



Response to 2010 Review Draft Report

Justice services

Department of Treasury and Finance

September 2009

Tasmanian position

- Tasmania generally supports the Commission's approach to assessing justice services.
- We note that the Commission has proposed very few changes in the Draft Report compared to the previous Position Paper.
- Tasmania's arguments and evidence in support of its position on the specific issues below can be found in our previous submissions on Justice services. While we do not repeat the detail of our arguments and evidence here, the Commission should refer to our previous submissions if it needs further information on Tasmania's position.
- We support the recognition of disabilities for age and sex, indigenous status and socio-economic status. We consider that the use rates for these disabilities have been calculated appropriately using reliable data.
- We accept the Commission's decision to assess only 50 per cent of police expenses differentially. We acknowledge that this has been a difficult issue and consider the 50 per cent estimate to be a conservative, but defensible, judgement.
- We accept the Commission's 25 per cent discount of police custody use rates. Tasmania has previously argued that the originally proposed 50 per cent discount was too large and we provided evidence that this was the case. We support the Commission's approach in the Draft Report, which was to derive a more informed discount based on an analysis of custody rates for different types of crime.
- We would note that the Commission's analysis shows that indigenous over-representation is still very high for most serious or resource intensive categories of crime and it could be argued that an even smaller discount could be applied. However, we accept that a 25 per cent discount is defensible.
- We accept the application of location, administrative scale, cross border, native title and service delivery scale (for police) disabilities.
- We agree with the Commission's decision not to assess disabilities for cultural and linguistic diversity and urban complexity due to the lack of evidence that these result in higher costs.
- We acknowledge the difficulty of obtaining separate fees and fines revenue data. We accept an equal per capita assessment of fees and fines and the inclusion of these items in the Other revenue category.