
		%	-3.3	-0.4	3.4	-1.9
3.4	Other Public Order and Safety	\$m 443.1	290.8	94.6	94.4	94.2
		%	-34.4	-67.5	-0.2	-0.2
	TOTAL	\$m 1276.8	1139.0	880.8	881.1	896.9
		%	-10.8	-22.7	-	1.8

3.1 COURTS AND LEGAL SERVICES

		1996-97 Estimate	1997-98 Budget	1998-99 Estimate	1999-00 Estimate	2000-01 Estimate
High Court	\$m	9.6	9.2	9.3	9.4	9.6
	%		-4.2	1.1	1.1	2.1
Other Commonwealth Courts	\$m	174.4	188.6	173.6	172.7	190.6
	%		8.1	-8.0	-0.5	10.4
Legal Services	\$m	121.5	140.2	119.1	108.6	109.8
	%		15.4	-15.0	-8.8	1.1
Legal Aid	\$m	147.8	127.1	121.0	122.9	125.0
	%		-14.0	-4.8	1.6	1.7
Protection of Human Rights	\$m	19.3	17.8	11.8	11.7	11.7
	%		-7.8	-33.7	-0.8	-
TOTAL	\$m	472.6	483.0	434.8	425.3	446.7
	%		2.2	-10.0	-2.2	5.0

Outlays under this subfunction include:

- the High Court, the Federal Court of Australia, the Family Court of Australia and the Human Rights and Equal Opportunity Commission;
- the regulation and administration of bankruptcies by the Insolvency and Trustee Service, Australia;
- the running costs of the Office of the Director of Public Prosecutions, the operational expenses of the Law Reform Commission, and the Legal Practice of the Attorney-General's Department; and
- the Commonwealth's contribution to funding for State Legal Aid Commissions for general legal aid services and specific legal aid programmes including the defence of claims under the *Native Title Act 1993*. The Commonwealth's funding arrangements for legal aid are currently being negotiated with each State and Territory and aim to better target legal aid funding to matters arising under Commonwealth law.

3.2 SECURITY AND INTELLIGENCE SERVICES

Outlays under this subfunction largely include the operations of the Australian Security Intelligence Organization, the Australian Secret Intelligence Service and the Office of National Assessments. These agencies collect and assess information relevant to protection against threats to Australia's national interests. Other activities include the physical and technical security at overseas posts, counter-terrorist training and equipment, and the operations of the Office of the Inspector-General of Intelligence and Security.

3.3 CRIMINAL INVESTIGATION

		1996-97 Estimate	1997-98 Budget	1998-99 Estimate	1999-00 Estimate	2000-01 Estimate
Australian Federal Police	\$m	187.7	173.6	177.8	185.4	186.8
	%		-7.5	2.4	4.3	0.8
Other Criminal Investigation	\$m	54.7	60.8	55.6	56.0	49.9
	%		11.2	-8.6	0.7	-10.9
TOTAL	\$m	242.4	234.3	233.4	241.4	236.7
	%		-3.3	-0.4	3.4	-1.9

These outlays provide for law enforcement and associated investigation activities and include:

- the AFP's enforcement of the law in relation to drug trafficking, organised crime, fraud against the Commonwealth, counter terrorism, and community policing in the ACT; and
- police and criminology support activities such as those provided by the Australian Bureau of Criminal Intelligence, the Australian Institute of Criminology, the National Crime Authority and Australian Transaction Reports and Analysis Centre.

3.4 OTHER PUBLIC ORDER AND SAFETY

		1996-97 Estimate	1997-98 Budget	1998-99 Estimate	1999-00 Estimate	2000-01 Estimate
General Administration	\$m	28.2	27.2	27.0	27.4	27.4
	%		-3.5	-0.7	1.5	-
Coastwatch	\$m	34.8	34.9	35.5	36.1	36.8
	%		0.3	1.7	1.7	1.9
National Firearms Programme	\$m	331.0	169.0	-	-	-
	%		-48.9	-100.0	na	na
Other	\$m	49.0	59.7	32.1	30.8	30.0
	%		21.8	-46.2	-4.0	-2.6
TOTAL	\$m	443.1	290.8	94.6	94.4	94.2
	%		-34.4	-67.5	-0.2	-0.2

This subfunction incorporates all other outlays on Public Order and Safety activities such as:

- the residual general administration costs of the Attorney-General's Department, grants and payments to Australian and overseas bodies, and the costs of publishing legislation;
- the Coastwatch unit of the Australian Customs Service, which is responsible for the aerial surveillance of Australian Coastal and Fishing Zone areas, for the purposes of detecting smuggling, illegal entry, unauthorised fishing and quarantine breaches;
- the National Firearms Program which provides compensation to gun owners, dealers and collectors for the surrender of certain categories of firearms;
- provision of community policing in the Territories of Christmas Island and Cocos (Keeling) Islands; and
- the protection of Commonwealth property.