



LEGISLATIVE COUNCIL

GENERAL PURPOSE STANDING COMMITTEE NO. 3

BUDGET ESTIMATES 2010-2011

QUESTIONS ON NOTICE

General Purpose Standing Committee No. 3

Attorney General, Regulatory Reform and Citizenship

Tuesday 14 September 2010

Answers to be lodged by: Friday 8 October 2010

Budget Estimates Secretariat
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| Hearing date | Portfolio | Answer to be lodged by |
|---------------------|----------------------|-------------------------------|
| 14 September 2010 | Local Government | 8 October 2010 [21 days] |
| 14 September 2010 | Juvenile Justice | 8 October 2010 [21 days] |
| 14 September 2010 | Mental Health | 8 October 2010 [21 days] |
| 14 September 2010 | Attorney General | 8 October 2010 [21 days] |
| 14 September 2010 | Regulatory Reform | 8 October 2010 [21 days] |
| 14 September 2010 | Citizenship | 8 October 2010 [21 days] |
| 14 September 2010 | The Legislature | 8 October 2010 [21 days] |
| 17 September 2010 | Police | 13 October 2010 [21 days] |
| 17 September 2010 | Finance | 13 October 2010 [21 days] |
| 17 September 2010 | Gaming and Racing | 13 October 2010 [21 days] |
| 17 September 2010 | Sport and Recreation | 13 October 2010 [21 days] |
| 17 September 2010 | Major Events | 13 October 2010 [21 days] |

Questions relating to the portfolio of Attorney General

14 September 2010, 2:00 pm – 4:30 pm

Questions from Mr Ajaka

DPP

1. Have you requested advice from the Director General or from the Executive Director of the DPP concerning a new rank of Crown Prosecutor to be on a salary less than presently paid to Crown Prosecutors?
2. Have you requested or been provided with advice on the number of assistant solicitors employed by the DPP and/or whether the numbers should be reduced and/or eliminated?

NSW Trustee & Guardian

3. In regard to the judgement of McLaughlin AsJ in the matter MacDonald v Public Trustee [2010] NSWSC 684, how do you respond to His Honour's criticism of the management of this estate by the Office of the Public Trustee?
4. Have you ordered an independent review regarding the management of all current estates?
5. What procedures have you put in place to ensure that this type of conduct does not occur again?

Legal Costs

6. Despite the fact that you advised the General Purpose Standing Committee No 3, 12 months ago, that SCAG had agreed that its work on legal costs should be fed into the COAG Legal Profession Taskforce reform process, another year has gone by with no reform on this issue in NSW. Are you intending to take any initiative in the reform process to resolve this issue of excessive legal costs in NSW?
7. There has been considerable criticism of the time costing system including comments by the Chief Justice urging the profession to reconsider the use of billable hours or time costing to charge clients. Do you intend to abolish this system?
8. The Legal Services Commissioner Steve Mark has stated that he thought it was time consider a system of proportionate costs and that other States followed the lead of Queensland and adopt "the 50-50 rule". This would mean that legal fees must not exceed half of what remains of the judgment after the expenses are taken into account. Mr Mark is quoted as stating that this step would restore some proportion to litigation. Are you intending to introduce a system of proportionate costs?
9. When might we expect to see some action in regard to this issue?

Government Legal Services

10. Did you commission a review of Government Legal Services?
 - a) If so when?
11. Was the review to be conducted by Mary Rebehy – Manager, Ministerial & Executive Services Unit NSW Office of State Revenue?
 - a) Has the review been completed?
 - b) When?
 - c) Has it been released?
 - d) If not when will it be released?
12. What were the findings?

Wollongong Courthouse

13. What repair work has been undertaken on Wollongong Courthouse to date?
14. What is the total cost of repair work undertaken in the past financial year?
15. What additional works need to be completed?
16. When will the additional repair works be completed?
17. How much will be spent on Wollongong Courthouse maintenance in 2010-11 and 2011-12?
18. Will maintenance and repair works be expedited given Vic Lilli's report which found Wollongong Courthouse fails to meet a number of Building Code of Australia standards?

Questions relating to the portfolio of Citizenship

14 September 2010, 2:00 pm – 4:30 pm

Questions from Mr Ajaka

1. What was the overall amount spent on Citizenship events from 01 July 2009 to 30 June 2010?
2. How much was spent on the Youth Harmony Festival at Darling Harbour in March 2010?
3. How much was spent on the 2009 CRC Symposium at Parramatta?
 - a) How much was allocated to establish a working party and develop information resources for international students from the Indian subcontinent?
 - b) Are those resources up and running; and if so, how are they advertised and accessed?
 - c) How much is the ongoing advertising of these resources expected to cost?
4. Of the \$9.3 million allocated to Language Services, how much has been utilised by:
 - a) the Ethnic Community?
 - b) Government Departments?

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There were no additional questions on notice lodged by members relating to the portfolio of Regulatory Reform.