

Commonwealth Community Safety Order Scheme

FEDERATION FUNDING AGREEMENT - AFFORDABLE
HOUSING, COMMUNITY SERVICES AND OTHER

Table 1: Formalities and operation of schedule	
Parties	The Commonwealth The State of New South Wales (NSW)
Duration	This Schedule is expected to expire on 30 June 2025.
Purpose	<p>This Schedule will support the delivery of services by NSW agencies for the Community Safety Order (CSO) Scheme under Division 395 of the <i>Criminal Code Act 1995</i> (Cth), including the Community Safety Detention Order scheme (CSDO) and Community Safety Supervision Order (CSSO) scheme. The services may include but are not limited to:</p> <ul style="list-style-type: none"> a) Preparatory work required to support evidence collection and arrangements for applications made under Division 395 and related proceedings; b) Provision of information in relation to CSO-eligible offenders; c) Accommodation for offenders on CSDOs; d) Assistance with case management in relation to CSOs; and e) Support for the CSO scheme implementation and governance.

<p>Estimated financial contributions</p>	<p>The Commonwealth will provide an estimated total financial contribution to NSW of \$7,113,517 in respect of this Schedule.</p> <hr/> <p>Table 1</p> <table border="1"> <thead> <tr> <th data-bbox="443 499 1042 533">(\$)</th> <th data-bbox="1042 499 1161 533">2024-25</th> <th data-bbox="1161 499 1292 533">Total</th> </tr> </thead> <tbody> <tr> <td data-bbox="443 539 1042 595">Estimated total budget</td> <td data-bbox="1042 539 1161 562">7,113,517</td> <td data-bbox="1161 539 1292 562">7,113,517</td> </tr> <tr> <td colspan="3" data-bbox="443 607 1292 696"><i>Less estimated National Partnership Payments</i></td> </tr> <tr> <td colspan="3" data-bbox="443 703 1292 741">- NSW</td> </tr> <tr> <td colspan="3" data-bbox="443 748 1292 826">Balance of non-Commonwealth contributions</td> </tr> </tbody> </table> <hr/> <p>The services delivered by NSW to support the CSO scheme under Division 395 of the Commonwealth Criminal Code are expected to extend beyond 30 June 2025 subject to Government's consideration. The parties acknowledge that any future funding arrangements beyond 30 June 2025 will be as agreed by the Parties. This funding agreement does not set precedent for nor is it binding on the inclusion of arrangements which may be negotiated in any further funding agreement between the respective Parties at the conclusion of the initial period.</p>	(\$)	2024-25	Total	Estimated total budget	7,113,517	7,113,517	<i>Less estimated National Partnership Payments</i>			- NSW			Balance of non-Commonwealth contributions		
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<p>Additional terms</p>	<p><i>Contingent payments</i></p> <p>Outputs 3 and 4 in Table 2 of this Schedule are contingent services. If an output is not met within a reporting period, the responsible NSW ministers may seek agreement from the Commonwealth, through an exchange of letters, to redirect the unused funding to another output identified in Table 2 of this Schedule.</p> <p><i>Additional outputs</i></p> <p>Additional outputs not currently listed in Table 2 may be agreed by the responsible Commonwealth and NSW ministers to re-allocate unused funding.</p> <p><i>Milestone reports</i></p> <p>NSW will submit a minimum of two bi-annual milestone reports. If preferred, NSW may submit quarterly milestone reports. Milestones reports will be verified by the CSO Taskforce and CSO Program Management Office before payment is processed.</p>															

Table 2: Performance requirements, reporting and payment summary			
Output	Performance milestones	Report due (bi-annual)	Payment 2024-25 FY
EVIDENCE COLLECTION			
1. Preparatory work required to support evidence collection and arrangements for applications made under Division 395 and related proceedings	Activities undertaken under Output 1 relate to support for the assessment of individuals for consideration of a CSDO or CSSO. These activities occur whether an application is made or not.		
	a) Document collection and analysis b) Document redaction and provision to the Commonwealth c) Enduring engagement with the Commonwealth in relation to an application made under Division 395 and related proceedings d) Intelligence and risk assessments	31/12/2024 30/06/2025	\$1,762,925 per FY (\$881,463 per bi-annual report)
2. Provide specialist legal support associated with the Commonwealth's consideration, preparation and development of applications under Division 395 and related proceedings and management of these orders in relation to persons of interest.	Activities carried out under Output 2 relate to specialist legal work associated with supporting an application made under Division 395 and related proceedings and/or management of relevant persons, including through court processes.		
	a) Prepare material in support of court applications and other ad-hoc legal services as necessary to support applications under Division 395 and related proceedings and CSDO management.	31/12/2024 30/06/2025	\$2,608,910 per FY (\$1,304,455 per bi-annual report)
ACCOMMODATION SUPPORT			
3. Accommodation for CSDO offenders	Activities carried out under Output 3 relate to the provision of accommodation for a CSDO offender.		
	a) CSDO offender management costs include but are not limited to, the costs of sentence management, Major Offender and Intelligence Unit staff, training, programs, services and bed costs. These will be paid by the Commonwealth in full on a per CSDO offender basis. b) The cost to the Commonwealth is calculated on a per day rate, at \$1,310 per day. CSDO offenders are to be housed in facilities determined by their classification and according to an agreed housing agreement and arrangement for CSDO offenders.	31/12/2024 30/06/2025	Up to \$1,434,888 for FY 2024-25
CASE MANAGEMENT SUPPORT			

4. Assistance with CSSO supervision case management	Activities carried out under Output 4 relate to the case management support required to supervise a CSSO offender.		
	a) Support the implementation of CSSO case management capabilities. b) As required in accordance with agreed processes and/or as reasonably requested, provide information obtained or created for the purpose of fulfilling CSNSW's case management functions.	31/12/2024 30/06/2025	\$1,306,793 per FY (\$653,396 per bi-annual report)

The Parties have confirmed their commitment to this schedule as follows:

Signed for and on behalf of the Commonwealth of Australia by



The Hon Tony Burke MP
Minister for Home Affairs
Minister for Immigration and Multicultural Affairs
Minister for Cyber Security
Minister for the Arts
Leader of the House

27/9/2024

Signed for and on behalf of the State of New South Wales by



The Hon Chris Minns MP
Premier of New South Wales

18/10/2024