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Australian Government  
Department of Home Affairs

## Submission

For decision

PDMS Ref. Number MS18-002426

**To** Assistant Minister for Home Affairs

**Subject** Safer Communities Fund Round Three - Program Guidelines and implementation

**Timing** 30 July 2018, to allow for a funding round to open on 14 August 2018, following approval by the Finance Minister. Timing has been agreed with your Office.

### Recommendations

That you:

1. approve the *Safer Communities Fund Round Three – Infrastructure Grant Opportunity Guidelines* at **Attachment A**
2. approve the *Safer Communities Fund Round Three – Early Intervention Grant Opportunity Guidelines* at **Attachment B**
3. note the risk assessments for each set of guidelines at **Attachment C**, and
4. sign the letter to the Minister for Finance, seeking his agreement to release the guidelines at **Attachment E**.

☒ approved / not approved

☒ approved / not approved

☒ noted / please discuss

☒ signed / not signed

Assistant Minister for Home Affairs

Signature

Date 29.7/2018

### Minister's Comments

Rejected Yes/No	Timely Yes/No	Relevance <input type="checkbox"/> Highly relevant <input type="checkbox"/> Significantly relevant <input type="checkbox"/> Not relevant	Length <input type="checkbox"/> Too long <input type="checkbox"/> Right length <input type="checkbox"/> Too brief	Quality Poor 1.....2.....3.....4.....5 Excellent Comments:

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## Key Issues

1. This submission seeks your approval of the *Safer Communities Fund Round Three – Infrastructure Grant Opportunity Guidelines* at **Attachment A** and the *Safer Communities Fund Round Three – Early Intervention Grant Opportunity Guidelines* at **Attachment B** is sought. Pending approval from the Minister for Finance, approving these guidelines by 30 July 2018 will allow the Department of Home Affairs (the Department) to complete arrangements with the Department of Industry, Innovation and Science (DIIS) to open the third funding round on 14 August 2018. The funding round would then close on 25 September 2018 (these times may change if there are delays in launching the round).
2. The draft guidelines have been developed in accordance with the *Commonwealth Grant Rules and Guidelines* (CGRGs). The Department worked with DIIS as the Government's central grants hub provider to develop these guidelines, and had the guidelines agreed with the Department of Finance (DoF) and the Department of the Prime Minister and Cabinet (PM&C).

3. s42, s34

4.

## Background

5. The Program supports the Australian Government's commitment to deliver safer communities by boosting the efforts of local councils and community organisations to address crime and antisocial behaviour by funding crime prevention initiatives.
6. An additional \$30 million was announced in the 2018-19 Budget to expand the Program and run a third round, funded using amounts confiscated under the *Proceeds of Crime Act 2002* s34
7. To date, this has included infrastructure initiatives such as CCTV cameras and lighting, as well as crime prevention through environmental design initiatives. In MS18-001704, you agreed to establish a separate early intervention stream for community organisations (such as police community youth clubs (PCYCs), blue light organisations and Youth off the Streets) to deliver crime prevention or activity based youth engagement projects under round three of the Safer Communities Fund.

## Consultation – internal/external

8. Legal and Finance Divisions.



9. The Department of Finance, the Department of the Prime Minister and Cabinet, the Department of Industry, Innovation and Science.
10. Various PCYCs, blue light organisations and Youth off the Streets were consulted on the scope and eligibility requirements of the early intervention guidelines.

### Consultation – Secretary

11. The Secretary was not consulted on this submission.

### Sensitivities

12. The Minister for Home Affairs recently announced funding for two grants to be funded under the Safer Communities Fund.
  - The Department is working on a third stream of direct source, non-competitive infrastructure guidelines under the Safer Communities Fund to meet these commitments. These guidelines will come to you or the Minister for Home Affairs for approval.

### Financial/systems/legislation/deregulation/media implications

13. There is \$70 million available under the Program in total, with:

- \$9.396 million in grants provided under round one to 65 organisations.
- \$28.573 million in grants available under round two for around 150 grant agreements (grant agreements are still being negotiated, so final numbers are yet to be determined).
- \$27.6 million in grants available under round three, with a tentative split of up to \$18 million available for infrastructure grants and up to \$12 million available for early intervention grants. The guidelines also indicate that the Minister for Home Affairs may support additional projects that align with the objectives and outcomes of the Program using funds allocated from round three.

**Note:** it is difficult to determine the final split between each stream until applications have been received, so amounts in each set of guidelines are tentative. We will seek your approval of the final split between each stream once applications have been received and assessed.

- Approximately \$4.4 million for the administration of the Program.
14. Once program guidelines are approved, a draft media release will be provided to your Office to announce the opening of round three.

### Attachments

- Attachment A** Safer Communities Fund Round Three – Infrastructure Grant Opportunity Guidelines
- Attachment B** Safer Communities Fund Round Three – Early Intervention Grant Opportunity Guidelines

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**Attachment C** Risk assessments for each set of guidelines

s42

**Attachment E** Letter to the Minister for Finance**Authorising Officer**

Cleared by:

Hamish Hansford  
 First Assistant Secretary  
 National Security and Law Enforcement Policy Division

Date: 23/07/2018

s47E(d)

**Contact Officer** s47E(c) Crime Prevention Section, s47E(d)

**Through** s47E(c) A/g Assistant Secretary, Law Enforcement Policy Branch, s47E(d)

**CC** Minister for Home Affairs, Immigration and Border Protection  
 Secretary  
 Deputy Secretary, Policy  
 Deputy Secretary, Executive  
 Chief Operating Officer  
 Chief Financial Officer  
 General Counsel

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Australian Government  
Department of Home Affairs

## Submission

For decision

PDMS Ref. Number MS18-011043

To Minister for Home Affairs

Subject Safer Communities Fund - Recommendations under Round 3 - Infrastructure Stream

Timing 1 February 2019, to allow funding agreements to be executed by 30 June 2019.

### Recommendations

That you:

1. Approve the applications recommended for funding under round three of the Safer Communities Fund at **Attachment A**, totalling \$17,504,115 (GST exclusive) for 70 projects approved / not approved
2. Approve and rank the next 15 projects on the list of remaining suitable applications at **Attachment B** to create a reserve list and commit the remainder of the \$17,918,977 (GST exclusive) approved / not approved
3. Agree to not fund the unsuitable and ineligible projects at **Attachment C** agreed / not agreed
4. If you approve grants at **Attachment C** against the Department of Home Affairs recommendation, provide your reasons at **Attachment D** provided / not provided
5. Sign the instrument at **Attachment E** to authorise the release of funds from the Confiscated Assets Account signed / not signed
6. If you approve grants to organisations in your electorate, note that a further submission will be prepared for you to report the approval to the Minister for Finance, and noted / please discuss
7. s22(1)(a)(ii) agreed / not agreed

Minister for Home Affairs

Signature.....

Date: 31/01/2019

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Minister for Home Affairs



Minister's Comments				
<p>Rec 1 approved. Where funding is NOT approved in full, lesser amts marked @ att. A.  Negotiate within scope of original project  Rec 2 approved. Projects ranked @ att. B in order of approval with lesser amts marked as required.</p>				
<b>Rejected</b> Yes/No	<b>Timely</b> Yes/No	<b>Relevance</b> <input type="checkbox"/> Highly relevant <input type="checkbox"/> Significantly relevant <input type="checkbox"/> Not relevant	<b>Length</b> <input type="checkbox"/> Too long <input type="checkbox"/> Right length <input type="checkbox"/> Too brief	<b>Quality</b> Poor 1.....2.....3.....4.....5 Excellent <b>Comments:</b>

### Key Issues

1. The Safer Communities Fund round three infrastructure stream is oversubscribed, with \$17,918,977 (GST exclusive) available under the stream and 280 applications to the value of \$58,759,089 (GST exclusive) being considered suitable for funding. A total of 465 applications for funding were received, with the remaining 185 deemed either not suitable, ineligible or withdrawn by applicants.
2. This submission seeks your approval to allocate up to \$17,504,115 (GST exclusive) to fund 70 applications that scored the highest in the merits-based assessment process.  
**Attachment A** contains a ranking, summary and justification for the recommended projects.
3. If you approve all recommended projects at **Attachment A**, there is \$414,862 (GST exclusive) remaining in the appropriation. While this is insufficient to fund the next highest ranked project, some of the 70 recommended projects at **Attachment A** have ineligible items which will be removed at contract negotiations, freeing up additional funds.
4. The remaining 210 suitable applicants achieved at least 50 per cent against each of the merit criteria and have been assessed as achieving value for money. The total value of these projects is \$41,254,974 (GST exclusive). The remaining suitable applicants are listed in **Attachment B** from highest to lowest according to the score achieved (some receiving the same score).
5. To ensure all available funds are used, the Department recommends that you create a reserve list of the next 15 applications in order of their ranking. **Attachment B** contains details on each project, including a merit score and the strengths and weaknesses against merit criteria.
6. Consistent with the Program Guidelines and the *Commonwealth Grants Rules and Guidelines*, as the Minister you are not limited by this ranking, and may decide which grant applications to approve, taking into account the application assessment, the Department's recommendations and the availability of funds.



### Justification for approving grants that were not recommended by the Department

If you do not agree with recommendations in the submission, you must provide appropriate justification as to why you disagree with recommendations from the merit assessment process. If you fund projects against the Department's recommendation, you are required to make reasonable inquiries to determine that the expenditure would be a 'proper use' of relevant money and provide a brief statement of reasons (i.e the basis of your approval). This requirement is consistent with sections 71(1) and 71(2)(a) of the PGPA Act and section 4.12(a) of the Commonwealth Grant Rules and Guidelines.

<u>Grantee Name</u>	<u>Project title</u>	<u>Amount approved</u>	<u>Reason for approval</u>
Burnie City Council AGSCF 71093	Burnie CBD CCTV Expansion.	\$59,570.00	This project will assist with the safety of the Burnie community
Waratah-Wynyard Council	Installation of CCTV Systems in Wynyard + Somerset	\$140,000.00	This project will assist with the safety of the Wynyard + Somerset community.

I, Peter Dutton, Minister for Home Affairs, having regard to the information provided by the Department of Home Affairs within this submission, approve the above changes to the projects funded under the infrastructure stream of round three of the Safer Communities Fund.

This signature is given under the PGPA Act and I am satisfied that giving effect to this spending proposal is an efficient, effective, economical and ethical use of resources and that it is not inconsistent with policies of the Commonwealth of Australia.

Signed: .. 

Date: 31/01/19

**APPROVED PROGRAMS OF EXPENDITURE UNDER s298**

***PROCEEDS OF CRIME ACT 2002***

<b>Title</b>	<b>Total Funding</b>	<b>2018-19</b>	<b>2019-20</b>	<b>Recipient of funds</b>
Safer Communities Fund Program Round 3 infrastructure stream grants	\$17,918,977	\$8,853,516	\$9,065,461	Department of Home Affairs
Safer Communities Fund Program Round 3 early intervention stream grants	\$9,701,023	\$4,244,484	\$5,456,539	Department of Home Affairs
Safer Communities Fund Program Round 3 program administration costs	\$2,380,000	\$1,902,000	\$478,000	Department of Home Affairs
<b>Total</b>	<b>\$30,000,000</b>	<b>\$15,000,000</b>	<b>\$15,000,000</b>	<b>Department of Home Affairs</b>

I, Peter Dutton, Minister for Home Affairs, approve this program of expenditure under s298 of the *Proceeds of Crime Act 2002* in accordance with s71 of the *Public Governance, Performance and Accountability Act 2013*.



30/01 2019



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**Australian Government**  
**Department of Home Affairs**

## Submission

For decision

PDMS Ref. Number MS19-000488

**To** Minister for Home Affairs

**Subject** Safer Communities Fund Round Three - follow up submission to receive a reserve list

**Timing** 19 February 2019. This deadline has been agreed with Sandy Landers.

### Recommendations

That you:

1. approve and rank a reserve list for infrastructure projects under the Safer Communities Fund round three at Attachment B.

approved / not approved

Minister for Home Affairs

Signature.....

Date: 14/02/2019

### Minister's Comments

Rejected Yes/No	Timely Yes/No	Relevance <input type="checkbox"/> Highly relevant <input type="checkbox"/> Significantly relevant <input type="checkbox"/> Not relevant	Length <input type="checkbox"/> Too long <input type="checkbox"/> Right length <input type="checkbox"/> Too brief	Quality Poor 1.....2.....3.....4.....5 Excellent Comments:

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13 FEB 2019

Minister for Home Affairs

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## Key Issues

1. In MS18-011043 (**Attachment A**) you approved funding under the Safer Communities Fund round three for infrastructure projects totalling \$17,922,788 (GST exclusive), within the available appropriation of \$17,918,977 (GST exclusive). You signed this submission on 31 January 2019 and it was received by the Department on 8 February 2019.
2. MS18-011043 requested that you approve and rank a reserve list at **Attachment B** of at least 15 projects, should additional funding become available, for example during contract negotiations where ineligible items from approved projects may be removed.
3. You approved a number of projects for amounts significantly less than the amounts requested by applicants. This resulted in all the projects you identified in the reserve list at **Attachment B** being able to be funded within the appropriation. The remaining funds for a reserve list is currently only \$3,811 (GST exclusive).
4. To ensure all available funds are used, the Department recommends that you create a reserve list of at least \$4 million. This is because as well as funding becoming available due to ineligible items being removed, it is possible that some applicants with reduced funding will decide not to proceed.
5. You have already ranked 54 projects at **Attachment B** to be funded from within the available appropriation. We ask that you continue to rank projects starting from the 55<sup>th</sup> project you wish to fund should funds become available through contract negotiations. **Attachment B** contains details on each project, including a merit score and the strengths and weaknesses against merit criteria.

## Background

6. Background, including complete briefing on your Ministerial responsibilities, is contained in MS18-011043 at **Attachment A**.

## Consultation – internal/external

7. Nil.

## Consultation – Secretary

8. The Secretary was not consulted on the approach in this submission.

## Client service implications

9. Nil.

## Sensitivities

10. Nil.

## Financial/systems/legislation/deregulation/media implications

11. Nil.

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**Attachments**

**Attachment A** Signed submission - MS18-011043 'Safer Communities Fund - Recommendations under Round 3 - Infrastructure Stream'

**Attachment B** Table of recommended reserve projects, should funds become available

**Authorising Officer**

Cleared by:

Hamish Hansford  
First Assistant Secretary  
National Security and Law Enforcement Policy Division

Date: 13 February 2019  
s47E(d)

**Contact Officer:** Ciara Spencer, Assistant Secretary, Law Enforcement Policy Branch, s47E(d)

**CC** Secretary  
Deputy Secretary Policy  
Chief Finance Officer

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Australian Government  
Department of Home Affairs

## Submission

For decision

PDMS Ref. Number MS18-011043

To Minister for Home Affairs

Subject Safer Communities Fund - Recommendations under Round 3 - Infrastructure Stream

Timing 1 February 2019, to allow funding agreements to be executed by 30 June 2019.

### Recommendations

That you:

1. Approve the applications recommended for funding under round three of the Safer Communities Fund at Attachment A, totalling \$17,504,115 (GST exclusive) for 70 projects approved / not approved
2. Approve and rank the next 15 projects on the list of remaining suitable applications at Attachment B to create a reserve list and commit the remainder of the \$17,918,977 (GST exclusive) approved / not approved
3. Agree to not fund the unsuitable and ineligible projects at Attachment C agreed / not agreed
4. If you approve grants at Attachment C against the Department of Home Affairs recommendation, provide your reasons at Attachment D provided / not provided
5. Sign the instrument at Attachment E to authorise the release of funds from the Confiscated Assets Account signed / not signed
6. If you approve grants to organisations in your electorate, **note** that a further submission will be prepared for you to report the approval to the Minister for Finance, and noted / please discuss
7. Agree to Department of Industry, Innovation and Science officials approving minor variations of a project during agreement negotiations and project delivery. agreed / not agreed

Minister for Home Affairs

Signature 

Date: 31/01/2019

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- 8 JAN 2019

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Minister for Home Affairs

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Minister's Comments				
<p>Rec 1 approved. Where funding is NOT approved in full, lesser amts marked @ att. A.</p> <p>Negotiate within scope of original project</p> <p>Rec 2 approved. Projects ranked @ att. B in order of approval with lesser amts marked as required.</p>				
<b>Rejected</b> Yes/No	<b>Timely</b> Yes/No	<b>Relevance</b> <input type="checkbox"/> Highly relevant <input type="checkbox"/> Significantly relevant <input type="checkbox"/> Not relevant	<b>Length</b> <input type="checkbox"/> Too long <input type="checkbox"/> Right length <input type="checkbox"/> Too brief	<b>Quality</b> Poor 1.....2.....3.....4.....5 Excellent <b>Comments:</b>

### Key Issues

1. The Safer Communities Fund round three infrastructure stream is oversubscribed, with \$17,918,977 (GST exclusive) available under the stream and 280 applications to the value of \$58,759,089 (GST exclusive) being considered suitable for funding. A total of 465 applications for funding were received, with the remaining 185 deemed either not suitable, ineligible or withdrawn by applicants.
2. This submission seeks your approval to allocate up to \$17,504,115 (GST exclusive) to fund 70 applications that scored the highest in the merits-based assessment process. **Attachment A** contains a ranking, summary and justification for the recommended projects.
3. If you approve all recommended projects at **Attachment A**, there is \$414,862 (GST exclusive) remaining in the appropriation. While this is insufficient to fund the next highest ranked project, some of the 70 recommended projects at **Attachment A** have ineligible items which will be removed at contract negotiations, freeing up additional funds.
4. The remaining 210 suitable applicants achieved at least 50 per cent against each of the merit criteria and have been assessed as achieving value for money. The total value of these projects is \$41,254,974 (GST exclusive). The remaining suitable applicants are listed in **Attachment B** from highest to lowest according to the score achieved (some receiving the same score).
5. To ensure all available funds are used, the Department recommends that you create a reserve list of the next 15 applications in order of their ranking. **Attachment B** contains details on each project, including a merit score and the strengths and weaknesses against merit criteria.
6. Consistent with the Program Guidelines and the *Commonwealth Grants Rules and Guidelines*, as the Minister you are not limited by this ranking, and may decide which grant applications to approve, taking into account the application assessment, the Department's recommendations and the availability of funds.

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7. As this is an open, competitive, merits-based program, should you decide to make funding decisions that do not reflect the order of merit, you may be criticised either in the media, or by the Australian National Audit Office. Unsuccessful applicants are invited to seek feedback from the Department of Industry, Innovation and Science about how to improve their application. This may highlight where a high scoring applicant does not receive funding.
8. All applications at **Attachment A** and **Attachment B** were assessed as suitable, representing value for money and a proper use of Commonwealth resources consistent with the *Commonwealth Grants Rules and Guidelines* and the *Public Governance, Performance and Accountability Act 2013*.
9. 185 applications are not recommended for funding because they scored below 50 per cent against a merit criterion and are not suitable, they were deemed ineligible against the eligibility criteria, or they were withdrawn by the applicants. **Attachment C** contains a list of these applications and the reasons they are not recommended.
10. In MS18-002657, you agreed to consider the Waratah-Wynyard Council and the Burnie City Council applications under round three of the Safer Communities Fund. These councils have been assessed by the Department of Industry, Innovation and Science as receiving scores of 49.25 and 50.5 respectively. While the Burnie City Council application received 50.5 overall, it failed to receive over 50 per cent against merit criteria three, making it unsuitable for funding. This means the applications do not represent value for money in accordance with the Program Guidelines.
11. If you approve any projects at **Attachment C** against the Department's recommendation, you are required to undertake such reasonable enquiries as would enable you to be satisfied that the expenditure would be a 'proper' use of public money, consistent with the *Commonwealth Grants Rules and Guidelines* and the *Public Governance, Performance and Accountability Act 2013*. Proper, when used in relation to the use and management of public resources, means efficient, effective, economical and ethical. Your reasons must be recorded and reported annually to the Finance Minister. If you approve any projects at **Attachment C**, you should state your reasons for this in the table provided at **Attachment D**.

*Releasing funding from the Confiscated Assets Account for Safer Communities Fund*

12. The cost of round three of the Safer Communities Fund is being met from the Confiscated Assets Account under section 298 of the Proceeds of Crime Act 2002 (the Act). Section 298 authorises you to approve, in writing, a program of expenditure for one of the four measures listed in section 298(2) of the Act. To facilitate this approval and authorise the Australian Financial Security Authority to release the funds, the Department has prepared an expenditure instrument at **Attachment E**. This covers funding decisions made in this submission and funding decisions made in the early intervention submission (MS18-009560).

*Approving projects in your electorate*

13. The *Commonwealth Grants Rules and Guidelines* require that where a Minister approves a proposed grant in his/her own electorate, the Minister must write to the Finance Minister advising of the details. There are two applications on the list of suitable applicants (but not in the top 70 recommended) in your electorate ranked: the Vineyard Christian Fellowship of Pine Rivers Inc requested \$10,917 (GST exclusive) in funding, receiving a score of 69.25 and the St Vincent de Paul Society Queensland requested \$4,521 (GST exclusive), receiving a score of 65.



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14. Should you rank these applications highly on the reserve list and funding becomes available to offer those applicants funding, a letter to the Finance Minister to report the decisions will be prepared by the Department for your signature.

### Background

15. The Safer Communities Fund supports the Australian Government's commitment to deliver safer communities by boosting the efforts of local councils and community organisations to address crime and antisocial behaviour by funding crime prevention initiatives. The former Assistant Minister for Home Affairs approved the Program Guidelines for the establishment of this infrastructure stream on 29 July 2018. The round opened on 14 August 2018 and closed on 25 September 2018.
16. On 14 December 2018, the Department of Industry, Innovation and Science provided an assessment of all applications against your approved *Safer Communities Fund: Round 3 – Infrastructure Grant Guidelines* ('Program Guidelines' at **Attachment F**) consistent with the assessment process and merit criteria outlined at **Attachment G**.
17. An additional \$30 million over two financial years was announced in the 2018-19 Budget for the Safer Communities Fund – extension, using funds from the Confiscated Assets Account under s298 of the Act. s34 [REDACTED] In MS18-009560, you also agreed to use \$500,000 (GST exclusive) in underspends from round two of the Safer Communities Fund to cover increased round three administration costs, bringing the total amount available for round three departmental and administration costs to \$30,500,000 (GST exclusive).
18. Commonwealth granting activities are governed by a range of legislative, regulative and guidance documents, including a number of ministerial responsibilities (**Attachment D**). The quality assurance process the Department of Industry, Innovation and Science has undertaken is detailed at **Attachment G**. The Department has reviewed and sought clarification as necessary on the recommendations, and supports the Department of Industry, Innovation and Science's assessment.

### Consultation – internal/external

19. Legal Division, Finance Division (Chief Finance Officer cleared).

### Consultation – Secretary

20. The Secretary was not consulted on this submission.

### Client service implications

21. Nil.

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~~For Official Use Only~~**Sensitivities**

22. s22(1)(a)(ii)

23. s22(1)(a)(ii)

24. s22(1)(a)(ii)

**Financial/systems/legislation/deregulation/media implications**

25. s42

26.

27. The below table outlines the original appropriation, funding decisions made in MS18-009560 and the remaining amount available for expenditure under the infrastructure stream.

		2018-19	2019-20	Total
Appropriation	Administered - NPP	\$13,098,000	\$14,522,000	\$27,620,000
	Departmental - NPP	\$1,902,000	\$478,000	\$2,380,000
	<b>Total</b>	<b>\$15,000,000</b>	<b>\$15,000,000</b>	<b>\$30,000,000</b>
	Underspend from round two to cover administration costs	\$500,000		\$500,000
Expenditure	DIIS departmental	\$1,964,000	\$390,000	\$2,354,000
	Home Affairs Departmental	\$300,000	\$200,000	\$500,000
	Early intervention	\$4,244,484	\$5,456,539	\$9,701,023
	<b>Total</b>	<b>\$6,508,484</b>	<b>\$6,046,539</b>	<b>\$12,555,023</b>
	Remaining for infrastructure (Admin Grants)	\$8,853,516	\$9,065,461	\$17,918,977

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## Attachments

- Attachment A** Table of recommended applications
- Attachment B** Table of recommended reserve projects should funds become available
- Attachment C** Table of unsuitable and ineligible applications
- Attachment D** Ministerial responsibilities and justification if approving grants that were not recommended by the Department
- Attachment E** Expenditure instrument approving the release of Confiscated Asset Account funds for eligible projects
- Attachment F** *Safer Communities Fund: Round 3 – Infrastructure Grant Guidelines*
- Attachment G** Assessment process, including merit criteria, as conducted by the Department of Industry, Innovation and Science

### Authorising Officer

Cleared by:

Marc Ablong PSM  
Deputy Secretary Policy Group

Date: 7 January 2019  
s47E(d)

**Through:** Hamish Hansford, First Assistant Secretary, National Security and Law Enforcement Policy Division  
Stephanie Cargill, Chief Finance Officer, Finance Division

**Contact Officer:** Ciara Spencer, Assistant Secretary, Law Enforcement Policy Branch, s47E(d)

CC Secretary  
Deputy Secretary Executive  
General Counsel

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27 NOV 2018



Minister for Home Affairs

Australian Government

Department of Home Affairs

**Submission**

For decision

PDMS Ref. Number MS18-009560

**To** Minister for Home Affairs

**Subject** Safer Communities Fund - Recommendations under Round 3 - Early Intervention Stream

**Timing** 14 December 2018 to allow grant agreements to be negotiated and funds paid as soon as possible.

**Recommendations**

That you:

1. approve funding for early intervention stream projects by either:
  - approving the recommended, eligible applications totalling \$9,123,239 (GST exclusive) by signing the expenditure instrument at **Attachment A**;
- OR
- if you wish to approve all applications, including ineligible applications to a total of \$9,701,023 (GST exclusive) sign the instrument and provide your reasons at **Attachment B**.
2. approve program administration costs totalling \$2,354,000 (GST exclusive);
3. agree to Department of Industry, Innovation and Science officials approving minor variations of a project during agreement negotiations and project delivery;
4. approve the unspent funds allocated to the early intervention stream (up to \$2.9 million) being allocated to the infrastructure stream of round three of the Safer Communities Fund, and
5. approve up to an additional \$500,000 from underspends in round two of the Safer Communities Fund for increases in the cost of the Department of Industry, Innovation and Science's administration of round three of the Safer Communities Fund.

approved / not approved

signed / not signed

signed / not signed

approved / not approved

agreed / not agreed

approved / not approved

approved / not approved

Minister for Home Affairs

Signature.....

Date: 22/12/2018

~~PROTECTED Sensitive: Cabinet~~

Minister's Comments				
<b>Rejected</b> Yes/No	<b>Timely</b> Yes/No	<b>Relevance</b> <input type="checkbox"/> Highly relevant <input type="checkbox"/> Significantly relevant <input type="checkbox"/> Not relevant	<b>Length</b> <input type="checkbox"/> Too long <input type="checkbox"/> Right length <input type="checkbox"/> Too brief	<b>Quality</b> Poor 1.....2.....3.....4.....5 Excellent <b>Comments:</b>

### Key Issues

1. This submission seeks your approval to award up to \$9,123,239 (GST exclusive) to nine organisations for the delivery of activity-based youth engagement projects under round three of the Safer Communities Fund.
2. Eleven applications were made under the early intervention stream of round three of the Safer Communities Fund. Under this stream, approximately \$12 million was available to Police and Community Youth Clubs, Blue Light organisations and Youth off the Streets to deliver early intervention projects for at-risk youth. Nine applicants were eligible and two Police and Community Youth Clubs in Tasmania were ineligible.
3. The Department of Industry, Innovation and Science assessed all applications against your approved *Safer Communities Fund: Round 3 – Early Intervention Grant Guidelines* ('Fund Guidelines' at **Attachment C**) consistent with the assessment process summarised at **Attachment D**. A score of at least 50 per cent against each merit criterion (below) is required:
  - the extent the project will contribute to improving social cohesion and outcomes for at risk youth (50 per cent weighting);
  - the impact of the grant funding (20 per cent weighting); and
  - the recipient's capacity, capability and resources to deliver the project (30 per cent weighting).
4. All nine eligible organisations were assessed as suitable, scoring between 83 and 88 of the total 100 points, and as representing value for money and a proper use of Commonwealth resources consistent with the *Commonwealth Grants Rules and Guidelines* and the *Public Governance, Performance and Accountability Act 2013*. **Attachment E** contains a summary of the assessment.

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*Ineligible applications from Tasmania*

5. Applications from Hobart Police and Community Youth Club for \$208,313 (GST exclusive) and Bridgewater Police and Community Youth Club for \$369,471 (GST exclusive) were ineligible under your approved Fund Guidelines. The Fund Guidelines require that Police and Community Youth Clubs be a state or territory peak body to be eligible to apply. Under the *Commonwealth Grants Rules and Guidelines* the Department of Home Affairs cannot waive eligibility as outlined in the approved Fund Guidelines and is unable to make a recommendation that is inconsistent with the approved Fund Guidelines.
6. Under the *Commonwealth Grants Rules and Guidelines* you may fund either or both of the ineligible projects against the Department's recommendation. On a merits-basis, the Department of Industry, Innovation and Science assessed the two ineligible applications as strong projects, achieving above the required minimum standards against each criterion with overall totals of 80 out of 100, and as representing value for money (**Attachment F**). The Department considers that the projects would meet the policy intent of round three of the Safer Communities Fund.
7. If you choose to fund the Tasmanian applicants, you must be satisfied that the expenditure would be a proper use of public money, consistent with the Commonwealth Grants Rules and Guidelines and the Public Governance, Performance and Accountability Act. The merit assessment (**Attachment F**) should assist in your consideration. Under the *Public Governance, Performance and Accountability Act* and the Commonwealth Grants Rules and Guidelines, if you fund the Tasmanian applicants, you are required to state your reasons at **Attachment B** for funding against the Department's recommendation, and report these annually to the Finance Minister.
8. If you approve funding, the Department of Industry, Innovation and Science will contact all applicants to provide outcomes and negotiate grant agreements with successful applicants. This submission seeks your agreement for Department of Industry, Innovation and Science officials to approve minor variations, such as adjusting deliverables that continue to support the project's outcomes, moving funds between approved items, and adding items that are essential to the delivery of the project, that arise during negotiations and throughout project delivery. Any variation will not result in a cost that exceeds your approved amount.

*Releasing funding from the Confiscated Assets Account for Safer Communities Fund*

9. The cost of round three of the Safer Communities Fund is being met from the Confiscated Assets Account under section 298 of the *Proceeds of Crime Act 2002*. Section 298 authorises you to approve, in writing, a program of expenditure. To authorise the Official Trustee, the Australian Financial Security Authority, to release the funds, the Department has prepared two expenditure instruments. You are only required to sign the instrument that corresponds to the decision you make regarding the ineligible projects.

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- **Attachment A** for recommended projects totalling \$9,123,239 (GST exclusive) and \$2,354,000 (GST exclusive) for Department of Industry, Innovation and Science administration costs
- OR
- **Attachment B** for recommended and ineligible projects totalling \$9,701,023 (GST exclusive) and \$2,354,000 (GST exclusive) for Department of Industry, Innovation and Science administration costs.

Should you wish to make a decision that does not corresponded to either **Attachment A** or **Attachment B**, the Department will prepare a new expenditure instrument.

### Reallocating underspends from the Safer Communities Fund

10. As the funding allocated to the early intervention stream of round three of the Safer Communities Fund has not been fully subscribed (even if ineligible organisations are funded) your approval is sought for the remaining funds (excluding administration costs), to be allocated to the infrastructure stream of round three of the Safer Communities Fund. A higher than anticipated number of applications were received under the infrastructure stream. These are currently being assessed. Using underspends from the early intervention stream would increase the amount available for the infrastructure stream from approximately \$18 million to up to \$21 million.
11. In-line with the Australian Government's *Streamlining Grants Administration Program* initiative, the Department has engaged the Department of Industry, Innovation and Science's Business Grants Hub to administer round three of the Safer Communities Fund. Due to the higher-than-anticipated number of applicants for the infrastructure stream, the Department of Industry, Innovation and Science have advised that the cost to administer the program has increased by \$354,000 and is likely to increase further as assessment and negotiation timeframes become clearer.
12. Round two of the Safer Communities Fund had an underspend of \$746,000 at the end of 2017-18 due to a number of applicants subsequently refusing grant offers. Your approval is sought to reallocate up to \$500,000 to round three of the Safer Communities Fund to meet the additional administration costs. Any amount not spent would be returned to the Infrastructure stream. If you do not approve this, the Department will be unable to absorb the increased administrative costs.

## Background

13. The Safer Communities Fund supports the Government's commitment to deliver safer communities by boosting the efforts of local councils and community organisations to address crime and antisocial behaviour by funding crime prevention initiatives. The former Assistant Minister for Home Affairs approved the Fund Guidelines on 29 July 2018. The round opened on 14 August 2018 and closed on 25 September 2018.
14. An additional \$30 million over two financial years was announced in the 2018-19 Budget for the Safer Communities Fund – extension, using amounts confiscated under the Proceeds of Crime Act. <sup>s34</sup>



15. The approved Fund Guidelines stated that Police and Community Youth Clubs were required to be a state or territory peak body to be eligible to apply to ensure that coordinated applications supported by the jurisdictions' peak body were submitted. The Department of Industry, Innovation and Science advises that during the application period, the Tasmanian Police and Community Youth Club's Chief Executive Officer resigned and the related issues prevented that body from making an application, leading to the two ineligible applications from non-peak bodies.
16. Approximately \$18 million was initially allocated to the infrastructure stream of round three of the Safer Communities Fund for an anticipated 400 applications. At the closing date, 465 applications had been received. A further submission will be provided with funding recommendations once applications have been assessed.
17. Granting activities in the Commonwealth are governed by a range of legislative, regulative and guidance documents, including a number of ministerial responsibilities (**Attachment B**). The quality assurance process the Department of Industry, Innovation and Science has undertaken is detailed at **Attachment C**. The Department has reviewed and sought clarification as necessary on the recommendations, and supports the Department of Industry, Innovation and Science's assessment.

#### **Consultation – internal/external**

18. Legal Division, Finance Division (Chief Finance Officer cleared), Enterprise Strategy Reform and Performance Division.
19. Department of Industry, Innovation and Science, Department of Finance.

#### **Consultation – Secretary**

20. The Secretary was not consulted on the approach in the submission.

#### **Client service implications**

21. Nil.

#### **Sensitivities**

22. Nil.

#### **Financial/systems/legislation/deregulation/media implications**

23. s42, s34

- 24.

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25. There is \$70 million available under the Safer Communities Fund allocated under three funding rounds.
- Under round one, \$9.396 million in grants was provided to 65 organisations;
  - Under round two, to date, 141 organisations have received grants from the total of \$28.622 million. There was a \$746,000 underspend at the end of 2017-18.
26. The Department of Industry, Innovation and Science provides grants administration services on a cost recovery basis with the policy agency meeting any increased costs. The Department of Finance has confirmed that it is within your discretion to change the split of administered and departmental Proceeds of Crime Act funding from what was outlined in the original New Policy Proposal to allow for the underspend to be used for administrative costs.

## Attachments

- Attachment A** Expenditure instrument approving the release of Confiscated Asset Account funds for eligible projects
- Attachment B** Ministerial Responsibilities and justification if approving grants that were not recommended by the Department and expenditure instrument for release of Confiscated Asset Account should ineligible projects be approved.
- Attachment C** *Safer Communities Fund: Round 3 – Early Intervention Grant Guidelines*
- Attachment D** Assessment process, including merit criteria, as conducted by the Department of Industry, Innovation and Science.
- Attachment E** Table of recommended applications as provided by the Department of Industry, Innovation and Science
- Attachment F** Table of ineligible applications as provided by the Department of Industry, Innovation and Science

<p><b>Authorising Officer</b></p> <p>Cleared by:</p> <p>Marc Ablong Deputy Secretary Policy Group</p> <p>Date: 27 November 2018 s47E(d)</p>
---

**Through:** Michael Burke, A/g First Assistant Secretary, National Security and Law Enforcement Policy Division, s47E(d)

**Contact Officer:** Ciara Spencer, Assistant Secretary, Law Enforcement Policy Branch s47E(d)

CC Secretary  
General Counsel  
Chief Finance Officer



# APPROVED PROGRAMS OF EXPENDITURE UNDER s298

## PROCEEDS OF CRIME ACT 2002

Title	Total Funding	2018-19	2019-20	Recipient of funds
Safer Communities Fund Program Round 3 early intervention stream grants	\$9,701,023	\$4,244,484	\$5,456,539	Department of Home Affairs
Safer Communities Fund Program Round 3 program administration costs	\$2,354,000	\$2,354,000		Department of Home Affairs

I, Peter Dutton, Minister for Home Affairs, approve this program of expenditure under s298 of the *Proceeds of Crime Act 2002* in accordance with s71 of the *Public Governance, Performance and Accountability Act 2013*.

  
 .....  
 11/12/2018

### Justification for approving grants that were not recommended by the Department

If you do not agree with recommendations in the submission, you must provide appropriate justification as to why you disagree with recommendations from the merit assessment process. If you fund projects against the Department's recommendation, you are required to make reasonable inquiries to determine that the expenditure would be a 'proper use' of relevant money and provide a brief statement of reasons (i.e the basis of your approval). This requirement is consistent with sections 71(1) and 71(2)(a) of the PGPA Act and section 4.13(a) of the Commonwealth Grant Rules and Guidelines.

<u>Grantee Name</u>	<u>Project title</u>	<u>Amount approved</u>	<u>Reason for approval</u>
Hobart Police and Community Youth Club Incorporated	<i>Hobart Police and Community Youth Club Youth Works Program</i>	\$208,313 (GST exclusive)	The peak body in Tasmania was not available at the time of application. This project shows good value for money and supports the Funds intentions.
Bridgewater Police and Citizens Youth Club Incorporated	<i>Bridgewater Police and Community Youth Club Integrated Youth Support and Engagement Project</i>	\$369,471 (GST exclusive)	The peak body in Tasmania was not available at the time of application. This project shows good value for money and supports the Funds intentions.

I, Peter Dutton, Minister for Home Affairs, having regard to the information provided by the Department of Home Affairs within this submission, approve the above changes to the projects funded under the infrastructure stream of round three of the Safer Communities Fund.

This signature is given under the PGPA Act and I am satisfied that giving effect to this spending proposal is an efficient, effective, economical and ethical use of resources and that it is not inconsistent with policies of the Commonwealth of Australia.

Signed:  .....

Date: 17/12/18 .....



## Attachment B

**Ministerial Responsibilities and justification for approving grants  
that were not recommended by the Department**

Ministerial Responsibilities – Commonwealth Financial Management Framework

Agencies are responsible for advising Ministers of the mandatory requirements of the *Commonwealth Grants Rules and Guidelines* and the broader financial resource management framework.

The *Commonwealth Grants Rules and Guidelines* (CGRGs) are issued by the Finance Minister under section 105C of the *Public Governance, Performance and Accountability Act 2013* (PGPA Act) to improve the transparency and accountability of grants administration.

The CGRGs include the following grant-specific decision-making and reporting requirements established by the Australian Government in addition to general requirements arising under the financial management framework where Ministers exercise the role of a financial approver. Under the CGRGs:

- A Minister must not approve a grant without first receiving agency advice on the merits of the proposed grant or group of grants. That advice must meet the requirements of the CGRGs.
- Where a Minister (including a Parliamentary Secretary) approves a proposed grant in his/her own electorate, the Minister must write to the Finance Minister advising of the details.
- Under paragraph 4.12(a) of the CGRGs, the Minister may approve grants that are not recommended by the relevant officials. Ministers (including Senators) must report annually to the Finance Minister on all instances where they have decided to approve a particular grant which the relevant official has recommended be rejected. The report must include a brief statement of reasons (i.e. the basis of the approval for each grant). The report must be provided to the Finance Minister by 31 March each year for the preceding calendar year.

In addition, the PGPA Act requires that:

- A Minister must not approve a spending proposal unless satisfied, after reasonable inquiries, that giving effect to the spending proposal would be a 'proper use' of relevant money (PGPA Act section 71(1)). 'Proper' when used in relation to the use or management of public resources means 'efficient, effective, economical and ethical' (PGPA Act, section 8).
- The Minister must record the terms of the approval in writing as soon as practicable after giving the approval (PGPA Act section 71(2)(a)).
- If the Minister wishes to fund a project which has not been recommended for funding by the Department, the Minister is required to undertake such reasonable inquiries as would enable them to meet the requirements of the PGPA Act section 71(1) as detailed above.



Australian Government  
Department of Home Affairs

## Submission

For decision

PDMS Ref. Number MS19-000289

RECEIVED

13 MAR 2019

To Minister for Home Affairs

Minister for Home Affairs

Subject Proceeds of Crime Act 2002 – Approval of Australian National Retailers Association grant and 2018-19 Commonwealth Agency Funding

Timing 22 March 2019, to allow approved projects to commence in April 2019.

### Recommendations

That you:

1. **approve** a grant of \$800,000 (GST excl) in funding over two years to the Australian National Retailers Association and \$27,000 (GST excl) in associated administration costs by signing the relevant expenditure instrument at **Attachment A**;

approved /not approved

2. s22(1)(a)(ii)

indicated / please discuss

- 3.

approved /not approved

4. **indicate** which non-Commonwealth projects you wish to consider further for funding, and in which financial year (the Department recommends 2019-20), at **Attachment B**, and

indicated / please discuss

5. **note** that if you wish to consider funding non-Commonwealth projects in 2018-19 it is unlikely that funding recommendations will be made prior to **June 2019**.

noted / please discuss

Minister for Home Affairs

Signature.....


Date...../...../2019

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Minister's Comments				
<b>Rejected</b> Yes/No	<b>Timely</b> Yes/No	<b>Relevance</b> <input type="checkbox"/> Highly relevant <input type="checkbox"/> Significantly relevant <input type="checkbox"/> Not relevant	<b>Length</b> <input type="checkbox"/> Too long <input type="checkbox"/> Right length <input type="checkbox"/> Too brief	<b>Quality</b> Poor 1.....2.....3.....4.....5 Excellent <b>Comments:</b>

## Key Issues

1. This submission seeks your decision on *Proceeds of Crime Act 2002* (the Act) funding initiatives. <sup>s34</sup>  

2. A summary of expenditure under section 298 of the Act this financial year is at **Attachment B**. This table also includes projects that are currently available for your consideration, totalling **\$43,695,040** (this exceeds the cap by \$25,910,700). Please indicate at **Attachment B** which projects you **approve** and sign the relevant expenditure instruments at **Attachment C** as appropriate.

### Australian National Retailers Association – recommended for funding

3. The Australian National Retailers Association has sought a grant of \$800,000 (GST excl) over two years for their Protecting Crowded Places project to assist retailers to deter, detect, delay and respond to a terrorist attack. This includes developing education material, face to face support for retailers and investigating pilot software for instantly uploading images and videos which may be of interest to law enforcement.
4. The Department of Industry, Innovation and Science's Business Grants Hub has assessed the National Retailers Association's application with satisfactory scores against each of the three merit criteria. The application therefore represents value for money and a proper use of Commonwealth resources, consistent with the *Public Governance, Performance and Accountability Act 2013* and the *Commonwealth Grant Rules and Guidelines 2017*. As the project's objective is to prevent and reduce the harmful effects of crime, the proposal is consistent with the Act. The program guidelines and the Grants Hub assessment, including strengths and weaknesses, are at **Attachment D**.

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5. The Department of Home Affairs recommends you approve this grant by signing the expenditure instrument at **Attachment A**. In accordance with the Government's *Streamlining Grants Administration Program* initiative, the Department has engaged the Business Grants Hub to administer the grant on our behalf. The Department also recommends that you approve \$27,000 to be provided to the Department to cover these costs by signing the expenditure instrument at **Attachment A**.
6. A summary of your key responsibilities under the *Public Governance, Performance and Accountability Act 2013* and the *Commonwealth Grants Rules and Guidelines 2017* is at **Attachment E**.
7. The total amount available for all Commonwealth and non-Commonwealth agency projects, once the Australian National Retailers Association project has been approved, is **\$17,784,340**.

s34

s22(1)(a)(ii)

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Soldier On (Fortem Australia) and the National Police Memorial Company

19. Expressions of interest for funding under the Act have been received from Soldier On (on behalf of Fortem Australia) for \$1.884 million, the National Police Memorial for \$5 million and Crime Stoppers Australia for up to \$3.5 million. These amounts exclude any administration costs incurred due to the use of a Commonwealth grants hub. Please advise the Department of your preferred approach to each of these grants at Attachment B.
20. On 6 March 2019, the Department received a revised proposal from Fortem Australia that aims to provide trusted psychological and social engagement services to law enforcement and national security officers whilst reducing the stigma around mental health issues. The Department recommends that if you wish to consider this proposal, that it be considered from s34 [REDACTED]
21. The Department is yet to receive any formal direction from you regarding the National Police Memorial proposal of \$5 million over five years for a police mental health and wellbeing project. The proposal was provided to the Department with a request for a meeting brief (MB19-000225 refers) for a meeting with the Chief Executive Officer of the Police Federation of Australia on 18 February 2019.

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22. There are important processes to follow before these projects can be funded, including the creation of program guidelines or procurement documentation, an assessment of projects (including whether they are grants or procurement), advice from the Australian Government Solicitor, and costings being agreed with the Department of Finance.
23. The Department recommends that, if you wish to fund any, or all, of the proposals at **Attachment B** that they be considered from the 2019-20<sup>s34</sup>
- [REDACTED]
- [REDACTED]

## Background

24. Section 298 of the Act authorises you to approve the use of funds from the Confiscated Assets Account for the purposes of crime prevention, law enforcement, drug addiction and diversionary measures relating to illegal drug use. Section 71 of the *Public Governance, Performance and Accountability Act 2013* states that you must not approve a proposed expenditure of relevant money unless you are satisfied, after making reasonable inquiries, that the expenditure would be a proper use of relevant money and you must record this decision as soon as practicable after giving the approval. The Department considers these proposals to offer value for money.
25. <sup>s34</sup> [REDACTED]
- [REDACTED]
- [REDACTED]

## Consultation – internal/external

26. Centre for Counter-Terrorism Coordination, Critical Infrastructure Security Division, Finance Division, Legal Division, Department of Industry, Innovation and Science, Department of Finance, various Commonwealth agencies.
27. Media Operations were consulted on a previous submission for Crime Stoppers Australia.

## Consultation – Secretary

28. The Secretary was not consulted on the approach in the submission.

## Client service implications

29. Nil.

## Sensitivities

30. The information contained in this submission is classified and should not be publicly released without the authority of the Department of Home Affairs. In accordance with our long standing practices, should you wish for unclassified media lines to be prepared in relation to this issue please contact the Home Affairs Media Coordination team – [media@homeaffairs.gov.au](mailto:media@homeaffairs.gov.au).

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**Financial/systems/legislation/deregulation/media implications**

31. As at 31 January 2019, the balance of the Confiscated Assets Account was \$157.36 million. This includes \$30 million set aside for round three of the Safer Communities Fund, \$33.74 million set aside for existing commitments and \$3 million set aside for non-discretionary payments. There is \$90.61 million in distributable (available) funds.

32.

s42



33. On 6 February 2019, Crime Stoppers Australia issued a public statement acknowledging the partnership between Crime Stoppers Australia and the Commonwealth government, as well as the funding it receives. This statement was issued to counter media reporting about the lack of Commonwealth support of Crime Stoppers Australia.

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## Attachments

**Attachment A** Expenditure Instrument – National Retailers Association

**Attachment B** Summary of expenditure and projects for consideration

**Attachment C** Commonwealth agency Expenditure Instruments (only relevant instruments should be signed)

**Attachment D** National Retailers Association assessment against guidelines

**Attachment E** Summary of Ministerial responsibilities

s22(1)(a)(ii)

**Attachment G** Details and assessment of Crime Stoppers Australia proposals

<b>Authorising Officer</b>  Cleared by:  Marc Ablong PSM Deputy Secretary Policy  Date: 13 March 2019 Ph: s47E(d)
---

Contact Officer Ciara Spencer, Assistant Secretary, Law Enforcement Policy Branch, s47E(d)

Through Chief Finance Officer – 5 March 2019  
First Assistant Secretary, National Security and Law Enforcement Policy 7 March 2019

CC Secretary  
Deputy Secretary Executive  
Deputy Secretary Corporate  
Chief Finance Officer  
General Counsel

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## APPROVED PROGRAMS OF EXPENDITURE UNDER s298

*PROCEEDS OF CRIME ACT 2002*

Title	Total Funding	2018-19	2019-20	2020-21	2021-22	Recipient of funds
Australian National Retailers Association crime prevention grant	\$800,000	\$400,000	\$400,000	-	-	Department of Home Affairs
Australian National Retailers Association Administration costs	\$27,000	\$27,000	-	-	-	Department of Home Affairs

I, Peter Dutton, Minister for Home Affairs, approve this program of expenditure under s298 of the *Proceeds of Crime Act 2002* in accordance with s71 of the *Public Governance, Performance and Accountability Act 2013*.



14 / 03 / 2019

~~PROTECTED Sensitive: Cabinet~~

097



Australian Government  
Department of Home Affairs

## Submission

For decision

PDMS Ref. Number MS18-009593

**To** Minister for Home Affairs

**Subject** Bachar Houli Grant Program Application

**Timing** Not applicable.

### Recommendations

That you:

1. approve the grant to the Australian Football League's (AFL) Bachar Houli Foundation;
2. approve total funding of \$636,660 in 2018-19 under section 298 of the *Proceeds of Crime Act 2002* (POCA), including \$627,500 to the AFL, and \$9,160 for the Community Grants Hub to administer the grant;
3. sign the Expenditure Instrument to authorise the release of funding (**Attachment A**); and
4. agree to the Department of Home Affairs executing minor variations on your behalf.

approved / not approved

approved / not approved

signed / not signed

agreed / not agreed

Minister for Home Affairs

Signature.....

Date: 14/11/2018

RECEIVED

09 NOV 2018

Minister for Home Affairs

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Minister's Comments				
Rejected Yes/No	Timely Yes/No	Relevance <input type="checkbox"/> Highly relevant <input type="checkbox"/> Significantly relevant <input type="checkbox"/> Not relevant	Length <input type="checkbox"/> Too long <input type="checkbox"/> Right length <input type="checkbox"/> Too brief	Quality Poor 1.....2.....3.....4.....5 Excellent Comments:

## Key Issues

- On 8 November 2018, you were provided the guidelines for a one-off grant to the AFL's Bachar Houli Foundation for approval. The proposed grant is for \$627,500 (excluding GST) s34
- The AFL has provided an application for the one-off grant (**Attachment B**). The Department has assessed the application and considers that it broadly meets the requirements outlined in the draft grant guidelines (summary at **Attachment C**).
  - The grant application notes the importance of sport in facilitating social inclusion and crime prevention. The program aims to prevent crime by promoting community harmony and mutual understanding through sport and provide early intervention for youth at risk of a range of harmful and potentially criminal outcomes.
- The Department of Social Services Community Grants Hub will administer the grant, consistent with the Streamlining Government Grants Administration Program. The cost of the Community Grants Hub administering this one-off grant is \$9,160.
- s34 the Department of Finance has agreed to the costs for this program (**Attachment D**).
- If you approve the funding, an Expenditure Instrument is provided (at **Attachment A**) for your signature. If you approve the proposal the Department will negotiate a funding agreement with the AFL which will set out the terms, conditions and arrangements under which the grant funding is to be provided, managed and acquitted. During the negotiation of a funding agreement through to completion of the campaign, there may be requirements for variations to the proposal to occur.

6. This submission seeks your approval for officials from the Department to approve minor variations to resolve concerns or issues that may arise. The proposed variation policy is consistent in scope with variation policies used to administer other programs (such as the Safer Streets and Schools Security Programs, and other one-off grants). Minor variations may include:
- moving funds between already approved items;
  - adjusting the specifications of deliverables or timeframes where this will continue to support the project's outcomes;
  - adding items which are determined to be essential for the outcomes of the project to be realised where this is within the approved amount or the applicant agrees to cover the difference; and
  - adjusting funding amounts to reflect revised quotations where this is within the approved amount or the applicant agrees to cover any differences.

### Background

7. Funding to the AFL will be considered a grant and subject to the *Commonwealth Grant Rules and Guidelines* (CGRGs). Your obligations under the CGRGs and the *Public Governance, Performance and Accountability Act 2013* are at **Attachment E**.

### Consultation – internal/external

8. Internally, the National Security and Law Enforcement Policy Division, Legal Division, and Finance Division were consulted on this submission.

### Consultation – Secretary

9. The Secretary was not consulted on the approach in the submission.

### Client service implications

10. N/A.

### Sensitivities

11. <sup>s42</sup>

- 12.

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**Financial/systems/legislation/deregulation/media implications**

13. If you approve the grant application, the total financial commitment from the Department would be \$636,660 in 2018-19, including the \$627,500 grant to the AFL, and \$9,160 in administration costs for the Community Grants Hub.
14. As at 31 October 2018, the balance of the Confiscated Assets Account was \$148.7 million. This includes \$30 million set aside for round three of the Safer Communities Fund, \$29.9 million set aside for existing commitments and \$3 million set aside for non-discretionary payments. There is \$85.8 million in distributable (available) funds.
15. You currently have \$25 million this year available <sup>s34</sup> [REDACTED]. You have also indicated you wish to consider several other grant proposals, which are currently in various stages of development:
- Neighbourhood Watch Australasia (\$835,000 over two years, including grant administration costs)
  - Danny Green Coward's Punch Campaign (\$800,000 over two years, including grant administration costs), and
  - s22(1)(a)(ii) [REDACTED]
16. s22(1)(a)(ii) [REDACTED]

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## Attachments

- Attachment A** Expenditure Instrument
- Attachment B** Application from the AFL
- Attachment C** Assessment of the AFL's application against the draft grant guidelines
- Attachment D** Department of Finance Cost Agreement
- Attachment E** Ministerial Responsibilities – Commonwealth Financial Management Framework

### Authorising Officer

Cleared by:

Lachlan Colquhoun  
First Assistant Secretary  
Strategic Research and Communication Division

Date: 09/11/2018

Ph: s47E(d)

**Contact Officer** Deb Welsh, Director, Community Engagement and Partnerships Team, Ph: s47E(d)

**Through** Chief Finance Officer

**CC** Secretary  
Deputy Secretary Executive  
Deputy Secretary Policy  
Deputy Secretary Corporate  
General Counsel

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under the Freedom of Information Act 1982



## APPROVED PROGRAMS OF EXPENDITURE UNDER s298

*PROCEEDS OF CRIME ACT 2002*

Title	Total Funding	2018-19	2019-20	2020-21	2021-22	2022-23	Recipient of funds
Australian Football League – Bachar Houli Program	<b>\$627,500</b>	\$627,500					<b>Department of Home Affairs</b>
Commonwealth Grant Hub administration costs	<b>\$9,160</b>	\$9,160					<b>Department of Home Affairs</b>

I, Peter Dutton, Minister for Home Affairs, approve this program of expenditure under s298 of the *Proceeds of Crime Act 2002* in accordance with s71 of the *Public Governance, Performance and Accountability Act 2013*.



14 November 2018

~~PROTECTED~~  
~~Sensitive: Legal~~



Australian Government  
Attorney-General's Department

Sub No: MS17-001699

Date submitted to Office by AGD: 4 SEP 2017

File No: 17/9361-03

Min No: MC17-006052

## MINISTER FOR JUSTICE

### Police Federation of Australia - request for funding

**Deadline:** 6 September 2017. Your office has advised that you wish to make an announcement of funding on 7 September 2017. You will need to formally commit the funds prior to any announcement.

#### Recommendation:

I recommend that if you wish to provide funding of \$1 million to the Police Federation of Australia (PFA) under section 298 of the *Proceeds of Crimes Act 2002* for a mental health national awareness campaign you:

- (i) approve the one-off guidelines for the PFA to deliver the national awareness campaign on police officer mental wellbeing **Attachment A**

Approved / Not Approved / Discuss

s42

- (iii) sign the expenditure instrument at **Attachment C**, and

Noted / Discuss

Signed/not Signed/Discuss

- (iv) sign the letter to the Police Federation of Australia at **Attachment D**.

Signed/not Signed/Discuss

Minister for Justice

7 / 9 / 2017

**Key Issues:** The Police Federation of Australia's funding application seeks \$1 million funding over two years under section 298 of the *Proceeds of Crime Act 2002* (POCA) for the delivery of a national awareness campaign on police officer mental wellbeing designed to address psychological injuries incurred by police officers in the line of duty. A copy of this application received 22 August 2017 is at **Attachment E**. Earlier correspondence received on 19 June 2017 is at **Attachment F**.

The campaign aims to build resilience in police workforces across Australia and reduce absenteeism to optimise the number of working police on the ground for law enforcement and crime prevention purposes, via the development and delivery of a communications campaign to increase police officers' and the public's awareness of the risk of social, emotional and psychological issues associated with policing and to encourage early identification and intervention.

In MS17/001913 you approved proceeding with the funding process on the basis that you were satisfied that there was a sufficiently close and meaningful connection between the objectives of the campaign, and the

~~Sensitive: Legal~~  
~~PROTECTED~~



specified purposes for which funding can be provided under section 298 of the POCA. That section enables you to approve expenditure of money for one or more of the following purposes: crime prevention measures; law enforcement measures, measures relating to treatment of drug addiction; and diversionary measures relating to the illegal use of drugs. Accordingly, the department sought a fully costed application from the PFA, undertook a risk assessment of the PFA's funding application, developed one-off guidelines to support the spending under the POCA and received a constitutional risk assessment of the funding.

s42

s34

s34

By approving this proposal the amount available to you will be reduced by \$1 million.

A non-competitive approach is being used for this granting activity as the PFA, as the national body responsible for representing more than 60,000 police officers, is a well-established organisation that is uniquely placed to deliver the campaign to the target demographic. The PFA intends to utilise the expertise of constituent state and territory associations to deliver a range of police specific educational and promotional activities and conduct workshops with subject matter expertise to destigmatise mental health issues amongst serving police officers. The PFA has advised that addressing these injuries will maximise the number of police officers across all jurisdictions at any point in time, to combat criminal activity, in line with the specified funding purposes under section 298 of the POCA. The proposal is unique in nature and designed to meet a specific need over a specified, limited period. Should you approve the grant activity by signing expenditure instrument the department will commence Funding Agreement negotiations with the PFA. Any Funding Agreement will incorporate reporting milestones linked to the campaigns objectives, and link payments to the achievement of milestones.

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Information on your obligations under the *Public Governance, Performance and Accountability Act 2013* (PGPA Act) and the CGRG's is at **Attachment I**. Your formal approval is sought to award funding of \$1 million to the PFA under section 298 of the POCA to deliver the campaign. As the final decision-maker you need to be satisfied that this grant activity meets the objectives as set out in the Guidelines, and of the PFA's capacity to deliver the campaign, having regard to the department's risk assessment.

**AGD Clearing Officer:** Andrew Walter, First Assistant Secretary, Criminal Law Policy and Programmes Division, s47E(d)

**Date Cleared:** 01 September 2017

**Branch Head:** Kelly Williams, Criminal Law Policy Branch, s47E(d)

**Dept Officer:** s47E(c) BRCH-CRJG-CRJPPD-Criminal Law Policy Branch, s47E(d)

Attachment A – One-off guidelines for National Awareness Campaign

s42

Attachment C – Expenditure instrument

Attachment D – Letter to Police Federation of Australia

Attachment E – PFA Funding Application (22 August 2017)

Attachment F – PFA correspondence (19 June 2017)

Attachment G – Costings agreement from Department of Finance

s42

Attachment I – Obligations under the *Public Governance, Performance and Accountability Act 2013*

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	<p align="center"><b>APPROVED EXPENDITURE UNDER s298</b></p> <p align="center"><b><i>PROCEEDS OF CRIME ACT 2002</i></b></p> <p align="center">National Awareness Campaign on Police Officer Mental Wellbeing Campaign</p>			
<b>Title</b>	<b>Total Funding</b>	<b>2017-2018</b>	<b>2018-2019</b>	<b>Recipient of funds</b>
Police Federation of Australia - <i>National Awareness Campaign on Police Officer Mental Wellbeing Campaign</i>	\$1,000,000	\$805,000	\$195,000	Attorney-General's Department
	<p>I, Michael Keenan, Minister for Justice, approve this program of expenditure under section 298 of the <i>Proceeds of Crime Act 2002</i></p> <p>.....</p> <p align="right">/ /2017</p>			



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Australian Government  
Attorney-General's Department

Sub No: MS17-001913

Date submitted to Office by AGD: \_\_\_\_\_

File No: 17/8899-03

Min No: MC17/006052

## MINISTER FOR JUSTICE

### Police Federation of Australia funding application under section 298 of the *Proceeds of Crime Act 2002*

**Deadline: 28 August 2017** to ensure that the Police Federation of Australia's (PFA) funding application can be costed by Finance and advanced as soon as possible.

**Recommendation:** I recommend that you indicate whether you wish to consider this proposal further including seeking costing agreement from the Department of Finance.

Consider / Not Consider / Discuss

24/1/17

  
.....  
Minister for Justice

**Key Issues:** On 19 June 2017, the PFA wrote to you (MC17-006052) seeking \$1 million in *Proceeds of Crime Act 2002* (POCA) funding over two years for the delivery of a National Public Awareness Campaign designed to address psychological injuries incurred by police officers in the line of duty. A copy of this correspondence is at **Attachment A** for your reference.

Following discussions with your office, this department sought a fully costed application for funding from the PFA to allow you to decide if this is the type of project you would support to receive funding from the CAA under section 298 of POCA. On 22 August 2017, the PFA submitted the proposal (**Attachment B**).

The PFA proposal states that the key objective of the proposed national awareness campaign is to address the social and emotional well-being (mental health) of Australia's police officers, thus ensuring the maximum numbers of police officers are maintained across all jurisdictions at any point in time, in order to combat criminal activity.

Section 298(2) of POCA authorises you to approve the use of money in the Confiscated Assets Account (CAA) for expenditure on crime prevention, law enforcement, drug treatment and drug diversion measures.

If you are satisfied that there is a close and meaningful connection between this objective and hindering crime, enforcing compliance with the law or that the initiative directly relates to treatment of drug addiction or diverts illegal use of drugs, the department will consult with the Department of Finance (Finance) to obtain costing agreement. In accordance with usual CAA processes, the Department will also undertake a risk assessment, develop one-off guidelines to support the spending under POCA <sup>s42</sup>

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Costing agreement must be sought from Finance for all commitments within these expenditure rules. Funding cannot be committed to the PFA if Finance refuses to provide costing agreement. This may occur, for example, if Finance considers the proposal is not sufficiently linked to one or more of the four purposes of section 298 of POCA, or the activities proposed have been inadequately costed.

If Finance provides costing agreement, AGD will prepare a further submission seeking your formal approval of the funding <sup>s34</sup>

We note that in a recent meeting with Nicole Rose, your Chief of Staff advised that you wish to make an

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announcement of funding on 7 September 2017. Before you could announce any funding the costings will need to be agreed by Finance and a further submission provided to you to formally commit the funds. We note that if an announcement is not possible on 7 September, 29 September 2017 may be a suitable day as it is Police Remembrance Day.

AGD Clearing Officer: Andrew Walter, First Assistant Secretary, Criminal Law Policy and Programmes Division, s47E(d)

Date Cleared: 23 August 2017

Branch Head: Kelly Williams, Criminal Law Policy Branch, s47E(d)

Dept Officer: s47E(c) BRCH-CRJG-CRJPPD-Criminal Law Policy Branch, s47E(d)

- **Attachment A** – Copy of correspondence from PFA – MC17-006052
- **Attachment B** – Copy of the PFA's application for funding

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Australian Government  
Department of Home Affairs

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Submission

For decision

PDMS Ref. Number MS18-002103

**To** Minister for Home Affairs  
Minister for Immigration and Border Protection

**Subject** Proceeds of Crime Act 2002 - section 298 funding for Crime Stoppers  
Australia Dob in a Dealer campaign

**Timing** 29 June 2018, as requested by your office, to enable an announcement by the  
Prime Minister ASAP if the program for expenditure is approved

### Recommendations

That you:

1. **Approve** the draft one-off guidelines for the Crime Stoppers Australia Dob in a Dealer campaign at **Attachment A**, approved / not approved /  
please discuss
2. if you approve the Guidelines, **sign** the expenditure instrument at **Attachment B** to authorise the release of funds, and signed / not signed /  
please discuss
3. if you approve the Guidelines and sign the expenditure instrument, **agree** to the Department executing minor variations on your behalf. agreed / not agreed /  
please discuss

Minister for Home Affairs  
Minister for Immigration and Border Protection

Signature.....

Date: 29/06/2018

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Minister's Comments				
<b>Rejected</b> Yes/No	<b>Timely</b> Yes/No	<b>Relevance</b> <input type="checkbox"/> Highly relevant <input type="checkbox"/> Significantly relevant <input type="checkbox"/> Not relevant	<b>Length</b> <input type="checkbox"/> Too long <input type="checkbox"/> Right length <input type="checkbox"/> Too brief	<b>Quality</b> Poor 1.....2.....3.....4.....5 Excellent <b>Comments:</b>

## Key Issues

- Section 298 of the *Proceeds of Crime Act 2002* (POCA) authorises you to approve a program for the expenditure of money from the Confiscated Assets Account (CAA) for crime prevention measures, law enforcement measures, measures relating to drug addiction treatment and diversion measures relating to illegal use of drugs.
- s34
- s22(1)(a)(ii)
- On 20 December 2017 the former Minister for Justice identified the Crime Stoppers Australia Limited (CSA) proposal for the Dob in a Dealer campaign should proceed to costing by the Department of Finance, prior to final approval being sought. On 19 June 2018 your Office requested that the CSA proposal be brought forward for consideration prior to the other proposals that have been considered for costing agreements under the 2017-18 allocation as the Prime Minister's Office would like to make an announcement to launch the campaign as soon as possible, subject to final approvals.
- Funding for the proposed campaign is considered a grant subject to the *Commonwealth Grant Rules and Guidelines* (CGRGs). In accordance with the CGRGs, one-off grant guidelines have been developed for your approval (**Attachment A**). These do not require approval from the Department of Prime Minister and Cabinet or the Department of Finance, as the guidelines do not require publication and therefore are not subject to the mandatory processes relating to approval of grant guidelines.
- The CSA proposal has been assessed against these draft guidelines and has been found to represent value for money and a proper use of Commonwealth resources, consistent with the *Public Governance, Performance and Accountability Act 2013* (PGPA Act) and the CGRGs. Information on your key obligations under the PGPA Act and the CGRGs is at **Attachment C**. If you do not approve the draft guidelines, a further assessment of the project will need to be made against revised guidelines.

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7. If you approve the draft Guidelines, please sign the expenditure instrument at **Attachment B**, authorising the Australian Financial Security Authority to release funds to the Department for administration of the grant activity.

*Proposed Variation Policy for Crime Stoppers Australia*

8. If you approve the CSA proposal, the Department will negotiate a Funding Agreement with CSA which will set out the terms, conditions and arrangements under which the grant funding is to be provided, managed and acquitted. During the negotiation of a funding agreement through to the completion of the campaign, there may be requirements for variations to the proposal to occur.
9. This Submission seeks your approval for officials from the Department to approve minor variations to resolve concerns or issues that may arise. The proposed variation policy is consistent in scope with variation policies used to administer other programs (such as the Safer Streets and Schools Security Programs and other one-off grants). Minor variations may include:
  - Moving funds between already approved items
  - Adjusting the specifications of deliverables or timeframes where this will continue to support the project's outcomes
  - Adding items which are determined to be essential for the outcomes of the project to be realised where this is within the approved amount or the applicant agrees to cover the difference, and
  - Adjusting funding amounts to reflect revised quotations where this is within the approved amount or the applicant agrees to cover any differences.

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## Background

11. The following commitments have already drawn down <sup>s34</sup>

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- \$1 million was awarded for the Police Federation of Australia's *National Awareness Campaign on Police Officer Mental Wellbeing* campaign on 5 September 2017,
- s22(1)(a)(ii)

• s22(1)(a)(ii)



### Consultation – internal/external

12. Finance Division

13. Legal Division

### Consultation – Secretary

14. The Secretary was not consulted on the approach in the submission.

### Client service implications

15. Nil

### Sensitivities

16. N/A

### Financial/systems/legislation/deregulation/media implications

17. As at 31 May 2018, the balance of the CAA was \$115,570,571.29. This includes \$26,184,000 held against existing commitments and \$3 million set aside for potential non-discretionary payments

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This leaves a balance of \$56,386,516.29 in uncommitted funds.

Should you approve amounts recommended in this submission, the available balance would be reduced by \$1 million.

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**Attachments**

**Attachment A**    Draft One-Off Guidelines for CSA

**Attachment B**    Program of Expenditure under section 298 of the POCA

**Attachment C**    Key obligations under the PGPA Act and CGRGs

**Authorising Officer**

Cleared by:

Andrew Warnes

A/g First Assistant Secretary, National Security and Law Enforcement Policy Division, Policy Group

Date: 20 June 2018

s47E(d)

**Contact Officer** Kelly Williams, Assistant Secretary, Law Enforcement Policy Branch, s47E(d)

**CC**            Secretary  
                Deputy Secretary, Executive Group  
                Deputy Secretary, Policy Group

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**APPROVED PROGRAMS OF EXPENDITURE UNDER s298**

***PROCEEDS OF CRIME ACT 2002***

<b>Title</b>	<b>Total Funding</b>	<b>2017-18</b>	<b>2018-19</b>	<b>2019-20</b>	<b>2020-21</b>	<b>2021-22</b>	<b>Recipient of funds</b>
<i>Dob in a Dealer</i> campaign	<b>\$1,000,000</b>		\$1,000,000				<b>Department of Home Affairs</b>

I, Peter Dutton, Minister for Home Affairs, approve this program of expenditure under s298 of the *Proceeds of Crime Act 2002* in accordance with s71 of the *Public Governance, Performance and Accountability Act 2013*.



25 June 2018