



Department of the Attorney General  
Government of Western Australia  
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# 2006/07

Department of the Attorney General **Annual Report**



# Department of the Attorney General

## Statement of Compliance

**For the year ended 30 June 2007**

**J.A. McGinty BA BJuris (Hons) LLB JP MLA**

### **Attorney General**

In accordance with section 61 of the *Financial Management Act 2006*, I hereby submit for your information and presentation to Parliament, the Annual Report of the Department of the Attorney General for the financial year ended 30 June 2007.

The annual report has been prepared in accordance with the provisions of the *Financial Management Act 2006*.



Cheryl Gwilliam  
DIRECTOR GENERAL  
DEPARTMENT OF THE ATTORNEY GENERAL  
27 September 2007

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# Foreword

Creating a strategically focussed and dynamic organisation allowed the Department of the Attorney General to meet the challenges posed in its first full year of operation. The changes made within the Department during 2006/07 provide a strong foundation for the Department to move into the future.

The Department faces a range of challenges that include providing a comprehensive set of services to a population that is widely dispersed across the State, supporting the Government's priorities for legislative reform, coping with increased civil litigation and engaging with Aboriginal people.

During the year the Department sought to improve its engagement with Aboriginal people through implementation of the Aboriginal Justice Agreement. Under the umbrella of the agreement framework, regional justice forums were held across the State and resulted in 16 local justice plans being drafted in the East Kimberley, Pilbara, Yamatji and metropolitan regions. This important work will continue into the future.

An additional four Aboriginal liaison officers were appointed to the courts during the year bringing the total to nine. The liaison officers help court staff at Albany, Broome, Carnarvon, Kununurra, Perth and South Hedland, interact with Aboriginal people and inform Aboriginal people about the court system and its services.

The Department is taking an innovative course to respond to demands and provide the community with better outcomes. The use of more advanced technology to equip courtrooms overcomes the tyranny of distance and enables victims and witnesses to safely take part in court proceedings without the need to be in the court.

The use of technology combined with a substantial capital works program that will transform the standard of many court services throughout the State is central to meeting the increased demands being placed on the Court system.

The progress highlighted in this report was a result of the staff maintaining a professional approach to their work during a period of substantial change. During the year Colin Murphy, Michelle Scott and Ray Warnes acted as Director General and I would like to acknowledge their contribution to the establishment and operation of the Department.

I would also like to thank the Attorney General for the strategic direction that he provided to the Department during the year.

Having joined the Department as its inaugural Director General I look forward to enhancing the strategic direction of the Department in its pivotal role in the effective and efficient administration of justice in Western Australia.



Cheryl Gwilliam  
DIRECTOR GENERAL  
DEPARTMENT OF THE ATTORNEY GENERAL

# Contents

<b>1. Overview</b>	6
Executive Summary	6
Financial Highlights	8
Operational Structure	9
Organisation	9
Organisational structure	10
Operating locations	11
Legislation	11
Performance Management Framework	12
Collaborating with other Government departments	13
<b>2. Agency Performance</b>	14
Financial Summary	14
Aboriginal Policy and Services	15
Court and Tribunal Services	17
Parliamentary Counsel's Office	25
Public Advocate	28
Public Trustee	32
Registry of Births, Deaths and Marriages	35
State Solicitor's Office	38
Corporate Support	41
Mahoney Reforms	48
<b>3. Significant Issues and Trends</b>	50
<b>4. Disclosures and Legal Compliance</b>	52
Financial Statements	55
Key Performance Indicators	107
Other Financial Disclosures	135
Pricing policy	135
Capital projects	136
Employee information	136
Other Legal Requirements	140
Advertising and marketing expenditure	140
Disability access and inclusion plan	141
Opportunity and diversity	142
Public sector standards	142
Recordkeeping	143

Government policy requirements . . . . .	145
Corruption prevention . . . . .	145
Substantive equality. . . . .	145
Sustainability . . . . .	145
<b>Appendices</b> . . . . .	146
Strategic Framework . . . . .	146
Operating Locations. . . . .	148
Acts Administered Through the Department of the Attorney General . . . . .	150
Contracts. . . . .	155
Freedom of Information. . . . .	157

## Executive Summary

In its first full year of operation, the Department of the Attorney General enjoyed the opportunity to begin establishing a new organisational culture. Central to this pursuit was the articulation of corporate values and a drive to build on the professionalism of its workforce. The values that began to guide the organisation's development included a respect for diversity, commitment to excellent service and the recognition of the value of staff.

### Aboriginal engagement

Respecting diversity is a prime motivation behind the adoption of various Department programs. An outstanding example from the past year has been the opening of a community court in Kalgoorlie-Boulder where senior and respected Aboriginal\* people participate in sentencing. The aim, agreed through extensive consultation with the Goldfields Aboriginal community, has been to try to reduce repeat offending.

The roll-out of family and domestic violence courts, based on a Joondalup model, to several metropolitan locations, starting with Rockingham in June 2007 aims to address family violence in Aboriginal communities. These less formal courts offer defendants access to programs for behaviour modification, enhancing the prospects of long-term solutions for both offenders and victims. In this work, the Department has collaborated with WA Police, the Department of Corrective Services and non-government agencies providing victim counselling and alternative management of offenders.

The Department has been driven by a desire to curb the disproportionately high participation of Aboriginal people in the justice system. The five-year Aboriginal Justice Agreement is the centrepiece of this quest. In 2006/07 some 30 local and regional justice forums were held across the State. Each forum began devising a plan which commits Aboriginal and State Government representatives to addressing local justice priorities. The challenge is to ensure, through the Department's leadership, that these plans can achieve the outcomes their proponents seek. This may depend on how well they can be linked with other Government departments.

### Court service

With customer service as the driving force, the courts made measurable progress in 2006/07 in reducing various case backlogs. For instance the criminal case backlog in the Supreme Court dropped by about a third and the civil case backlog in the District Court was cut by one fifth.

### Capital works

The courts ongoing capital works program gathered momentum in 2006/07 and will transform the standard of many court services in Western Australia. The new \$195 million Central Business District Courts Project, incorporating a new home for the District Court and a \$45 million refurbishment of the Central Law Courts, is at the forefront of this progress. The building timetable, planned to culminate with an opening of the new courthouse in May 2008, remained on track and bears testimony to the sound planning of the Department, its private sector partner and their contractors. This is the most significant courts development to be undertaken in the State and will result in a state-of-the-art building offering vast benefits to users. Planning for a new \$31 million court for Kalgoorlie-Boulder advanced during the year. The Department also stepped up its consideration of options for expanding the Supreme Court's accommodation to provide up-to-date facilities and meet future demand.

\*The term 'Aboriginal' refers to Aboriginal and Torres Strait Islander people where appropriate.

### Mahoney reforms

An over-riding context for much of this work by the Department is the implementation of reforms recommended by the Mahoney Inquiry into the Management of Offenders in Custody and in the Community, completed in late 2005. In 2006/07, substantial progress was made on five key initiatives. These included the recruiting of more Aboriginal Liaison Officers to inform Aboriginal people about court processes and to bridge the cultural and communication issues faced by court users, administrators and judicial officers.

Another ground-breaking example was the establishment of the Prisoners Review Board in early 2007, replacing the former Parole Board. The new organisation enjoyed broader representation, greater access to training and a new degree of transparency and openness.

### Corporate services structures

Creating an effective structure for the Department was a paramount consideration during 2006/07. Corporate service units were restructured to support the core business areas.

In both core business centres and corporate units, the challenge of attracting and retaining able, committed and professional staff has stimulated creative solutions. For instance, the Parliamentary Counsel's Office embarked on a recruitment drive to bring on board lawyers who could be skilled in legislative drafting ahead of anticipated retirements.

### Business growth and demands

The Public Trustee is on the verge of a significant change in operations, pending the passing of new legislation embodying a different business model. During the year, efforts were concentrated on improving staff resources, planning better systems and lifting customer service capacity in preparation for shifting to a more competitive footing.

The Public Advocate experienced a marked increase in demand for its guardianship and community education services. It continued to work with other strategic partners on emerging human rights issues such as elder abuse and the need for greater protection of Aboriginal people who have a decision-making disability.

The Registry of Births, Deaths and Marriages met growing demand for all its services and focussed attention on online innovations, such as uploading historic indexes and receiving death registration forms via the internet.

### Legal services

The Department administered further rounds of community grants using monies raised from criminal confiscations and ran secretariat services for a program of public consultation on a proposed Human Rights Act for WA.

The State Solicitor's Office acted on behalf of the Government and its agencies in a range of important cases in 2006/07. These included litigation by Leighton Contractors over the construction of the New MetroRail project. It also represented the State in more than a hundred native title claims lodged in the Federal Court.

### Outlook

With the commencement of a new Director General, Cheryl Gwilliam, on 6 August 2007, the Department looks forward to further improvements in the services it provides to the community.

Operations of the State's courts will advance with the progress of major capital works and the expansion of alternative court models which address particular cultural and behavioural needs. There will be extensions to services and education in areas such as guardianship, trustee business and life event registrations. Local plans forged under the Aboriginal Justice Agreement should start to generate outcomes for many communities across the State.

## Financial Highlights

The Department’s primary source of funds to meet the cost of services is via parliamentary appropriation. In 2006/07, funding of \$249 million was provided from this source towards total activity costs of \$358 million. Appropriation sources also contributed \$8.4 million towards asset purchases of \$15.8 million in the Department’s capital works program.

The cost of services in 2006/07 cannot be related to prior year expenditure because of the split of the Department of Justice into the Department of the Attorney General and the Department of Corrective Services on 1 February 2006.

Major spending on capital works in 2006/07 included the CBD courts complex - planning and management (\$2.1 million), Central Law Courts refurbishment (\$4.0 million), corporate IT systems and infrastructure (\$9.4 million), Integrated Courts Management System (\$2.7 million), building infrastructure and maintenance (\$1.2 million) and CBD office accommodation (\$1.8 million).

	<b>2006/07</b>	<b>2005/06</b>
	<b>\$m</b>	<b>\$m</b>
<b>Sources of funding</b>		
Government appropriation	249	462
Other Government revenues	39	14
User charges and fees	51	50
Commonwealth grants and contributions	13	13
Other revenue	8	15
<b>Total (\$ millions)</b>	<b>360</b>	<b>554</b>
<b>Costs by expenditure type</b>		
Employee expenses	168	257
Supplies and services	62	102
Other expenses	36	61
Capital user charge	20	43
Grant subsidies	48	43
Depreciation	8	19
Accommodation	16	16
<b>Total (\$ millions)</b>	<b>358</b>	<b>541</b>

\* The Legal Aid Commission is partly-funded through the Department of the Attorney General and its key performance indicators and financial statements appear in the Department’s annual report. However, the Commission reports directly to Parliament on its agency performance so this information is not included in the Department’s annual report.

## Operational Structure

### Organisation

The Department of the Attorney General was established on 1 February 2006 in response to a State Government decision to split the functions of the Department of Justice into two agencies.

The Department reports to Attorney General Jim McGinty and for most of 2006/07 was led by A/Director General Ray Warnes who replaced Colin Murphy on 25 August 2006. Michelle Scott was A/Director General for two months from September 2006.

The key services of the Department are:

- Court and Tribunal Services
- Registry of Births, Deaths and Marriages
- Office of the Public Advocate
- Public Trustee
- State Solicitor's Office
- Parliamentary Counsel's Office.

The Office of the Public Advocate, Public Trustee, State Solicitor's Office and Parliamentary Counsel's Office report directly to the Attorney General on professional matters and to the Director General administratively.

The Department of the Attorney General also provides corporate support services to the following offices:

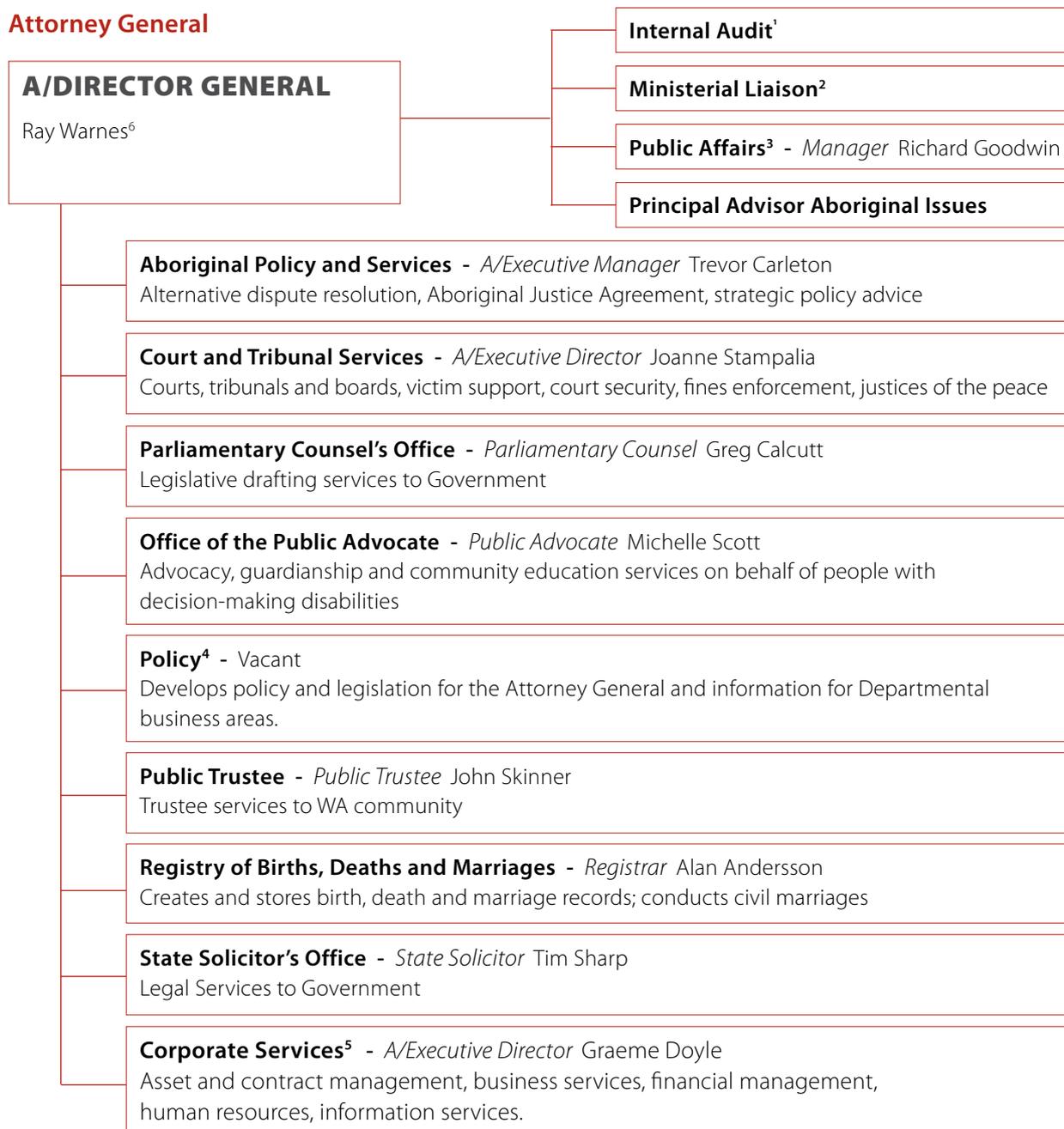
- Director of Public Prosecutions
- Law Reform Commission
- Equal Opportunity Commission
- Office of the Information Commissioner
- Office of the Parliamentary Inspector for the Crime and Corruption Commission
- Legal Aid Commission
- Office of the Commissioner for Children and Young People
- Solicitor General
- Department of Corrective Services.

In accordance with a Strategic Framework (see appendix 1) adopted in November 2006, the Department values:

- excellent service – maintaining professional services to diverse client groups
- integrity and accountability – providing open, impartial and ethical communications and decisions
- equality – respecting diversity
- collaboration and learning – supporting the knowledge and skills of staff
- professional autonomy - upholding the rights of staff to provide objective and frank advice to the community.

## Organisational Structure

The following diagram depicts the structure of the Department of the Attorney General at 30 June 2007. Throughout 2006/07 many of these services were shared with the Department of Corrective Services (which until 1 February 2006 formed the other half of the Department of Justice) and some will continue to be shared. Changes over 2006/07 are explained in the footnotes. Members of the corporate executive committee are named.



1 shared with Department of Corrective Services - due to become Management Assurance, Governance and Improvement on 2/7/07

2 separate units for Department of Corrective Services and Department of the Attorney General were created on 6/10/06

3 separated on 26/1/07. Online services due to be separated on 13/7/07

4 separated on 15/6/07

5 Records and Compliance Branch - shared service; Organisational Performance Directorate - disbanded on 9/3/07;

Assets - separated on 23/2/07; Human Resources - separated on 29/6/07; Finance - separated on 13/7/07;

Library and Information Services - shared service

6 Colin Murphy 1/7/06 -25/8/06; Ray Warnes 26/8/06-7/9/06 and 6/11/06-30/6/07; Michelle Scott 8/9/06-5/11/06

### Operating Locations

The Department of the Attorney General's head office operates from 141 St Georges Terrace, Perth. Numerous service locations, such as courthouses, are located throughout Western Australia. See appendix 2.

### Legislation

The Department of Justice was established on 1 July 1993 in accordance with the *Acts Amendment (Ministry of Justice) Act 1993*. It became the Department of the Attorney General on 1 February 2006 with the separation of the functions of the new Department of Corrective Services.

Other enabling legislation for statutory offices of the Department include the *Births, Deaths and Marriages Registration Act 1998*, *Public Trustee Act 1941* and the *Guardianship and Administration Act 1990*.

### New legislation for 2006/07

A total of four acts were proclaimed in 2006/07 which the Department of the Attorney General is responsible for administering on behalf of the Attorney General. These were the *Family Legislation Amendment Act 2006*, *Parole and Sentencing Legislation Amendment Act 2006*, *Solicitor-General Amendment Act 2006* and *Statute Law Revision Act 2006*.

A full list of legislation is attached at appendix 3.

## Performance Management Framework

### Government goal

Better Services: enhancing the quality of life and well being of all people throughout WA by providing high quality, accessible services.

### Department goal

The right to justice and safety for all people in WA is preserved and enhanced.

### Department purpose

To provide high quality and accessible justice, legal, registry, guardianship and trustee services that meet the needs of the community and Government.

### Department future

We are valued as leaders in developing and delivering justice services, policy and reforms that are significant and sustainable.

### Outcome structure

The Department's current set of key performance indicators (KPIs) and services are based on a model created when the functions were part of the Department of Justice. Five of the 10 services relate to court and tribunal services.

Following a review in February 2007, the Court and Tribunal Services' outcome structure and KPIs have been aggregated. The new structure, shown in the table below, will be introduced in 2007/08.

Services 2006/07	Services 2007/08
1. Judiciary and judicial support	1. Court and Tribunal Services
2. Civil justice services	2. Advocacy, guardianship and administration services
3. Family court services	3. Trustee services
4. Adult criminal justice services	4. Births, deaths and marriages
5. Juvenile criminal justice services	5. Services to government
6. Advocacy, guardianship and administration services	6. Legal Aid Assistance*
7. Trustee services	
8. Births, deaths and marriages	
9. Services to government	
10. Legal Aid Assistance*	

\* The Legal Aid Commission is partly-funded through the Department of the Attorney General and its key performance indicators and financial statements appear in the Department's annual report. However, the Commission reports directly to Parliament on its agency performance so this information is not included in the Department's annual report.

### Collaborating with other Government Departments

The Department works closely with other Government departments on a range of justice-related issues.

#### Aboriginal justice issues

The Department is part of the newly formed Director Generals' Group on Indigenous Issues. On this group, and many other initiatives, the Department works with other Government departments towards a common goal of improving the lives of Aboriginal people. In particular, the Department has collaborated with the Department of Corrective Services over the past year on the roll-out of family violence courts to the metropolitan area and Geraldton. It is also working with the Office of Road Safety to examine barriers to Aboriginal people obtaining and retaining driving licences. Two major ongoing projects include:

- Cross-border Justice Project

Since 2005, the State Government has been working with the Governments of the NT and SA to address the problems of policing and justice in remote areas where the three states' borders meet. Once complete, the Cross-border Justice Project will enable police, magistrates, fines enforcement agencies, community corrections officers and prisons of one state to deal with offences that occur in the other states. In 2006/07, a Cross-border Justice Bill and regulations were drafted and circulated for comment by the WA Parliamentary Counsel's Office as a model for the three participating jurisdictions. Work also progressed on agreements covering courts administration and fines enforcement.

- Aboriginal Justice Agreement

As the agency responsible for implementing the Aboriginal Justice Agreement, the Department works with the other signatory agencies to provide practical solutions to justice-related problems. These signatories are the departments of Corrective Services, Child Protection, Communities and Indigenous Affairs, and WA Police. The Aboriginal Legal Service and the federal government are also involved in the implementation. See p.15

#### Protecting the human rights of people with a decision-making disability

The Public Advocate collaborated with several departments in 2006/07 to strengthen the rights of people with decision-making disabilities in our community. These initiatives included:

- signing a formal agreement with WA Police in May 2007 on a referral protocol to be observed when vulnerable people with decision-making disabilities are the victims of sexual assault
- developing a protocol in conjunction with the Department for Child Protection aimed at ensuring young people with decision-making disabilities leaving the care and protection of the State at 18 have access to appropriate services
- working with other members of the WA Alliance for the Prevention of Elder Abuse, including the Public Trustee, Office for Seniors Interests and Volunteering, Department of Health and the Disability Services Commission, to develop services and programs which protect the rights of older Western Australians.

#### Identity fraud

The Registry of Births, Deaths and Marriages co-operated with other State registries and Commonwealth and State departments in 2006/07 to reduce identity fraud, standardise access policies and provide data to assist in reducing welfare overpayments. See p.37

#### Victims

The Victims of Crime Reference Group, established by the Attorney General in October 2006, and including the Director of Public Prosecutions and WA Police, is examining recommendations from a review of the *Victims of Crime Act 1994*. See p. 21

# Agency Performance

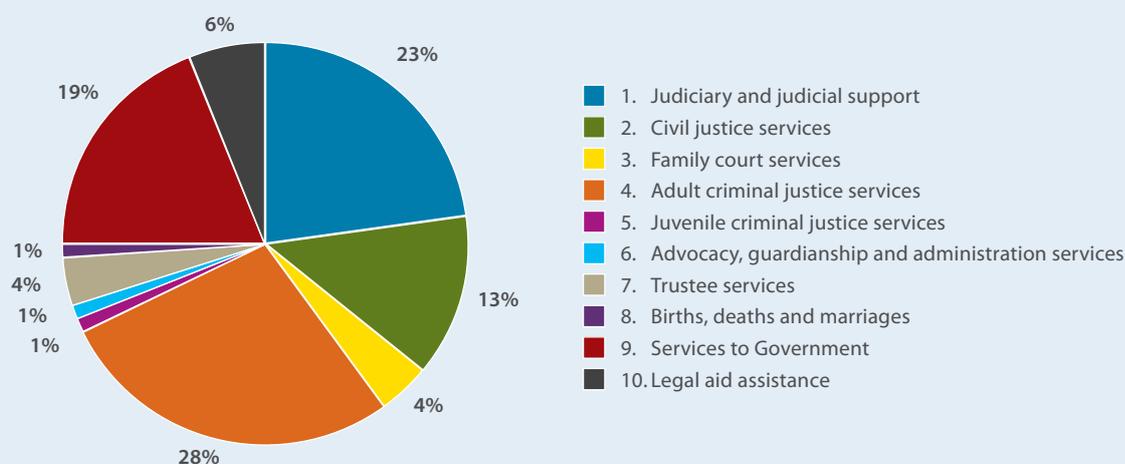
## Financial Summary

Summary of Finance Figures

Services	Budget 2006/07	Actual Expenditure 2006/07	Proportion of Total Actual Expenditure
1. Judiciary and judicial support	\$67,193,849	\$83,562,034 <sup>1</sup>	23%
2. Civil justice services	\$45,555,190	\$47,468,751	13%
3. Family court services	\$13,900,048	\$14,421,800	4%
4. Adult criminal justice services	\$102,331,032	\$98,180,424	28%
5. Juvenile criminal justice services	\$2,761,314	\$2,650,739	1%
6. Advocacy, guardianship and administration services	\$2,877,248	\$2,781,740	1%
7. Trustee services	\$13,581,833	\$13,436,427	4%
8. Births, deaths and marriages	\$6,025,335	\$4,611,108	1%
9. Services to Government <sup>2</sup>	\$69,047,464	\$69,407,173	19%
10. Legal aid assistance <sup>3</sup>	\$19,816,000	\$21,143,000	6%
<b>TOTAL</b>	<b>\$343,089,313</b>	<b>\$357,663,196</b>	

- <sup>1</sup> The difference between the actual expenditure and the revised budget figure is due to significantly higher notional expenditure on judicial pensions. This was a result of a significantly higher actuarial assessment of the growth in judicial pension liabilities in 2006/07 compared with 2005/06.
- <sup>2</sup> Services to Government includes costs associated with supporting the State Solicitor's Office, Parliamentary Counsel's Office and other Government agencies.
- <sup>3</sup> The Legal Aid Commission is partly-funded through the Department of the Attorney General and its key performance indicators and financial statements appear in the Department's annual report. However, the Commission reports directly to Parliament on its agency performance so this information is not included in the Department's annual report.

### Expenditure by Services



## Aboriginal Policy and Services

### The Service

Aboriginal Policy and Services provides leadership in strategic Aboriginal policy initiation and advice and community and inter-government engagement around the Aboriginal Justice Agreement. It also provides culturally appropriate alternative dispute resolution.

### Objectives for 2006/07

In 2006/07, the Directorate set out to implement the Aboriginal Justice Agreement (AJA), review the capacity and direction of the Aboriginal Alternative Dispute Resolution Service and build a strong and professional directorate team.

### Key Achievements and Challenges

#### Aboriginal Justice Agreement

In 2006/07, new justice forums were held at 18 locations across the State. At each local forum, under the AJA partnership framework, equal numbers of senior Government and Aboriginal representatives worked together to create a local justice plan to identify and address the key priorities for that community.

In total, 16 local justice plans were drafted in the East Kimberley, Pilbara, Yamatji and metropolitan regions. Plans for Geraldton, Mirrabooka and Midland were finalised and signed. Regional plans were drafted for the Mulga Mallee and East Kimberley regions.

The work of the AJA team was overseen by the Interim Steering Committee, which included high-level Government representation and members of the Aboriginal Reference Group (consisting of a male and female representative from each of the 10 AJA regions). The Interim Steering Committee was disbanded in May 2007 and the Aboriginal Reference Group will transition to the State Aboriginal Justice Congress which will be the peak Aboriginal advisory group to Government on justice-related matters.

Participation of the AJA signatory Government agencies is crucial to the success of the plans and the AJA team is working with the agencies to ensure their continued support.

#### Geraldton Family and Domestic Violence Project

Aboriginal Policy and Services brought together members of the Aboriginal community and Government agencies to develop the Geraldton Family and Domestic Violence Project.

The project was initiated in 2005/06 with funding from the Reducing Aboriginal Imprisonment strategy and has resulted in the launch of the Aboriginal Family Violence Court in Geraldton and associated victim and offender programs and services. The new court is scheduled to open in August 2007. See p.19

Local Aboriginal participation was a key element of the project and has been ongoing since the project's inception in late 2005 through regular meetings of the Aboriginal Reference Group.

#### Aboriginal Alternative Dispute Resolution Service

The service works in collaboration with other Government and non-government agencies to reduce Aboriginal entry into the criminal justice system by providing an effective and culturally appropriate dispute resolution service.

In 2006/07, the service:

- provided mediation services in 59 cases
- visited three police districts in regional WA

- conducted four mediation education sessions for the Department of Corrective Services
- advised the Department of Housing and Works on appropriate tenant conflict management strategies.

To improve the service's capacity, three staff completed the Lawyers Engaged in Alternative Dispute Resolution course in March 2007.

Planning began in May 2007 to set the future direction and objectives of the service over the next three years.

### NAIDOC week

In 2006, a joint committee of the departments of the Attorney General and Corrective Services, led by Aboriginal Policy and Services, organised NAIDOC week celebrations which included the re-launch of Reconciliation Statements for each Department.

### Staffing

The Department met its 2005/06 goal of Aboriginal Policy and Services becoming an employer of choice for Aboriginal staff by increasing the percentage of Aboriginal staff in the directorate to 48% and the percentage of Aboriginal staff in permanent positions to 22%.

### Aboriginal Visitors Scheme

The Aboriginal Visitors Scheme was transferred from the Department of the Attorney General to the Department of Corrective Services in December 2006 with no interruption to visiting services and minimal impact on the visitors.

### Policy

The AJA is the major vehicle by which the Department seeks to provide leadership and ensure Aboriginal representation in policy issues.

The Department has also been involved in other initiatives including assisting the Office of Road Safety to develop an Indigenous Drink Driving and Licensing project. This project examines barriers to Aboriginal people obtaining and retaining driving licences and addressing drink-driving behaviour.

### Future Directions

In 2007/08, the Department will continue to play a leading role in a whole-of-Government approach to addressing Aboriginal issues, with a focus on improving justice-related outcomes identified by the community in partnership with Government. The goals of this approach include:

- enhancing service delivery through the recruitment and retention of high-quality staff and investment in the professional development of staff
- consolidating the regional presence of the AJA and working to achieve desired outcomes at the local and regional level
- providing administrative and strategic policy support to the State/Commonwealth Bilateral Agreement on Indigenous Affairs
- contributing to policy development encompassing law and order for Aboriginal people.

#### Local plans

Local justice plans set out the highest priority justice-related issues identified by the local community along with action plans agreed with Government and non-Government agencies.

The Mirrabooka plan, for instance, prioritises youth, rights and solutions to family breakdown. The action plan includes implementing Aboriginal culture programs in local schools, regular community information sessions on legal rights and promotion of a local Elders "list" to agencies in the Mirrabooka area as a resource to re-establish Noongar culture.

Each action has a nominated person or organisation that will lead it and a time-frame in which it should be completed.

## Court and Tribunal Services

### The Service

Court and Tribunal Services, together with the judiciary, provides civil and criminal court services to uphold the rights of the Western Australian community. This includes services to victims of crime, court security, enforcement and recovery of court fines and infringements, jury services, appointment and training of justices of the peace, as well as policy and legislative review.

### Objectives for 2006/07

In 2006/07, major objectives of Court and Tribunal Services included:

- establishing the Prisoners Review Board
- addressing the over-representation of Aboriginal people in the justice system
- supporting the judiciary in cutting case waiting times
- developing strategies to assist people who represent themselves
- reviewing legislation relating to sexual assault, family violence, bail, fines, mentally impaired accused and the State Administrative Tribunal
- introducing Family Court reforms to better care for children
- piloting an Aboriginal Community Court in the Goldfields
- extending the Integrated Courts Management System and audio visual facilities
- continuing a building and refurbishment program for courts across WA.

### Key Achievements and Challenges

#### Reducing court delays

The Supreme and District courts have made significant inroads into the backlog of court cases in 2006/07.

#### Supreme Court

The Supreme Court cut the criminal case backlog from 121 cases on 30 June 2006 to 78 on 30 June 2007. Intensive case management of indictments reduced the percentage of criminal cases coming to trial from 34% in 2005/06 to 25% in 2006/07.

The improvement is largely attributable to a pilot mediation program that was introduced in late 2006 to resolve issues in trials speedily and, in some cases, to eliminate the need for a trial altogether.

A concerted effort to finalise outstanding civil cases led to a further increase in the number of trials which resulted in the finalisation of 2,664 civil cases, up from 1,615 in the previous year. The civil case backlog stands at 753 at 30 June 2007 compared to 827 on 30 June 2006.

#### Family Court of Western Australia

The number of judges in the Family Court fell from five to four in 2006/07, resulting in the delay to trial increasing from 52 weeks on 30 June 2006 to 75 weeks on 30 June 2007. The Commonwealth Government did not fill the vacancy created when Judge Thackray was elevated to Chief Judge.

#### District Court

An additional judge was appointed by the Government to the District Court in July 2006. Alongside other initiatives, this cut the median delay to trial in criminal listings from 61 weeks in June 2006 to 48 weeks in June 2007, but still well above the court's target of 20 weeks. As part of its Criminal Listings Project, the District Court has been working with the Magistrates Court to reduce the number of cases committed to the District Court.

The civil backlog stands at 642 cases at 30 June 2007 compared to 837 on 30 June 2006.

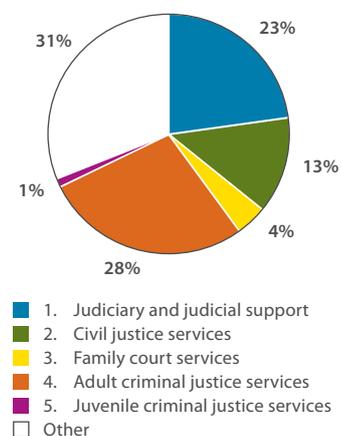
## Agency Performance - Court and Tribunal Services

### Summary of Key Performance Indicators

	Type	Indicator	2006/07 Target	2006/07 Actual	Variation
Service 1: Judiciary and Judicial Support		N/A			
Service 2: Civil Justice Services	Effectiveness	Clearance index	94%	104%	10%
		Backlog of court cases - civil	10,750	7,062	-34%
	Efficiency	Average cost per case finalised	\$583	\$580	-1%
Service 3: Family Court Services	Effectiveness	Clearance index	86%	72%	-14%
		Backlog of court cases	260	387	49%
		Cases finalised before trial	95%	98%	3%
	Efficiency	Average cost per case finalised	\$1,082	\$1,357	25%
Service 4: Adult Criminal Justice Services	Effectiveness	Clearance index	94%	97%	3%
		Backlog of court cases – adult criminal	3,300	3,265	-1%
		Percentage of fines and costs satisfied by the Fines Enforcement Registry within time standard	33%	26%	-7%
		Percentage of infringements satisfied by the Fines Enforcement Registry within time standard	62%	57%	-5%
		Percentage of victims responded to within 72 hours	100%	96%	-4%
	Efficiency	Cost per case finalised	\$642	\$591	-8%
		Average cost per order -Fines Enforcement Registry	\$17	\$18	6%
		Cost per case victim support matter	\$562	\$346	-38%
Service 5: Juvenile Criminal Justice Services	Effectiveness	Clearance index	93%	97%	4%
		Backlog of court cases – Children's Court	170	237	39%
	Efficiency	Cost per case finalised - Children's Court)	\$216	\$181	-16%

### Summary of Finance Figures

Services	Budget 2006/07	Actual Expenditure 2006/07	Proportion of Total Actual Expenditure
1. Judiciary and judicial support	\$67,193,849	\$83,562,034 <sup>1</sup>	23%
2. Civil justice services	\$45,555,190	\$47,468,751	13%
3. Family court services	\$13,900,048	\$14,421,800	4%
4. Adult criminal justice services	\$102,331,032	\$98,180,424	28%
5. Juvenile criminal justice services	\$2,761,314	\$2,650,739	1%



<sup>1</sup> The difference between the actual expenditure and the revised budget figure is due to significantly higher notional expenditure on judicial pensions. This was a result of a significantly higher actuarial assessment of the growth in judicial pension liabilities in 2006/07 compared with 2005/06.

### Magistrates Court

A magistrate was appointed to the Peel region on a permanent basis to cope with demand from a rapidly increasing population. As a result, the delay to trial at the Mandurah court was reduced from the previous high level of 43 weeks on 30 June 2006 to 10 weeks on 30 June 2007.

Overall, the backlog for civil and criminal cases in Magistrates Court was reduced from 8,604 to 7,404.

### Aboriginal initiatives

#### Kalgoorlie-Boulder Community Court

After extensive consultation with the Goldfields Aboriginal community, a pilot community court was established in late 2006. The Government provided \$303,000 to establish the initiative which aims to reduce repeat offending by involving senior Aboriginal people and respected Aboriginal community members in sentencing. Early indications are positive, with 90 adult and 40 juvenile accused Aboriginal people electing to be dealt with by the community court.

#### Family violence courts

The Department received \$1.4 million in 2006/07 to establish a network of metropolitan family violence courts based on a model that had been initially piloted at Joondalup since 2000. These courts aim to break a cycle of violence by engaging Aboriginal and non-Aboriginal offenders in programs, prior to sentencing, which address their behaviour. Integral to their success is ongoing liaison with the community and other Government departments. The first of the extended network opened at Rockingham in June, with Fremantle, Armadale, Midland and Perth to follow in 2007/08.

The first regional family violence court will open in Geraldton in August 2007 and the magistrate will be assisted by respected Aboriginal representatives in the sentencing process.

#### Aboriginal Liaison Officers

Four liaison officers were appointed to courts in 2007, bringing the total to nine. Located at Albany, Broome, Carnarvon, Kununurra, Perth and South Hedland, the liaison officers help court staff interact with Aboriginal people and educate Aboriginal communities about the court system and its services. An evaluation of this initiative will be conducted in 2008.

#### Fines management in remote communities

In conjunction with the Department of Corrective Services, the Department of the Attorney General employed two new community development officers in remote areas of the State, bringing the total to six. They help Aboriginal people manage outstanding fines and assist communities to identify community work for offenders. An evaluation of the initiative in early 2007 found the officers had established strong working relationships with communities.

### Changes in services

#### Self-represented people

Supreme, District and Magistrates courts provided specialist training for staff who deal with self-represented people and created fact sheets available online to assist court clients with civil and criminal procedures.

#### Increasing demand

The number of applications received by the State Administrative Tribunal rose by 6% in 2006/07 to 5,552, largely due to increased demand in guardianship and administration and land development areas. The tribunal completed 5,876 matters – an increase of 9%.

### Coroner's Court

On average, the number of deaths reported to the Coroner is increasing by 4.5% a year. The Coroner's Court investigates cases where the death of a person arises from apparent non-natural causes or when the cause of death is unknown.

In 2006/07, some 2,341 of the 11,821 deaths in the State were reported to the Coroner compared to 2,300 of the 11,504 deaths in 2005/06, and 3% of those reported resulted in an inquest.

### Hospital deaths

To ensure the consistent reporting of deaths in public hospitals, the State Coroner and the Department of Health introduced a questionnaire for hospitals in early 2007 designed to assist doctors in determining whether or not a death should be reported to the Coroner. As a result, the Coroner expects an additional 500 deaths to be reported each year.

### Jury management

Enlisting community members to be jurors, particularly in regional areas, continues to be a challenge for the Sheriff's Office. A community education campaign to attract more jurors will be implemented in 2007/08. During 2006/07, more than 48,000 summonses were issued to prospective jurors. Just under a quarter attended for jury duty. Of these, 5,866 were empanelled as jurors for 432 Supreme and District court trials. Almost 3,600 jurors were reimbursed a total of \$2.1 million to ensure they were not financially disadvantaged.

## New legislation

### Shared parenting responsibility legislation

On 1 July 2006, the Family Court introduced new child-related proceedings in accordance with the Commonwealth-initiated *Family Law Amendment (Shared Parental Responsibility) Act 2006*. The changes aimed to heighten the court's awareness of risk factors, engender a less adversarial approach and assist parties to resolve issues.

### Bail amendments

Amendments were drafted to the *Bail Act 1982* to address long-standing general procedures and more recent issues related to the granting of bail to a person who has committed a serious offence while on parole. The Bill was introduced to Parliament on 20 June 2007.

### Review of legal reforms

A review of various legal reforms continued in 2006/07 and changes were incorporated into the Acts Amendment (Justices) Bill 2007 that is due to be introduced into Parliament in the spring session of 2007. The review examined the:

- courts reform package of 2005
- *Criminal Injuries Compensation Act 2003*
- *State Administrative Tribunal Act 2004*
- creation of the Court of Appeal
- sexual assault, domestic violence and restraining orders.

## Fines and enforcements

### Fines enforcement

The number of court fines lodged with the Fines Enforcement Registry has increased by more than 50% in the past six years, resulting in six extra staff positions being approved in 2007 to cope with the increased workload.

Court fines registered with Fines Enforcement Registry

Financial Year Period	Number of court fines registered with Fines Enforcement Registry	Value of court fines registered:
2001/02	52,467	\$22,172,017
2002/03	54,442	\$23,444,000
2003/04	58,805	\$25,514,775
2004/05	65,369	\$31,405,564
2005/06	75,154	\$40,113,569
2006/07	85,627	\$41,450,966

### Case management

A special team established in 2005 to deal with 'hard-end' fine defaulters, has halved their incarceration rate and reduced the number of fine defaulters imprisoned from 3.7% of the prison population to 1%. As well, more than half the fine defaulters, who had in excess of 3,200 matters pending since mid-2005, entered into payment arrangements.

In 2006/07, the team collected \$844,000 in court fines and arranged for 646 offenders to commit to payment plans totalling \$3.7 million. This represents a potential \$3.97 million saving to Government from prison costs avoided.

A further 6,000 offenders were referred to the case management team in May 2007 after 20,000 warrants of execution were returned to the Fines Enforcement Registry by the collection contractor and WA Police as they had not been able to recover the fines.

### Centrepay deductions

In 2006/07, a pilot scheme at the Perth Magistrates Court was extended Statewide, enabling Centrepay to collect almost \$300,000 in fines and assisting in reducing the rate of imprisonment for the non-payment of fines. This scheme enables recipients of Centrelink benefits to pay fines directly from their allowances.

## Victims

### Victims of Crime Reference Group

The Victims of Crime Reference Group was established in October 2006 by the Attorney General to advise Government on the needs of victims and recommend improvements to the criminal justice system. The group initially met in February 2007 and is chaired by former Attorney General Cheryl Edwardes. It consists of six direct or secondary victims of crime and representatives of various public agencies.

The group is examining recommendations from a review of the *Victims of Crime Act 1994* tabled in Parliament in May 2006 and is expected to provide a progress report in December 2007.

### Visually recorded interviews

The *Criminal Law Amendment (Sexual Assault and Other Matters) Act 2004* allows for a child's evidence to be visually recorded and then played at the trial as their evidence in chief, sparing the child further trauma from having to re-tell their story. To affect these amendments, the Department upgraded closed-circuit television facilities in courts and established a specialist child interview unit in 2006/07. The child may still be cross-examined via closed circuit television.

### Regional victim services

The Department is reviewing the delivery of victim support and child witness services to regional and remote areas. This comes amid an increase in the number of referrals for those services from 10,773 in 2005/06 to 11,362 in 2006/07.

### **Criminal injuries compensation**

In 2006/07, more than \$20 million in compensation was awarded to victims of crime by the Chief Assessor of criminal injuries compensation. Some 1,258 applications were lodged - up 6.6% from the previous year.

### **Coronial counselling service**

The Coroner's Office was highly commended in the 2006 Australian Safer Communities awards for the work of its counsellors in co-ordinating victim identification following disasters.

Counsellors from the Coroner's Office also made contact on 3,800 occasions with bereaved families in 2006/07, providing advice on post-mortems and mortuary viewings, explaining causes of death and assisting at inquests.

## **Reducing crime**

### **Drug Court review**

A review of the Perth adult Drug Court was finalised in late 2006 and found that participation in the court was associated with reductions in both severity of offending and recidivism. The review compared outcomes of Drug Court participation against traditional punishments of supervision orders or jail.

The review found that 46.4% of Drug Court program participants did not re-offend. Of offenders who were imprisoned or placed on community supervision orders, only 29.4% did not re-offend.

While the cost of managing an offender in the Drug Court (approx. \$16,000) is higher than a community order (approx. \$7,000), a prison sentence is estimated to cost more than \$93,000 per year. When the cost of just one recidivist episode is taken into account, the Drug Court becomes the most cost effective means of dealing with the issue.

### **Drug diversion programs**

A project manager was appointed within the Magistrates Court to support court drug diversion programs funded through the Council of Australian Governments' Illicit Drug Diversion Initiative. These programs have been rolled out to Magistrates courts Statewide and will enhance treatment opportunities. The programs complement initiatives in the WA Diversion Program and are consistent with the commitments and strategies identified within the *Western Australian Drug and Alcohol Strategy 2005-2009*.

An evaluation by the Western Australian Crime Research Centre found that the programs promoted a drop in problematic substance use and improved levels of physical and mental health in participants. There were strong indications that they reduced offending and severity of offending.

### **Prisoners Review Board**

The Prisoners Review Board began operation in January 2007, replacing the Parole Board. Under the more accountable and transparent structure, the chairperson can publicly release information regarding parole and respond to community and media interest.

Other improvements include:

- more time spent on individual cases, which allows greater scrutiny of information, improving the decision-making of the Board and community safety
- greater capacity of the Board to consider victims' submissions when making decisions
- opportunity for an earlier review for some prisoners.

### Infrastructure

#### **CBD Courts Project**

Construction of the new \$195 million District Court building on the corner of Hay and Irwin Streets, is progressing on schedule with the opening planned for May 2008. The contract with the Western Liberty Group is currently the State's only public private partnership. Construction of the main building structure is nearing completion and the fit-out of the inside of the facility has begun.

The project, the most significant courts development to be undertaken in WA will result in a state-of-the-art, purpose-built court.

#### **Upgrading court houses**

More than \$3.3 million was spent on maintenance and minor works to court facilities in 2006/07. Major renovations were carried out at Supreme Court and Geraldton, Katanning and Esperance courthouses.

#### **Supreme Court planning**

Work began in May to review long-term accommodation options for the Supreme Court. The Government has committed more than \$300,000 in 2007/08 to undertake a detailed planning and feasibility study including consultation with key stakeholders.

#### **Structural improvements**

Renovations or new facilities at custody centres in Mandurah, Bunbury, Broome, Midland and Armadale have improved court security and staff safety. Other security improvements were completed at Bunbury, Busselton, Kalgoorlie, Armadale and South Hedland courts.

#### **Court security**

Access control was improved by installing high-grade key safes in Armadale, Bunbury, Joondalup, Midland and Perth Children's courts.

The Department significantly increased its capacity to identify, manage and control court security risks through:

- better intelligence
- enhanced communication with contractors
- improved inspection and audit of risks and mitigation measures.

#### **Other courts in planning**

Plans are underway for the development or replacement of courts in Kalgoorlie, Carnarvon, Harvey and the Perth police complex.

### Information technology

#### **Digital recording installation**

In 2006/07, the Family Court of Western Australia began installing digital recording systems in all courtrooms, enabling proceedings to be centrally monitored and judicial officers and family consultants to quickly access audio recordings.

Hearing induction loops were installed in each courtroom to assist people with hearing difficulties.

#### **Audio visual facilities**

Audio-visual facilities were installed in three courtrooms in the Central Law Courts as well as Karratha and Carnarvon courthouses in order to provide integrated video-conferencing and remote witness facilities. Remote witness rooms enable child and vulnerable witnesses to give evidence without having to be in the courtroom.

### Electronic lodgment

Work began on developing online forms and electronic lodgment applications for the Probate Office, State Administrative Tribunal and Supreme Court. The online probate forms system is scheduled to be available by the end of October 2007.

The scope of e-lodgment in the District Court is being broadened to include commonly filed documents. A selection of online forms has been identified as suitable for electronic lodgment and payment of fees via the internet in the Magistrates Court.

### Future Directions

In 2007/08, Court and Tribunal Services will:

- expand audio-visual facilities in courts and replace analogue recording systems with digital recording systems
- open family violence courts in Geraldton, Fremantle, Armadale, Midland and Perth
- roll out a community education campaign to address the shortage of jurors, particularly in regional areas
- complete the District Court building in Perth and the new Harvey Magistrates Court to be co-located with the police station
- design the restoration and refurbishment of the Wardens Court at Kalgoorlie and the new shared police, corrective services and court facility in Carnarvon
- prepare plans for the expansion of Courts and Tribunal Services, based on modelling of current and future demand for services in metropolitan and regional areas, particularly in the Kimberley and Pilbara.

## Parliamentary Counsel's Office

### The Service

The Parliamentary Counsel's Office provides a range of services including:

- drafting of bills for ministers
- drafting of subsidiary legislation for ministers and Government agencies
- completing and consolidating texts of acts and subsidiary legislation
- maintaining the Statutes of Western Australia Now in force Service (SWANS) database of Western Australian legislation
- co-ordinating the publication of legislative information tables.

### Objectives for 2006/07

In 2006/07, the Parliamentary Counsel's Office aimed to work with the State Law Publisher to improve the electronic publishing of legislation and to continue to meet the Government's drafting requirements.

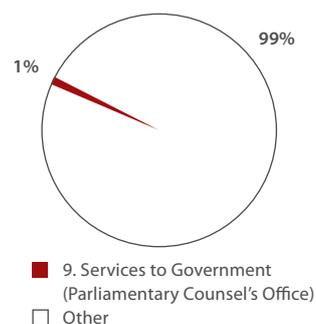
Summary of Key Performance Indicators

Type	Indicator	2006/07 Target	2006/07 Actual	Variation
Service 9: Services to Government (Parliamentary Counsel's Office)	Effectiveness Extent to which legislation was drafted in a timely manner to effect the Government's legislative program	88%	90%	2%
	Efficiency Average cost per page output	\$153	\$138	-10%

Summary of Finance Figures

Services	Budget 2006/07	Actual Expenditure 2006/07	Proportion of Total Actual Expenditure
9. Services to Government* (Parliamentary Counsel's Office)	\$5,440,398	\$5,281,419	1%

\* Services to Government includes costs associated with supporting the State Solicitor's Office, Parliamentary Counsel's Office and other Government agencies.



### Key Achievements and Challenges

#### Legislation

In 2006/07, the Parliamentary Counsel's Office completed a number of significant drafting tasks. These included:

#### Auditor General Bill 2006

The purpose of this Bill was to establish and guide the activities of the Auditor General of Western Australia, a function previously performed by the *Financial Administration and Audit Act 1985*.

The Bill sought to:

- enhance and protect the Auditor General's independence
- strengthen the Auditor General's relationship with the Parliament
- widen some of the Auditor General's powers
- introduce new accountabilities for the Auditor General
- clarify some provisions in the current legislation.

### **Financial Management Bill 2006**

This Bill provided for the improved management, administration, accountability and reporting of the public finances of the State and replaced the financial administration provisions in the *Financial Administration and Audit Act 1985* (FAAA).

The Bill sought to:

- remove some of the duplication in the FAAA by, where practicable, removing the distinction between departments and statutory authorities
- replace the former Treasurer's Accounts with the Public Ledger, and the Trust Fund with the Treasurer's special purpose account
- rename the Consolidated Fund as the Consolidated Account
- reduce the need for an annual Treasurer's Advance Authorisation Act by allowing the Treasurer to authorise expenditure for supplementary funding and other purposes of up to 3% of the total appropriations of the previous year.

### **Land Information Authority Bill 2006**

This Bill sought to establish the Western Australian Land Information Authority to undertake the Government's land titling, information and valuation functions. In addition, the authority will lead the commercial development of the State's land information databases which have acquired market value in recent years.

### **Biosecurity and Agriculture Management Bill 2006**

This Bill, with the *Biosecurity and Agriculture Management (Repeal and Consequential Provisions) Bill 2006*, aimed to modernise and improve regulation of the agriculture sector and the management of biosecurity threats.

The Bill sought to:

- improve WA's capacity to prevent pests and diseases harming primary industries and the environment by dealing with internal and border biosecurity
- provide for the management of land and agricultural products that may contain harmful chemical residues, the use of agriculture and veterinary chemicals and the funding of schemes for agricultural purposes
- replace 17 existing Acts.

### **Medical Practitioners Bill 2006**

This Bill sought to repeal the *Medical Act 1894* and provide for the registration and regulation of medical practitioners in order to protect consumers.

### **Pharmacists Bill 2006**

This Bill sought to provide for the effective regulation of pharmacy by vesting in the Pharmacists Board of WA two principal statutory functions:

- registration – of pharmacists and pharmacy premises, and ensuring that pharmacy premises meet appropriate standards.
- professional regulation – inquiring into complaints about pharmacists and taking appropriate action where a disciplinary or impairment matter as set out in the Bill is established.

### **Owner Drivers (Contracts and Disputes) Bill 2006**

This Bill sought to promote a safe and sustainable road freight transport industry by regulating the relationship between people who enter into contracts to transport goods in heavy vehicles and people who hire them to do so.

### **Other issues**

#### **Web-based legislation**

Staff have been working closely with the State Law Publisher on the redevelopment of the Western Australian legislation and legislative information internet site. When released later in 2007, the public will have access to complete copies of current and superseded legislation in several formats.

### **Future Directions**

In 2007/08, the Parliamentary Counsel's Office will:

- work with the State Law Publisher to continue to improve the electronic publication of legislation and legislative information
- continue to meet the Government's drafting requirements.

## Public Advocate

### The Service

The Public Advocate is the independent statutory officer appointed under the *Guardianship and Administration Act 1990* to protect and promote the rights of adults with decision-making disabilities to reduce their risk of exploitation, abuse and neglect. The Public Advocate receives administrative support from the Department of the Attorney General.

### Objectives for 2006/07

A major focus for 2006/07 was to develop initiatives to protect people with decision-making disabilities in regional and remote areas, particularly Aboriginal people. The Public Advocate also aimed to:

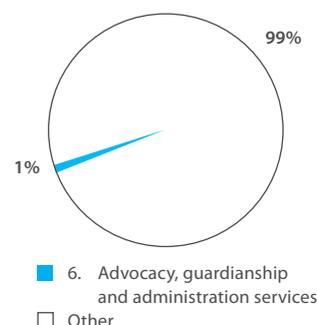
- establish new positions to reduce the risk of exploitation, abuse and neglect for people with multiple and complex needs living in the community
- contribute to the development of a new service model for mentally-impaired accused people who are currently detained in prison because of the lack of other service options
- fully implement a Community Guardianship program by recruiting, training and supporting members of the community to become community guardians
- protect and support older people from culturally and linguistically diverse backgrounds.

Summary of Key Performance Indicators

	Type	Indicator	2006/07 Target	2006/07 Actual	Variation
Service 6: Advocacy, Guardianship and Administration Services	Effectiveness	Proportion of customers provided with advocacy relative to the number of referrals	95%	100%	5%
		Client satisfaction with services	90%	97%	7%
		Guardian of Last Resort appointments within one working day	95%	92%	-3%
	Efficiency	Average cost per case of providing advocacy and guardianship services	\$2,430	\$2,506	3%

Summary of Finance Figures

Services	Budget 2006/07	Actual Expenditure 2006/07	Proportion of Total Actual Expenditure
6. Advocacy, guardianship and administration services	\$2,877,248	\$2,781,740	1%



### Key Achievements and Challenges

#### Demand for services

Demand for the Public Advocate's services continued to rise in 2006/07. The reasons included an ageing population, an increase in the prevalence of dementia, the complex needs of some people with decision-making disabilities and a rise in young people with decision-making disabilities leaving the care of the State at age 18.

At 30 June 2007, the Public Advocate was guardian for 288 Western Australians, compared with 256 at the end of the previous year. Throughout the year, the Public Advocate made personal, medical or lifestyle decisions on behalf of 370 Western Australians with a decision-making disability.

The number of new guardianship appointments increased by 22% to 114. Of these, 46% were for people diagnosed with dementia. People with an intellectual disability represent 40% of the continuing appointments.

A total of 82 guardianship cases were closed, including 57 where the State Administrative Tribunal determined that the appointment of the Public Advocate as a person's guardian was no longer required.

The Public Advocate investigated 736 cases into the personal or financial welfare of people with a decision-making disability. Of these investigations, 631 were at the request of the State Administrative Tribunal to consider whether a guardian or administrator needed to be appointed. Another 105 were referred directly to the Public Advocate by an individual or community-based organisation.

The Public Advocate responded to 4,880 enquiries on its telephone advisory service and a further 135 urgent enquiries outside business hours.

The Community Education Service facilitated 32 information and training sessions in 2006/07 including nine in regional WA.

#### Organisational improvements

Three new guardianship positions were created in order to meet the additional demand that has resulted from an ageing population and the increasing complexity of guardianship matters. This followed the Government's allocation of an extra \$2 million over four years in the 2006 Budget. Significant changes were also made to procedures and the organisational structure to improve services.

Increasingly, the Public Advocate is appointed to make decisions for people with a decision-making disability who have complex needs such as a vulnerability to sexual predators and sexual assault, contact with the criminal justice system and difficulty in finding suitable accommodation.

#### Protecting older people from different cultural backgrounds

In July 2006, the Attorney General launched the Public Advocate's report *Elder Abuse in Culturally and Linguistically Diverse Communities*. Funded by the Government's Active Ageing Strategy, it involved consulting more than 200 seniors and representatives of 30 organisations providing services to seniors from different cultural backgrounds.

The report recommended, among other things, providing more information and assistance for parents coming to Australia to join their children, culturally appropriate community education programs raising awareness about elder abuse, and cross cultural training for service providers.

#### Protecting older Aboriginal people

In partnership with Aboriginal health training provider, Marr Mooditj, and Curtin University's Department of Social Work and Social Policy, the Public Advocate secured funding to develop a training program to assist Aboriginal workers to identify and reduce the mistreatment of older people in their communities. The Office of Crime Prevention granted \$100,000 to develop and evaluate an education program for people and agencies

working with vulnerable older Aboriginal people. More than half of the nine training sessions for regional providers held in 2006/07 were specifically directed towards Aboriginal service providers. A new community education position was created to establish relationships with Aboriginal people and produce materials that raise awareness about the human rights of people with decision-making disabilities.

### Community guardianship program

Thirteen of the inaugural 15 volunteers recruited in January 2006 to become community guardians underwent training throughout 2006/07 and by 30 June 2007 seven had been matched with people in their community with a decision-making disability. The program provides the opportunity for community members to take a more active part in the lives of people with decision-making disabilities in their locality.

In May 2007, the Public Advocate applied to the State Administrative Tribunal to have the first community guardian appointed.

### Video-conferencing

Video-conferencing extended community education, investigation and guardianship services to regional WA. Thirteen video-conferences, including two multi-site training sessions, were conducted by guardians and investigators.

### Legislative review and change

In July 2006, the Public Advocate began reviewing the Guardianship and Administration Act 1990 in conjunction with the State Administrative Tribunal, the Public Trustee and the State Solicitor's Office. The review is expected to be completed in 2008.

Meanwhile, legislation to enact enduring powers of guardianship and advanced health directives – the Acts Amendment (Consent to Medical Treatment) Bill 2006 - was passed in the Legislative Assembly in November 2006 and introduced into the Legislative Council in December 2006. At 30 June 2007, the Bill was yet to be debated in the Upper House.

The Public Advocate worked with other agencies which recommended amendments to the *Criminal Law (Mentally Impaired Accused) Act 1996*. The Government has agreed to recommended measures to strengthen the rights of people with a mental illness or impairment who come into contact with the criminal justice system while at the same time protecting the community.

### Improving practices

Several initiatives aimed at improving efficiency, accountability and service standards were introduced in 2006/07 including:

- surveying staff satisfaction and identifying opportunities for organisational development
- reviewing all policies and introducing new practice standards for staff
- training in ethical decision-making for guardians and investigators and cultural awareness training for all staff
- promoting professional development opportunities
- reviewing the telephone advisory service
- installing a computerised teletypewriting service for hearing-impaired people.

### Guardian commended

Janine Hawker received a special commendation as one of three State finalists in the employee category of the Statewest Achievement Awards for 2006 in recognition of her outstanding performance in her work as a guardian with the Office of the Public Advocate since 1996.

### Future Directions

In 2007/08, the Public Advocate will:

- set up a regional team for guardianship, investigation and education services
- continue to expand services to Aboriginal people
- develop a business model for future service provision
- implement enduring power of guardianship legislation, if passed by the Parliament
- complete a review of the *Guardianship and Administration Act 1990*
- implement a new case management system to enhance effectiveness, transparency and accountability.

## Public Trustee

### The Service

Professional and independent trustee and management services are provided to all Western Australians by the Public Trustee. It offers a range of free community services and fee-based services which include helping people to make wills, preparing enduring powers of attorney, managing nominated deceased estates and overseeing the financial and legal affairs of certain people. The Public Trustee receives administrative support from the Department of the Attorney General.

### Objectives for 2006/07

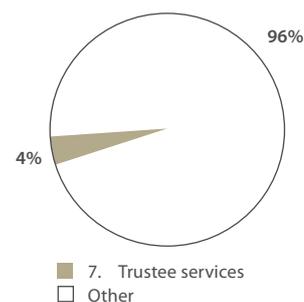
A primary objective for 2006/07 was preparing to implement proposed legislative reforms that will allow the Public Trustee to fully meet the needs of clients without placing a financial burden on the community. Other priorities included preparing for the updating of policies and procedures in line with proposed legislative changes and improving the capacity of Public Trustee staff to meet an expanding range of client needs and expectations.

#### Summary of Key Performance Indicators

			2006/07 Target	2006/07 Actual	Variation
Type	Indicator				
Service 7: Trustee Services	Effectiveness	Extent to which trustee services meet the needs of clients	80%	72%	-8%
		Number of estates relative to the number of adult (18 years and over) deaths in WA	14%	14%	-
		Extent to which the Public Trustee maintains a market share in drawing wills naming the Public Trustee as executor	12%	12%	-
		Percentage of estates finalised within 12 months of being reported	70%	67%	-3%
Efficiency		Cost per trust managed	\$1,168	\$1,332	14%
		Cost per deceased estate administered (a) and cost per will prepared (b)	\$1,829(a)	\$1,764	-4%
			\$294(b)	\$275	-6%

#### Summary of Finance Figures

Services	Budget 2006/07	Actual Expenditure 2006/07	Proportion of Total Actual Expenditure
7. Trustee services	\$13,581,833	\$13,436,427	4%



### Key Achievements and Challenges

#### Legislative reforms to business model

Changes to the operations of the Public Trustee were recommended by a State Government review several years ago. After extensive consultation in 2005/06, the Government introduced legislative reforms which passed the Legislative Assembly in April 2007. The Public Trustee and Trustee Companies Legislation Amendment Bill 2006 went to the Legislative Council in May 2007.

Under the proposed law, the Public Trustee will be able to adopt a fully sustainable business model by changing investment and fee-setting arrangements, giving it a more competitive profile. This greater flexibility remains subject to the approval of the Attorney General and Government.

The Bill provides for the Public Trustee to delegate some powers or duties, where appropriate and under strict guidelines, to other Government agencies and to act as an agent for executors and administrators without having to take on the entire role. It could also assist an executor or administrator of a deceased estate in performing duties and provide estate planning and investment management services to clients.

Throughout 2006/07 the Public Trustee planned and prepared for the projects and initiatives that will flow from the Bill. For instance, project plans were drawn up for investment restructuring, modelling of pricing arrangements and the introduction of new services.

#### Preparing for changes to the Wills Act

If passed, new laws governing wills in WA (Wills Amendment Bill 2006) would revoke most wills on divorce, expand the types of informal wills that could be made, and allow court wills to be made for people who lack capacity to make them. The Public Trustee prepared for the changes, particularly by seeking advice and informing clients.

#### Improved capacity to meet client needs

With the impending shift to a more competitive business model, work was undertaken in 2006/07 to better equip the agency to meet client needs. For example:

- A comprehensive training and development program helped trust managers to deal with the demanding needs of a growing client base. One-on-one coaching was introduced, as well as a mentoring scheme for new employees. Further illustrations of this work included client-related training programs such as managing grief and servicing clients with disabilities.
- In light of the operational reforms ahead, staff were surveyed to assess attitudes to service and acceptance of change. The results provided a foundation for preparing staff for change and modernisation.
- The reclassifying, advertising and filling of all positions within the trust management and estate administration teams was completed in August 2006. All remaining positions within the Public Trustee, except lawyers, were reviewed and in some cases reclassified. They were due to be filled by the end of 2007. A reclassification review of the legal section will take place in 2007/08.
- Establishing another team of trust managers cut case loads by up to 20% for a range of trust management positions.

A review of the Public Trustee's computer-based business practice application was completed in August 2006 to determine current and future requirements. Its findings led to the development of an IT strategy plan specifying a range of improvements.

### Other achievements

Other achievements in 2006/07 included the introduction of a payroll system for carers and the first stage of a strategic marketing plan to raise awareness of Public Trustee services. Income for clients was optimised through full leasing of the Common Account asset, the Public Trustee Building in Hay Street Perth. The office also contributed to the Law Reform Commission's report into Aboriginal Customary Law.

### Future Directions

In 2007/08, the Public Trustee will:

- implement the proposed legislative reforms, restructure fees, establish a business continuity reserve and introduce new products and services
- upgrade the principal business system application
- implement new Common Accounts to lift investment capacity and establish a business continuity reserve
- increase its profile and market share and be innovative in customer service delivery and business processes
- review trust management team structures and advance its training and development program for staff.

## Registry of Births, Deaths and Marriages

### The Service

The Registry of Births, Deaths and Marriages is responsible for creating and permanently storing birth, death and marriage records, which enables the public to obtain documentary proof of these important life events. It also provides facilities for marriages in a Registry Office as an alternative to marriage by a minister of religion or other civil celebrant.

### Objectives for 2006/07

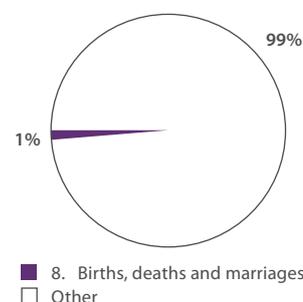
The Registry aimed to begin converting historic paper-based birth, death, marriage and change-of-name records to electronic format and implement an online death registration lodgment system for funeral directors. It planned to progressively release further historic birth indexes on the Department’s website and undertake planning for an online marriage registration lodgment system for marriage celebrants.

Summary of Key Performance Indicators

	Type	Indicator	2006/07 Target	2006/07 Actual	Variation
Service 8: Births, Deaths and Marriages	Effectiveness	Accuracy of birth, death and marriage information	98%	94%	-4%
	Efficiency	Average cost of registration services	\$1.84	\$1.35	-27%

Summary of Finance Figures

Services	Budget 2006/07	Actual Expenditure 2006/07	Proportion of Total Actual Expenditure
8. Births, deaths and marriages	\$6,025,335	\$4,611,108	1%



### Key Achievements and Challenges

#### Customer service

The Registry maintained a high standard of service delivery to customers despite a 5% increase in birth, death, marriage and change-of-name registrations this year.

High demand, particularly for birth and marriage certificates, attributed to organisations tightening documentary evidence requirements continued during 2006/07.

There was an increase of 12% in the number of standard certificates issued this year from 96,887 to 108,650. The number of Registry marriages increased by 9% from 878 to 954. The demand for commemorative birth certificates grew by 9% from 22,584 to 24,519 in line with an increase in birth registrations.

To assist the management of telephone calls, an Interactive Voice Response telephone system was installed. It provides a caller with information related to their query in a self-serve manner, with an option to be switched to a Registry officer if required.

### Electronic conversion of records

In June, a supplier was appointed to convert the Registry's two million paper-based records to electronic format over the next five years at a cost of \$7 million.

The conversion process is critical to preserve and protect birth, death, marriage and change-of-name records, make them available for fraud prevention initiatives and improve customer service. It is also vital for WA to be able to participate in a \$28 million initiative for the development of a national document verification service announced by the Commonwealth Government.

Birth records since 1974, death and marriage records since 1984 and change-of-name records since 2001 are already computerised.

Tenders were first called in 2005/06, but the tender was re-issued as the initial offers submitted did not represent value for money.

### Online marriage registration

A review of the Registry's priorities led to the deferral of planning for an online marriage registration system for celebrants. When implemented, this will improve the efficiency and accuracy of marriage registrations. However, the Registry is concentrating on the electronic conversion of records project and funeral directors online system as they will have a more significant impact on the Registry and its customers.

### Funeral directors online project

A pilot group of funeral directors began electronically submitting death registration forms via the internet to the Registry in April 2007. The system reduces operational costs to the Registry and improves the quality of data and timeliness of processing. Funeral directors enter details directly into the registration system rather than posting or couriering a form to the Registry. The Registry also saves time on scanning or entering the data. This will assist the Registry to cope with expanding demand in the future. In 2006/07, some 12,010 deaths were registered by mail. The Registry is co-operating with funeral directors to ensure a smooth extension of the facility to participating companies in 2007/08.

### Historic birth, death and marriage indexes online

The range of historic indexes available to the public via the Department's website was extended for the third year. This free-access service, which is invaluable for family history research, was introduced in December 2004. Birth and death indexes are available to 1931 and marriage indexes to 1907. Researchers can order certificates identified from the indexes by completing an order form on the website and posting it to the Registry, along with a reduced 'historical certificate' fee. The Registry aims to have death indexes to 1950 and marriage indexes to 1916 available by 30 June 2008.

From 1 March 2007 to 30 June 2007, there were more than 100,000 website hits each month on the indexes.

### Online certificate validation service

More than 65,000 Western Australian birth, death and change of name certificates were verified online by approved Government agencies and commercial organisations in 2006/07.

Co-ordinated by the New South Wales Registry, the service helps reduce identification fraud by authenticating certificates, thereby protecting the integrity of records and maintaining user confidence in the authenticity of certificates.

Nationwide, 54 subscribers including banks, passport offices and drivers licensing centres, utilise the service. The usefulness of the service in WA will grow as more online registrations become available as the Registry converts the paper-based records to electronic formats. Three fraudulent Western Australian certificates were identified in 2006/07.

### Multiple name changes

In February 2007, the Registry joined NSW, Victoria and the ACT in establishing a system to minimise the risk of people registering multiple names within Australia. This facility allows participating state registries to electronically check whether a previous change of name has been registered in another state. Changes-of-name lodged with the Registry are checked through this system before processing.

### National death data

In August 2006, as part of a nationwide initiative to reduce welfare overpayments, the Registry began sending daily death data to the Victorian Registry of Births, Deaths and Marriages. After collation by the Victorian registry, the information is supplied to Centrelink and the Department of Veterans Affairs to reduce the overpayment of pensions and benefits.

### Council of Australasian Registrars

The Council of Australasian Registrars met in October 2006 and April 2007 and agreed, in principle, to align access policies for certificates. The possible impact of the Commonwealth Access Card on registries across Australia was also discussed. Under the current proposal, the demand for certificates from registries and consequent demand on resources will increase significantly.

### Future Directions

In 2007/08, the Registry of Births, Deaths and Marriages will:

- make substantial inroads into the conversion of paper-based records to an electronic format
- continue to extend marriage and death indexes on the internet to assist family historians to trace family members
- extend and expand the online service for funeral directors to electronically lodge death registration information.

## State Solicitor's Office

### The Service

The State Solicitor's Office delivers quality legal services to Government and a wide range of Government clients.

### Objectives for 2006/07

The State Solicitor's Office aimed to continue to provide quality legal services to the Government and State Government agencies and manage a wide range of legal matters. It planned to implement an electronic document management system to improve office efficiency and effectiveness.

Summary of Key Performance Indicators

			2006/07 Target	2006/07 Actual	Variation
Type	Indicator				
Service 9: Services to Government (State Solicitor's Office)	Effectiveness*	The extent to which the Government departments and agencies are satisfied with the legal services	95% (a)	100%	5%
			87% (b)	100%	13%
			87% (c)	97%	10%
			87% (d)	100%	13%
Efficiency	Average cost per legal matter	\$2,400	\$2,678	12%	

\* Four elements comprise this effectiveness KPI:

(a) Technical quality of work

(b) Relevance of information

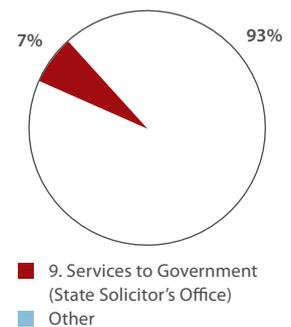
(c) Timeliness of information

(d) Overall extent to which Government Departments are satisfied with legal services

Summary of Finance Figures

Services	Budget 2006/07	Actual Expenditure 2006/07	Proportion of Total Actual Expenditure
9. Services to Government* (State Solicitor's Office)	\$24,953,760	\$25,074,999	7%

\* Services to Government includes costs associated with supporting the State Solicitor's Office, Parliamentary Counsel's Office and other Government agencies.



### Key Achievements and Challenges

Examples of significant legal cases dealt with by the State Solicitor's Office during 2006/07 include:

#### Commercial

The Office played a leading role in a number of significant commercial matters including the design and future construction of the new *Fiona Stanley Hospital* and the *Perth Arena*.

### Litigation

#### **Mickelberg misfeasance action**

Ray and Peter Mickelberg began proceedings against the State and seven former police officers, claiming the State was vicariously liable for acts of alleged misfeasance (wrongful exercise of lawful authority) by the officers, committed prior to and following the Mickelbergs' convictions for the 1982 Perth Mint swindle (which were quashed in 2004). The proceedings were struck out on various grounds, including that no reasonable cause of action was disclosed.

#### **Leighton's litigation**

The Office is acting on behalf of the Public Transport Authority in relation to a suite of litigation with Leighton Contractors Pty Ltd over the construction of the New MetroRail project. The claims are in the vicinity of \$100 million. One action is listed to go to trial in September 2007.

#### ***Bella Bropho v State of Western Australia & Ors***

Former Aboriginal inhabitants of the Swan Valley Nyungah Reserve in Lockridge alleged the State breached the *Racial Discrimination Act 1975* in closing the reserve. The claims were dismissed at trial and a subsequent appeal by the former inhabitants is expected to be heard in 2007/08.

#### **Coral Coast Marina Developments Pty Ltd**

Coral Coast Developments started action in the Supreme Court against the State after being refused environmental approval for a proposed resort at Maud's Landing, Coral Bay. A substantial amount of historical and other documentation has been compiled as the litigation involves several Government agencies over a long time span. It is anticipated that the matter will be entered for trial in the second half of 2007.

#### **Mt Lawley Pty Ltd**

Mt Lawley Pty Ltd versus the Western Australian Planning Commission involves 309ha of land near Ellenbrook reserved for parks and recreation for environmental reasons. The Commission is attempting to purchase the land from the landowner. A re-trial determined its value at \$4 million (as proposed by the Commission) plus interest and costs of about \$5 million. A subsequent appeal by Mt Lawley Pty Ltd was heard in the Court of Appeal in May 2007 with the decision being reserved.

#### **Van Stokkum and others (Finance Brokers litigation)**

Some 2,000 investors made a claim for \$130 million against the Finance Brokers Supervisory Board. They alleged they lost money after investing in mortgages or schemes organised by various finance brokers. During 2006/07 the State set up an ex gratia compensation fund for distribution to finance brokers' victims, including the plaintiffs in the Van Stokkum litigation. By year end, the majority of the plaintiffs agreed to accept payment from the fund. Their respective claims against the State will be formally dismissed.

### Native title claims

The Office continued to represent the State in 136 native title claims lodged in the Federal Court. Some claims also involved mediation at the National Native Title Tribunal.

The Office was also involved in future act proceedings under the right to negotiate procedures of the *Native Title Act 1993*. For example, the granting of mining tenements under the *Mining Act 1978* and the granting of land titles under the *Land Administration Act 1997*.

A range of Government clients were provided with advice on the implications of native title, heritage and environmental matters, and in resource and mining projects within the requirements of native title, Aboriginal heritage and environmental legislation. The Office also assisted in the development of Indigenous Land Use Agreements.

## Agency Performance - State Solicitor's Office

The Office continued to collaborate with the Office of Native Title, a major client in this area of law. In particular, it provided legal and research advice on connection material provided by native title claimants in support of their claims. The Office also presented papers at workshops co-ordinated by the Office of Native Title.

Significant matters in 2006/07 included:

- appeals in the full Federal Court for the Bardi Jawi, Rubibi and Single Noongar matters
- consent determinations of native title for the Eastern Guruma, Miriuwung Gajerrong #4, Ngarla and Noonkanbah claims, the latter being a matter of great historical significance to the State
- implementation of the Ord Stage 2 Agreement and the continued negotiation of a proposed Rubibi Agreement for land and other related issues around Broome
- handing down of a decision in the Wongatha claim over a large area of the Eastern Goldfields
- handing down of the full Federal Court appeal decision in Ngarluma Yindjibarndi.

### Future Directions

The State Solicitor's Office will continue to deliver broad-based legal services to the Government and Government clients in 2007/08.

## Corporate Support

### The Service

The corporate areas of the Department support its activities by:

- managing and providing human, financial, information, asset and contractual services
- providing a tailored corporate service to independent offices and the Department of Corrective Services
- providing strategic communications advice and services to help develop community, stakeholder and staff awareness of its operations and achievements
- helping to maintain effective corporate governance through regular audits and effective compliance management. This service is also provided to the Department of Corrective Services.
- managing correspondence between the Department and the Attorney General.

### Objectives for 2006/07

Priorities included reviewing and re-organising the corporate support services provided to the departments of the Attorney General and Corrective Services, refurbishing central business district office accommodation to begin relocating business areas and improving workforce planning and management.

Plans to address information technology disaster recovery needs and implement an electronic document and records management system were deferred to 2007/08. The transfer of human resource and finance transactional functions to the Office of Shared Services was also deferred.

### Key Achievements and Challenges

#### Review of corporate support functions

Following the separation of the Department of Justice in February 2006, reviews were undertaken of the corporate support functions provided by the Department of the Attorney General for itself and the Department of Corrective Services. In 2006/07, these reviews resulted in changes to the organisational structures and provision of services:

- Internal audit, information technology, administrative records and library service functions remain shared between the two departments.
- Offender records and freedom of information functions and resources were transferred to the Department of Corrective Services.
- Ministerial liaison, public affairs, policy and planning, and assets were developed as separate service models for each department.
- Strategic human resources and financial services were developed as separate service models for each department. Transactional human resources and financial services remain shared.
- Organisational performance was disbanded and its functions distributed between the two new departments.

The role of the Internal Audit branch was expanded in 2006/07 to include the co-ordination of risk management and legislative compliance. From the beginning of the 2007/08 year, the branch will become known as the Management Assurance, Governance and Improvement branch. The branch will advise the Risk Management and Audit committees and senior management of both departments on opportunities for business improvement and assurance about reliability of performance information and the management of risk.

All positions in corporate support areas were reviewed and, through processes that addressed existing staff needs as a priority, more than 120 affected staff transferred into positions in the new structures. Remaining staffing needs are being addressed through external recruitment.

### Customer feedback

The Department implemented a new customer feedback management system that complies with Australian standards and the Department's Customer Feedback Management policy and practices. The system records, monitors and tracks complaints, compliments and suggestions from customers.

Feedback is invited in a variety of methods, including via a new online form or reply-paid form attached to a brochure. Since the system was introduced in May, the Department received:

- 20 complaints, mostly about staff or policies and procedures
- seven compliments, six of which related to excellent service
- two suggestions.

The online form accounted for 41% of all feedback.

Prior to May 2007, the Department's business areas used various methods to record customer feedback. The following feedback was received under both the old and new systems in 2006/07.

### Court and Tribunal Services

The Supreme Court received 17 items of customer feedback, mainly via the Department or Supreme Court websites. Most of the eight suggestions related to the website. The three compliments acknowledged excellent staff service and improvements to the Supreme Court home page. The five complaints were considered minor. All complaints were responded to within 10 days, the timeframe prescribed in Departmental policy.

The District Court received one compliment relating to excellent service via the customer feedback management system.

The Magistrates Court received six complaints about staff and court policies and procedures via the customer feedback management system.

### Office of the Public Advocate

The office surveyed 409 customers of its guardianship, investigation and community education services in 2006/07.

On average<sup>1</sup>, 85% of customers of the guardianship and investigation services were satisfied with the overall level of service compared with 84% in 2005/06.

People attending the Public Advocate's training and information sessions were also surveyed and 97% of respondents were satisfied or very satisfied with the content and conduct of the session.

Three complaints were received and all were resolved to the satisfaction of the customer:

- One complaint concerned changes to witnessing arrangements affecting the validity of a signed Enduring Power of Attorney. The customer was sent a replacement Enduring Power of Attorney kit within a day of the complaint and the concerns were referred to the Justices of the Peace Manager.
- A complaint was received from a service provider concerning decisions made by the Public Advocate on behalf of a person with a decision-making disability in care. The matter was resolved following a meeting with the Manager Guardianship Services.

<sup>1</sup> Measured as an average percentage of respondents who answered questions in nine survey fields

### Public Trustee

In its second year of operation the Public Trustee client feedback system registered five letters of appreciation regarding staff members and 21 complaints. All of the complaints were responded to within the performance standard of 10 working days. Of the complaints:

- five related to the manner or tone adopted by the staff member
- sixteen related to the outcome, costs or a specific event.

### Registry of Births, Deaths and Marriages

In 2006/07, the Registry received 10 formal complaints, two more than the previous year. Five related to quality of service. The others related to the telephone system, accuracy of information on a certificate, the title on a letter, an application that was not received and fees. All of the complaints were resolved within 10 working days which is in accordance with the Registry's policy.

The Registry received 22 formal compliments, 12 more than 2005/06, congratulating it on the quality of its service, website information and service to celebrants and people getting married.

### Leasing strategy

The Department began implementing a long-term accommodation strategy which aims to achieve operational efficiencies by locating related Departmental functions closely in the Perth central business district.

The project is being integrated with the whole-of-Government CBD accommodation strategy, managed by the Department of Housing and Works.

Accommodation has been secured for the next 13 years at International House and Westralia Square and work began in 2006/07 on applying the Government's accommodation standards to the buildings.

Staff began moving into International House in April 2007. The first stage of the Westralia Square fit-out was completed in readiness for occupation in July 2007. Progressive refits will see International House completed in December 2007 and Westralia Square in June 2009.

### Shared services

The scheduled transition of finance, procurement and human resources transactional functions to the Office of Shared Services in 2006/07 was postponed. However, the Department continued to work closely with the Office of Shared Services to develop an understanding of services in the Shared Service Office environment and strategies for effective transition.

### Contracts and purchasing

The Department continued to receive State Supply Commission health checks on contractual processes during the year. It received a clean bill of health each time. Refer appendix 4.

The purchasing system was enhanced as part of ongoing business improvements to ensure compliance with Government purchasing standards and training requirements.

### Information management and technology

A new five-year strategic information management and technology plan has been developed to support and facilitate increased effectiveness and accessibility of the Department's services. The plan is consistent with the State's e-Government strategy and establishes a governance model that recognises that the Department's information management and technology initiatives should dovetail with others across the justice sector.

### Management of offenders' identities

The departments of the Attorney General and Corrective Services are trialling a facility which reduces the risk of errors in recording or identifying possible offenders. The 'common party layer' enables different computer systems in the justice environment to draw from a common database for identity information.

### Remote network support

The Ngaanyatjarra communities in central Australia will be able to use broadband to access Government services when a cross-Government project is completed in December 2007. The Department is one of a number of agencies enhancing telecommunications services to the remote region.

### Biometrics policy

The Department updated its Computer and Telecommunications Facilities Policy to include guidelines on the use and application of biometric technologies, such as iris scanning and finger prints, in identity and access management.

### Internet and intranet site management

A Western Australian Human Rights Act website was created to inform the public about the issue and invite their participation.

The planning phase for the upgrade of the Department website began in 2006/07, including the upgrade of electronic systems governing content management in the portal. The revamped website will make the services of the Department more accessible by enabling unique business areas, such as the Office of the Public Advocate and the Registry of Births, Deaths and Marriages, to have clear identities within a Departmental network.

## Workforce strategy and performance

### Recruiting and retaining staff

Problems with recruiting and retaining staff, particularly in regional areas, are a Department-wide issue. Various measures were pursued:

- Court and Tribunal Services has identified a number of initiatives which address issues such as workloads, morale and housing.
- Faced with a 26% turnover of staff in trust management, the Public Trustee reclassified Trust Management positions, increased training and implemented a mentor scheme.
- The Parliamentary Counsel's Office began implementing a plan to recruit and mentor new staff to replace a number of senior legislation drafters who are due to retire over the next few years.
- Aboriginal Policy and Services is focussing on stabilising staff structures and providing staff training in order to meet the rising demand for mediation services and provide policy advice across Government.

### Workforce planning

A high-level analysis of staffing requirements for the Department, considered critical for future forecasting and planning, was completed in 2006/07. This was one of the areas highlighted by the Mahoney Inquiry as requiring attention. A process to understand labour demand and supply issues facing particular business areas or regions was piloted in the Magistrates courts in the Kimberley and Pilbara during 2006/07.

In other developments, the Department:

- established a Regional Staffing Project Working Group to co-ordinate initiatives aimed at attracting and retaining staff in regional and remote areas
- presented human resources management delegations information briefing sessions for management
- reviewed its performance management system and developed an employee development system that links business and individual performance imperatives, to be piloted in 2007/08
- enabled eight staff to undertake public sector leadership and management development programs.

### Graduate development program

Of the seven graduates who were part of a joint graduate program with the Department of Corrective Services, four were placed in permanent positions within the Department of the Attorney General. In June 2007, five new graduates were recruited to begin a graduate program with the Department.

### Aboriginal employment

At 30 June 2007, the Department had 71 Aboriginal employees and throughout the year introduced a number of strategies to attract Aboriginal staff including:

- creating a register of potential Aboriginal employees from which 31 people were referred to potential jobs
- facilitating information sessions for prospective Aboriginal employees interested in various positions.

The Department successfully:

- recruited and trained six administration trainees under the Department's Aboriginal Traineeship Program and placed them into positions
- recruited two law students under the Department's Aboriginal Cadetship Program to work on the Cross-border Justice Project and the State Administrative Tribunal
- placed three Aboriginal people in courts - Armadale Magistrates Court, Midland Magistrates Court and Perth Children's Court
- offered seven Aboriginal students work experience
- trained nine managers and supervisors in managing Aboriginal trainees
- conducted induction training for 23 Aboriginal new employees and seven Aboriginal Liaison Officers.

### Volunteers

The Department has one of the largest volunteer workforces in the Western Australian public sector with some 3,454 people helping in 2006/07. They included victim support volunteers, justices of the peace and community guardians.

### Justices of the Peace

About 3,377 justices of the peace spent approximately 6,500 hours in courts, 12,500 hours in signing centres and 5,000 hours in the Family Court of Western Australia, Perth watch house and other custody centres. Some 62 new justices of the peace were appointed this year.

### State Administrative Tribunal

The Tribunal acknowledged the contribution of long term volunteer, Alan McGrath, at a special event this year.

### Victim support

A total of 67 volunteers helped victims of crime and their families to become familiar with, and supported them through, court processes. The continued metropolitan roll-out of the family violence courts in 2007/08 should be accompanied by a significant increase in volunteers.

The Bert Harris Award for 2007 was presented to Esther McWhirter of Esperance for outstanding support to victims of crime.

### Shared internal audit services

The Department put in place a shared service delivery model for internal audit services to the departments of the Attorney General and Corrective Services involving:

- establishing two new Risk Management and Audit committees
- developing a service level agreement for the provision of audit and assurance services to the Department of Corrective Services

## Agency Performance - Corporate Support

- developing a new Internal Audit Charter and charters for the Risk Management and Audit committees
- managing and directing the development of the 2006/07 annual internal audit plans for the two departments.

### Risk management

Audit activities and risk identification workshops have raised risk awareness among staff and support the Department's risk management framework.

There were 13 internal audits carried out in the Department during the year. Of these, eight were planned and five were undertaken in response to special requests. Additional audit activities were undertaken to provide assurance in relation to managing recommendations from external reviewers, such as the Office of the Inspector of Custodial Services and the Office of the Auditor General.

The audits helped maintain effective governance and contributed towards improved business practices including management accountability, risk management, compliance management and effectiveness of internal controls.

Key developments in 2006/07 included:

- Audits of travel advances, travel claims, corporate credit cards and out-of-hours contact allowance, resulted in the revision of the Department's policies, procedures and processes.
- Since Internal Audit developed and implemented the Office of the Inspector of Custodial Services Governance Framework in 2005, outstanding recommendations from the Office's reviews have been reduced by 20%, through the use of action plans to manage and monitor progress, and risk management processes.
- A review of the Department's computer and security systems, using modern audit techniques that tested personal, social and technical security, resulted in improvements to network security, security awareness, physical security and improvements in contracting and procurement processes.

### Community grants

In 2006/07, \$1.6 million in funding from property seized from criminals was returned to the Western Australian community under the Criminal Property Confiscation Grants Program.

Recipients of funding included women's and youth programs, multicultural associations, domestic violence groups, drug education programs, counselling groups and other charities.

Since the introduction of the *Criminal Property Confiscation Act 2003*, more than \$5.3 million in grants has been given to Western Australian not-for-profit organisations.

### Ministerial liaison

A total of 1,961 ministerial requests were handled in 2006/07.

Ministerial liaison services were also provided to the Department of Corrective Services until 6 November 2006 when separate branches were established.

### Communications

The Department established its own public affairs operation early in 2007. The main work constituted informing stakeholders and the community on key developments in the law and justice sector such as court innovations, capital works and law reforms. Community education, on matters ranging from parole to jury duty, was another principal focus. The products of this work include online services, print publishing, media liaison, advertising, public relations and event organisation. Internal communications is also a priority to fully engage the decentralised workforce of the Department.

In 2006/07, projects which involved major communication components included:

- roll-out of the Family Violence Court to five metropolitan courts, starting with the opening of Rockingham by the Attorney General in June 2007, see p.19
- statutory review of legislative changes to family and domestic violence law to gauge its effectiveness in the community, see p. 20
- launch of the Kalgoorlie-Boulder Community Court, see p.19
- launch of the Prisoners Review Board, see p.22
- continuation of the CBD Courts building project, see p.23.

In 2006/07, brochures produced to assist the public included:

- a series of Family Court brochures entitled A Guide to Representing Yourself in the Family Court
- a suite of updated brochures for the re-badged Victim Support and Child Witness Service
- pamphlets on court fines and infringement notices.

A full list of brochures can be found on the website at [www.justice.wa.gov.au](http://www.justice.wa.gov.au).

The number of media enquiries increased following the creation of the Department's separate public affairs branch. A total of 171 inquiries were responded to up to 22 February and more than 300 in the four months until 30 June.

### Proposed Human Rights Act for Western Australia

In May 2007, the Attorney General announced a proposal to introduce a Human Rights Act for WA which would consolidate basic human rights in one key piece of law. He also appointed a committee of eminent citizens to lead the public consultation process which is chaired by former federal parliamentarian, Fred Chaney.

The Department provided a secretariat to support the work of the committee. The secretariat organised the committee's extensive publishing and community education program, a Statewide schedule of public forums, strategic stakeholder consultation and a range of other logistical activities. A report of the findings of the committee will be presented to the Attorney General in November 2007.

### Future Directions

In 2006/07, corporate support areas will:

- work with the Department of Treasury and Finance to plan the migration of finance and human resources transactional functions to the Office of Shared Services in due course
- manage the refurbishing of central business district office accommodation and relocating of business areas
- address business continuity and information technology disaster recovery needs, and determine options and costs
- continue to develop workforce planning and management strategies
- continue to develop the Department's Corporate Governance Framework
- raise awareness of the Department's risk management framework, and assist management to identify and manage business risks
- enhance information systems to support monitoring and reporting of audit recommendations, as part of a process of continuous organisational improvement
- provide pragmatic, cost effective recommendations that drive business improvement, and work with management to adopt best practice business systems
- launch a new Department web network.

## Mahoney Reforms

Some 42 recommendations of the 148 contained in the Mahoney Inquiry report have implications for the Department. The majority of these recommendations are being implemented as part of the Department's usual business. Five recommendations were specifically funded for implementation in 2006/07 and beyond.

### **Recommendation 41 – Prisoners Review Board**

#### **Key Achievements**

- Legislation enabling the Board to be more accountable than its predecessor, including the ability to publish decisions, was enacted on 28 January 2007.
- Board began operations on 29 January 2007.
- Board includes members who have a knowledge and understanding of the impact of offences on victims and a knowledge and understanding of Aboriginal culture within this State.

#### **Key Challenges**

- Completing staffing of the State Review Boards' Secretariat which provides support to the Prisoners Review Board and others.
- Implementing efficient work processes to support the Board.

#### **Future Directions**

- Undertake research to inform decision-making of the Board.
- Develop effective measuring and reporting systems.
- Educate the public about the role of the Board and parole.

### **Recommendation 59 – Workforce Planning**

#### **Key Achievements**

- Completed high-level analysis of the Department's workforce.
- Developed the process and tools for ongoing workforce planning.
- Developed and piloted a workforce plan for the Magistrates courts in the Kimberley and Pilbara.

#### **Key Challenges**

- Identifying resources and priorities workforce planning.

#### **Future Directions**

- Finalise workforce plans across the Department.
- Develop strategies to attract and retain staff in regional areas.
- Integrate workforce planning in human resource strategies.

### **Recommendation 73 – Separation of Departments of the Attorney General and Corrective Services**

#### **Key Achievements**

- Reviewed and re-organised work units covering 12 corporate support functions after comprehensive reviews.

### Key Challenges

- Recruiting and retaining high quality staff to meet the changing needs of the Department in an environment of high economic and population growth.

### Future Directions

- Finalise recruitment for new work units.

## Recommendation 81 – Aboriginal Justice Agreement

### Key Achievements

- Successfully formed local justice forums and developed plans at 18 communities in the Pilbara, Kimberley and metropolitan Perth.
- Developed guidelines for roles and functions of local, regional and State justice forums.

### Key Challenges

- Attracting staff with the required skills in a competitive labour market.
- Securing office and residential accommodation in regional areas.
- Encouraging Government agencies to be involved in developing and implementing local justice plans.

### Future Directions

- Establish fully-functional regional justice forums and the State Aboriginal Justice Congress.
- Develop community well-being performance indicators for measuring the success of Aboriginal Justice Agreement initiatives.

## Recommendation 124 – Aboriginal Liaison Officers

### Key Achievements

- Recruited four liaison officers to courts, bringing their number to nine, and provided them with extensive induction and training.

### Key Challenges

- Attracting liaison officers for metropolitan and regional courts.
- Finding suitable accommodation for regional liaison officers.

### Future Directions

- Review the achievements and impact of liaison officers.
- Consider expanding the initiative to other courts.

### Other Recommendations

Thirteen recommendations for which the Department has full or part responsibility will be considered as part of the 2008/09 budget process and broadly cover the following areas:

- research into bail and remand issues
- public education campaign regarding the justice system
- integration of information technology across the justice system
- development of an Aboriginal employment strategy
- training and professional development for frontline staff.

There are also a number of other initiatives which the Department will assist with, such as research into the effectiveness of parole on recidivism.

# Significant Issues and Trends

For the Department of the Attorney General, two major strands of public administration – enhancing law and order and addressing disadvantage – dominate an analysis of the issues and trends playing out in Western Australia today. They sit against a backdrop of dynamic demographics.

The State's population is growing by almost 4,000 a month, based on Australian Bureau of Statistics figures for the December quarter of 2006. An annual population growth rate of 2.1% in 2006 makes it the fastest growing state in the nation according to the Department of Treasury and Finance.

## Service delivery challenges

The population trend is likely to be sustained. Department of Treasury and Finance predicts WA will gain an additional 700,000 people in the next two decades. From a base of two million, this is a massive rise – fully a one-third population increase in a generation – and is occurring at a time when the State is experiencing significant economic growth underpinned by increased activity in the resources sector in regional areas.

The implications for the Department, particularly for its prime area of service delivery, the administration of courts and tribunals, is complicated by other factors including:

- a geographically large State with a dispersed regional population
- policing becoming more effective
- criminal law widening, litigation becoming more prevalent and court cases becoming increasingly complex
- legal remedies such as pre-sentencing options are now broader
- strained capacity of the prison system
- Aboriginal incarceration rates remain unacceptably high
- backlog of court cases is a source of frustration and concern.

These are challenging issues in themselves, let alone when running in parallel with high population growth.

Dealing with issues such as these influences how the Department delivers its services. For instance, due to the vast distances involved in delivering court services across Western Australia, judicial officers and support staff have to travel extensively. Using the Kimberley region as an illustration, one Magistrate services its entire 421,000 square kilometres. The Magistrate sits 10 days a month in Broome and the remainder of the time is spent travelling and presiding over cases in other court facilities across the region. The Magistrate works up to 65 hours a week and travels about 5,000 kilometres every five weeks. Furthermore, the creation of new multi-function police facilities in remote locations is adding to pressure on the court system to deliver services in places like Kintore, Warburton, Warakurna, Balgo, Warmun and Bidyadanga. The recent developments in northern WA to protect the welfare of children are likely to increase these pressures.

The Department is steering an innovative course to respond to demands and provide the community with better outcomes. For instance, it is rolling out more advanced technology to equip courtrooms, overcoming the tyranny of distance and enabling victims and witnesses to safely take part in court proceedings without the need to be in the court. At the same time the courts have continued to tackle case backlogs through a number of strategies which started to pay off in 2006/07. Other initiatives include a network of family violence courts which give offenders a chance to modify their behaviour. However, these strategies will not overcome the need for additional court facilities, and the Department continues to develop its long term building plans for regional and metropolitan courts.

## Significant Issues and Trends

### Addressing disadvantage

Significant disadvantage prevails in the State's Aboriginal population. Here the level of engagement with the justice system remains out of proportion to the general population. In June 2007, Aboriginal people represented more than 40% of the total adult prison population but only 3% of the State's population. More than 70% of juveniles in WA's juvenile detention centres were Aboriginal. In addition, Aboriginal people are five times more likely to be victims of a violent crime than non-Aboriginal people.

In response, a range of projects progressed during the year, the centrepiece being the Aboriginal Justice Agreement, a partnership between the Government and Aboriginal people, built on mutual respect. The agreement contains a set of principles that support the relationship between Government and Aboriginal people and guides the development of policies, programs and services for Aboriginal people. During the year, three local and two regional plans were formally agreed, committing government agencies and Aboriginal communities to undertake a range of practical improvements. More Aboriginal justice plans will be rolled-out to local and regional communities in 2007/08. The courts also developed and implemented a range of culturally appropriate strategies targeted at Aboriginal perpetrators and victims of crime to help reduce the rate of recidivism, and these are to be continued in the future.

The WA population is ageing at twice the national rate amid longer life expectancies and an increasing prevalence of dementia. Demand for guardianship, administrator, trustee and executor services, offered by the Public Trustee and the Public Advocate, increased in the past year and is predicted to continue growing, resulting in an overall increase in the number and complexity of cases involving people with decision-making disabilities.

As a consequence, laws in this area are also changing in response to community expectations. Proposed amendments to the *Guardianship and Administration Act 1990*, giving people the opportunity to make an advanced health directive or "living will", or to appoint an enduring guardian to make medical treatment and lifestyle decisions on their behalf should they lose capacity, will have implications for both the Public Advocate and State Administrative Tribunal.

### Other notable issues and trends

- The expanding field of identification security, prompted by a wider scope for crime and terrorism, has implications for the systems and processes of the Registry of Births, Deaths and Marriages.
- Growth in fines enforcement continues, driven by law reforms, tighter law enforcement and the undesirability of relying on imprisonment.
- Shortages of staff to provide core public services, identified in a 2007 study by Edith Cowan University, are being compounded by a booming resources sector in WA, especially in regional areas. As the Premier noted, retaining and attracting quality people is a huge challenge in the current economic climate. Among other measures, the Department began to develop workforce planning strategies to help attract and retain a sustainable and balanced workforce, particularly in regional areas.
- Legislative changes giving the State Administrative Tribunal responsibility for resolving residential tenancy disputes are predicted to increase its case load.
- Similarly, proposed changes to the State's bail laws, such as broadening the range of people with power to approve sureties and reducing the delay between the grant of bail and release from custody, may add to the workload in courts.

The Department of the Attorney General is confident of its ability to meet these new and emerging challenges. It will do so through greater efficiencies, safety nets and solutions to minimise disadvantage and more customised services to address the needs of particular population segments.

# Disclosures and Legal Compliance

## Statement of Certification

The accompanying financial statements of the Department of the Attorney General have been prepared in compliance with the provisions of the *Financial Management Act 2006* from proper accounts and records to present fairly the financial transactions of the financial year ending 30 June 2007 and the financial position as at 30 June 2007.

At the date of signing we are not aware of any circumstances which would render any particulars included in the financial statements misleading or inaccurate.



Alan Andersson  
CHIEF FINANCE OFFICER  
13 September 2007



Cheryl Gwilliam  
DIRECTOR GENERAL  
13 September 2007



## AUDITOR GENERAL

### INDEPENDENT AUDIT OPINION

To the Parliament of Western Australia

**DEPARTMENT OF THE ATTORNEY GENERAL  
FINANCIAL STATEMENTS AND KEY PERFORMANCE INDICATORS  
FOR THE YEAR ENDED 30 JUNE 2007**

I have audited the accounts, financial statements, controls and key performance indicators of the Department of the Attorney General.

The financial statements comprise the Balance Sheet as at 30 June 2007, and the Income Statement, Statement of Changes in Equity, Cash Flow Statement, Schedule of Income and Expenses by Service, and Summary of Consolidated Account Appropriations and Income Estimates for the year then ended, a summary of significant accounting policies and other explanatory Notes.

The key performance indicators consist of key indicators of effectiveness and efficiency.

#### **Director General's Responsibility for the Financial Statements and Key Performance Indicators**

The Director General is responsible for keeping proper accounts, and the preparation and fair presentation of the financial statements in accordance with Australian Accounting Standards (including the Australian Accounting Interpretations) and the Treasurer's Instructions, and the key performance indicators. This responsibility includes establishing and maintaining internal controls relevant to the preparation and fair presentation of the financial statements and key performance indicators that are free from material misstatement, whether due to fraud or error; selecting and applying appropriate accounting policies; making accounting estimates that are reasonable in the circumstances; and complying with the Financial Management Act 2006 and other relevant written law.

#### **Summary of my Role**

As required by the Auditor General Act 2006, my responsibility is to express an opinion on the financial statements, controls and key performance indicators based on my audit. This was done by testing selected samples of the audit evidence. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my audit opinion. Further information on my audit approach is provided in my audit practice statement. Refer "<http://www.audit.wa.gov.au/pubs/Audit-Practice-Statement.pdf>".

An audit does not guarantee that every amount and disclosure in the financial statements and key performance indicators is error free. The term "reasonable assurance" recognises that an audit does not examine all evidence and every transaction. However, my audit procedures should identify errors or omissions significant enough to adversely affect the decisions of users of the financial statements and key performance indicators.

**Department of the Attorney General  
Financial Statements and Key Performance Indicators for the year ended 30 June 2007**

**Audit Opinion**

In my opinion,

- (i) the financial statements are based on proper accounts and present fairly the financial position of the Department of the Attorney General at 30 June 2007 and its financial performance and cash flows for the year ended on that date. They are in accordance with Australian Accounting Standards (including the Australian Accounting Interpretations) and the Treasurer's Instructions;
- (ii) the controls exercised by the Department provide reasonable assurance that the receipt, expenditure and investment of money, the acquisition and disposal of property, and the incurring of liabilities have been in accordance with legislative provisions; and
- (iii) the key performance indicators of the Department are relevant and appropriate to help users assess the Department's performance and fairly represent the indicated performance for the year ended 30 June 2007.



COLIN MURPHY  
AUDITOR GENERAL  
17 September 2007

## Income Statement

For the year ended 30 June 2007

	Note	2007 \$'000	2006 \$'000
<b>COST OF SERVICES</b>			
<b>Expenses</b>			
Employee benefits expense	6	168,262	256,844
Supplies and services	7	61,628	102,703
Depreciation and amortisation	8	7,782	18,680
Finance costs	9	1,350	1,372
Accommodation expenses	10	15,520	16,290
Grants and subsidies	11	48,136	43,382
Capital user charge	12	20,168	42,707
Other expenses	14	34,780	59,151
Loss on disposal of non-current assets	13	-	139
<b>Total cost of services</b>		<b>357,626</b>	<b>541,268</b>
<b>Income</b>			
Revenue			
User charges and fees	15	51,444	49,577
Commonwealth grants and contributions	16	12,772	12,781
Other revenues	17	8,039	15,238
<b>Total income other than income from State Government</b>		<b>72,255</b>	<b>77,596</b>
<b>NET COST OF SERVICES</b>		<b>285,371</b>	<b>463,672</b>
<b>INCOME FROM STATE GOVERNMENT</b>			
Service appropriations	18	248,719	462,069
Liabilities assumed by the Treasurer		23,111	6,622
Resources received free of charge		15,551	7,739
<b>Total income from State Government</b>		<b>287,381</b>	<b>476,430</b>
<b>SURPLUS/(DEFICIT) FOR THE PERIOD</b>		<b>2,010</b>	<b>12,758</b>

The Income Statement should be read in conjunction with the accompanying notes.

Comparative figures consist of seven months of transactions for the Department of Justice, and five months transactions for the Department of the Attorney General.

## Balance Sheet

as at 30 June 2007

	Note	2007 \$000	2006 \$000
<b>ASSETS</b>			
<b>Current assets</b>			
Cash and cash equivalents	29	8,604	10,078
Receivables	20	8,023	5,319
Amounts receivable for services	21	7,263	7,966
<b>Total current assets</b>		23,890	23,363
<b>Non-current assets</b>			
Restricted cash and cash equivalents	19	830	416
Amounts receivable for services	21	30,503	26,216
Property, plant, equipment and vehicles	22	300,260	250,480
Intangible assets	23	5,787	3,882
<b>Total non-current assets</b>		337,380	280,994
<b>TOTAL ASSETS</b>		361,270	304,357
<b>LIABILITIES</b>			
<b>Current liabilities</b>			
Payables	24	9,174	4,329
Other borrowings	25	234	211
Provisions	26	27,679	28,053
Other current liabilities	27	715	1,727
<b>Total current liabilities</b>		37,802	34,320
<b>Non-current liabilities</b>			
Other borrowings	25	12,364	12,598
Provisions	26	10,249	10,695
<b>Total Non-current liabilities</b>		22,613	23,293
<b>TOTAL LIABILITIES</b>		60,415	57,613
<b>NET ASSETS</b>		300,855	246,744
<b>Equity</b>			
Contributed equity	28	8,437	-
Reserves		232,755	189,091
Accumulated surplus/(deficiency)		59,663	57,653
<b>Total equity</b>		300,855	246,744
<b>TOTAL LIABILITIES AND EQUITY</b>		361,270	304,357

The Balance Sheet should be read in conjunction with the accompanying notes.

Comparative figures consist of seven months of transactions for the Department of Justice, and five months transactions for the Department of the Attorney General.

## Cash Flow Statement

For the year ended 30 June 2007

Note	2007 \$000	2006 \$000
<b>CASH FLOWS TO / FROM STATE GOVERNMENT</b>		
Service appropriations	234,472	436,496
Capital contributions	8,437	26,101
Holding account drawdowns	10,663	17,351
Distribution to owner	-	(14,500)
<b>Net cash provided by State Government</b>	<b>253,572</b>	<b>465,448</b>
<b>Utilised as follows:</b>		
<b>CASH FLOWS FROM OPERATING ACTIVITIES</b>		
<b>Payments</b>		
Employee benefits	(133,418)	(223,198)
Payments to suppliers	(137,731)	(234,788)
Accommodation costs	(15,520)	(16,290)
Finance costs	(1,352)	(1,374)
Capital user charge	(20,168)	(39,730)
GST payments on purchases	(11,620)	(19,638)
GST payments to taxation authority	(716)	(1,274)
<b>Receipts</b>		
Receipts from services	56,583	65,060
Commonwealth Grants and Contributions	12,770	12,505
GST receipts on sales	951	1,221
GST receipts from taxation authorities	11,602	21,362
<b>Net cash used in operating activities</b>	<b>29 (c) (238,619)</b>	<b>(436,144)</b>
<b>CASH FLOWS FROM INVESTING ACTIVITIES</b>		
Proceeds from sale of non-current physical assets	1	35
Purchase of non-current physical assets	(15,803)	(32,623)
<b>Net cash used in investing activities</b>	<b>(15,802)</b>	<b>(32,588)</b>
<b>CASH FLOWS FROM FINANCING ACTIVITIES</b>		
Finance lease payments	(211)	(190)
<b>Net cash used in financing activities</b>	<b>(211)</b>	<b>(190)</b>
<b>Net (decrease)/increase in cash and cash equivalents</b>	<b>(1,060)</b>	<b>(3,474)</b>
Cash and cash equivalents at the beginning of period	10,494	13,968
<b>CASH AND CASH EQUIVALENTS AT THE END OF PERIOD</b>	<b>29 (a) 9,434</b>	<b>10,494</b>

The cash flow statement should be read in conjunction with the accompanying notes.

Comparative figures consist of seven months of transactions for the Department of Justice, and five months transactions for the Department of the Attorney General.

## Statement of Changes in Equity

For the year ended 30 June 2007

	Note	2007 \$000	2006 \$000
Balance of equity at start of period		246,744	701,899
<b>CONTRIBUTED EQUITY</b>			
Balance at start of period	28	-	37,875
Capital contribution		8,437	26,101
Distributions to owners		-	(517,206)
Transfer to accumulated surplus/(deficiency)		-	453,230
<b>Balance at end of period</b>		<b>8,437</b>	<b>-</b>
<b>RESERVES</b>			
Asset Revaluation Reserve			
Balance at start of period	28	189,091	562,422
Transfer to accumulated surplus/(deficiency)		-	(396,523)
Gains/(losses) from asset revaluation		43,664	23,192
<b>Balance at end of period</b>		<b>232,755</b>	<b>189,091</b>
<b>ACCUMULATED SURPLUS/(DEFICIENCY)</b>			
Balance at start of period	28	57,653	101,602
Transfer from contributed equity		-	(453,230)
Transfer from asset revaluation reserve		-	396,523
Surplus/(deficit) for the period		2,010	12,758
<b>Balance at end of period</b>		<b>59,663</b>	<b>57,653</b>
<b>Balance of equity at end of period</b>		<b>300,855</b>	<b>246,744</b>
<b>Total income and expense for the period</b>		<b>45,674</b>	<b>35,950</b>

The statement of changes in equity should be read in conjunction with the accompanying notes.

Comparative figures consist of seven months transactions for the Department of Justice, and five months transactions for the Department of the Attorney General.

## Schedule of Income and Expenses by Service

For the year ended 30 June 2007

	Service 1 Judiciary & Judicial Support		Service 2 Civil Justice Services	
	2007 \$000	2006 \$000	2007 \$000	2006 \$000
<b>COST OF SERVICES</b>				
<b>Expenses</b>				
Employee benefits expense	68,897	49,908	15,126	14,359
Depreciation and amortisation expense	1,590	2,141	944	1,381
Finance cost	-	-	405	411
Capital user charge	5,628	6,311	3,341	3,747
Other expenses	7,243	5,317	21,875	21,344
Loss on sale of assets	-	-	9	
Corporate overheads reallocated to outputs	202	177	5,762	5,333
<b>Total cost of services</b>	<b>83,560</b>	<b>63,854</b>	<b>47,462</b>	<b>46,575</b>
<b>Income</b>				
Sales	294	257	28,666	28,324
Corporate overheads reallocated to outputs	-	1	141	168
<b>Total income other than income from State Government</b>	<b>294</b>	<b>258</b>	<b>28,807</b>	<b>28,492</b>
<b>NET COST OF SERVICES</b>	<b>83,266</b>	<b>63,596</b>	<b>18,655</b>	<b>18,083</b>
<b>INCOME FROM STATE GOVERNMENT</b>				
Service Appropriations	60,091	48,086	17,725	36,700
Liabilities assumed by the Treasurer	21,825	5,633	117	27
Resources received free of charge	1,223	91	726	54
Corporate overheads reallocated to outputs	-	(2)	49	(252)
<b>Total income from State Government</b>	<b>83,139</b>	<b>53,808</b>	<b>18,617</b>	<b>36,529</b>
<b>Surplus/deficit for period</b>	<b>(127)</b>	<b>(9,788)</b>	<b>(38)</b>	<b>18,446</b>

Comparative figures consist of seven months transactions for the Department of Justice, and five months transactions for the Department of the Attorney General.

## Schedule of Income and Expenses by Service

For the year ended 30 June 2007

	Service 3 Family Court Services		Service 4 Adult Criminal Justice Services	
	2007 \$000	2006 \$000	2007 \$000	2006 \$000
<b>COST OF SERVICES</b>				
<b>Expenses</b>				
Employee benefits expense	4,599	4,252	21,886	115,478
Depreciation and amortisation expense	248	354	2,137	11,946
Finance cost	-	-	945	959
Capital user charge	879	986	7,562	28,376
Other expenses	6,924	4,507	59,527	127,527
Loss on sale of assets	-	-	18	-
Corporate overheads reallocated to outputs	1,770	1,709	6,105	31,653
<b>Total cost of services</b>	<b>14,420</b>	<b>11,808</b>	<b>98,180</b>	<b>315,939</b>
<b>Income</b>				
Sales	14,667	14,193	6,254	13,385
Corporate overheads reallocated to outputs	30	38	66	568
<b>Total income other than income from State Government</b>	<b>14,697</b>	<b>14,231</b>	<b>6,320</b>	<b>13,953</b>
<b>NET COST OF SERVICES</b>	<b>(277)</b>	<b>(2,423)</b>	<b>91,860</b>	<b>301,986</b>
<b>INCOME FROM STATE GOVERNMENT</b>				
Service Appropriations	-	9,358	78,139	282,215
Liabilities assumed by the Treasurer	31	7	264	418
Resources received free of charge	191	14	13,268	8,687
Corporate overheads reallocated to outputs	11	(57)	24	(729)
<b>Total income from State Government</b>	<b>233</b>	<b>9,322</b>	<b>91,695</b>	<b>290,591</b>
<b>Surplus/deficit for period</b>	<b>510</b>	<b>11,745</b>	<b>(165)</b>	<b>(11,395)</b>

Comparative figures consist of seven months transactions for the Department of Justice, and five months transactions for the Department of the Attorney General.

## Schedule of Income and Expenses by Service

For the year ended 30 June 2007

	Service 5 Juvenile Criminal Justice Services		Service 6 Advocacy Guardianship and Administration Services	
	2007 \$000	2006 \$000	2007 \$000	2006 \$000
<b>COST OF SERVICES</b>				
<b>Expenses</b>				
Employee benefits expense	1,065	18,115	1,943	1,773
Depreciation and amortisation expense	50	595	3	5
Finance cost	-	-	-	-
Capital user charge	176	1,138	2	2
Other expenses	1,084	6,954	509	347
Loss on sale of assets	2	-	-	-
Corporate overheads reallocated to outputs	274	4,911	324	531
<b>Total cost of services</b>	<b>2,651</b>	<b>31,713</b>	<b>2,781</b>	<b>2,658</b>
<b>Income</b>				
Sales	49	501	57	28
Corporate overheads reallocated to outputs	6	106	7	14
<b>Total income other than income from State Government</b>	<b>55</b>	<b>607</b>	<b>64</b>	<b>42</b>
<b>NET COST OF SERVICES</b>	<b>2,596</b>	<b>31,106</b>	<b>2,717</b>	<b>2,616</b>
<b>INCOME FROM STATE GOVERNMENT</b>				
Service Appropriations	2,545	37,138	2,694	2,759
Liabilities assumed by the Treasurer	6	82	12	3
Resources received free of charge	38	173	2	4
Corporate overheads reallocated to outputs	2	(141)	3	(18)
<b>Total income from State Government</b>	<b>2,591</b>	<b>37,252</b>	<b>2,711</b>	<b>2,748</b>
<b>Surplus/deficit for period</b>	<b>(5)</b>	<b>6,146</b>	<b>(6)</b>	<b>132</b>

Comparative figures consist of seven months transactions for the Department of Justice, and five months transactions for the Department of the Attorney General.

## Schedule of Income and Expenses by Service

For the year ended 30 June 2007

	Service 7 Trustee Services		Service 8 Births Deaths and Marriages	
	2007 \$000	2006 \$000	2007 \$000	2006 \$000
<b>COST OF SERVICES</b>				
<b>Expenses</b>				
Employee benefits expense	8,938	8,309	2,228	2,231
Depreciation and amortisation expense	141	253	130	308
Finance cost	-	-	-	-
Capital user charge	13	23	11	11
Other expenses	3,098	2,253	1,440	1,320
Loss on sale of assets	-	-	1	-
Corporate overheads reallocated to outputs	1,246	1,184	801	771
<b>Total cost of services</b>	<b>13,436</b>	<b>12,022</b>	<b>4,611</b>	<b>4,641</b>
<b>Income</b>				
Sales	9,884	8,889	6,548	5,873
Corporate overheads reallocated to outputs	22	23	18	21
<b>Total income other than income from State Government</b>	<b>9,906</b>	<b>8,912</b>	<b>6,566</b>	<b>5,894</b>
<b>NET COST OF SERVICES</b>	<b>3,530</b>	<b>3,110</b>	<b>(1,955)</b>	<b>(1,253)</b>
<b>INCOME FROM STATE GOVERNMENT</b>				
Service Appropriations	3,089	3,509	-	1,425
Liabilities assumed by the Treasurer	416	372	17	4
Resources received free of charge	9	9	5	9
Corporate overheads reallocated to outputs	9	(33)	5	(19)
<b>Total income from State Government</b>	<b>3,523</b>	<b>3,857</b>	<b>27</b>	<b>1,419</b>
<b>Surplus/deficit for period</b>	<b>(7)</b>	<b>747</b>	<b>1,982</b>	<b>2,672</b>

Comparative figures consist of seven months transactions for the Department of Justice, and five months transactions for the Department of the Attorney General.

## Schedule of Income and Expenses by Service

For the year ended 30 June 2007

	Service 9 Services to Government		Service 10 Legal Aid Assistance	
	2007 \$000	2006 \$000	2007 \$000	2006 \$000
<b>COST OF SERVICES</b>				
<b>Expenses</b>				
Employee benefits expense	36,947	23,321	-	-
Depreciation and amortisation expense	1,589	108	-	-
Finance cost	-	-	-	-
Capital user charge	1,603	147	-	-
Other expenses	27,262	8,798	21,143	17,679
Loss on sale of assets	(19)	-	-	-
Corporate overheads reallocated to outputs	2,000	2,005	-	-
<b>Total cost of services</b>	<b>69,382</b>	<b>34,379</b>	<b>21,143</b>	<b>17,679</b>
<b>Income</b>				
Sales	5,502	5,155	-	-
Corporate overheads reallocated to outputs	44	52	-	-
<b>Total income other than income from State Government</b>	<b>5,546</b>	<b>5,207</b>	<b>-</b>	<b>-</b>
<b>NET COST OF SERVICES</b>	<b>63,836</b>	<b>29,172</b>	<b>21,143</b>	<b>17,679</b>
<b>INCOME FROM STATE GOVERNMENT</b>				
Service Appropriations	63,293	25,302	21,143	15,577
Liabilities assumed by the Treasurer	329	36	-	-
Resources received free of charge	64	42	-	-
Corporate overheads reallocated to outputs	16	(53)	-	-
<b>Total income from State Government</b>	<b>63,702</b>	<b>25,327</b>	<b>21,143</b>	<b>15,577</b>
<b>Surplus/deficit for period</b>	<b>(134)</b>	<b>(3,845)</b>	<b>-</b>	<b>(2,102)</b>

Comparative figures consist of seven months transactions for the Department of Justice, and five months transactions for the Department of the Attorney General.

## Schedule of Income and Expenses by Service

For the year ended 30 June 2007

	Overheads Corporate Overheads		Total	
	2007 \$000	2006 \$000	2007 \$000	2006 \$000
<b>COST OF SERVICES</b>				
<b>Expenses</b>				
Employee benefits expense	6,633	19,098	168,262	256,844
Depreciation and amortisation expense	950	1,589	7,782	18,680
Finance cost	-	2	1,350	1,372
Capital user charge	952	1,966	20,168	42,707
Other expenses	9,961	25,619	160,064	221,665
Loss on sale of assets	(12)	-	-	-
Corporate overheads reallocated to outputs	(18,484)	(48,274)	-	-
<b>Total cost of services</b>	-	-	357,626	541,268
<b>Income</b>				
Sales	334	991	72,255	77,596
Corporate overheads reallocated to outputs	(334)	(991)	-	-
<b>Total income other than income from State Government</b>	-	-	72,255	77,596
<b>NET COST OF SERVICES</b>	-	-	285,371	463,672
<b>INCOME FROM STATE GOVERNMENT</b>				
Service Appropriations	-	-	248,719	462,069
Liabilities assumed by the Treasurer	95	40	23,111	6,622
Resources received free of charge	24	(1,344)	15,551	7,739
Corporate overheads reallocated to outputs	(119)	1,304	-	-
<b>Total income from State Government</b>	-	-	287,381	476,430
<b>Surplus/deficit for period</b>	-	-	2,010	12,758

Comparative figures consist of seven months transactions for the Department of Justice, and five months transactions for the Department of the Attorney General.

## Summary of Consolidated Fund Appropriations and Income Estimates

For the year ended 30 June 2007

	2007 Estimate \$000	2007 Actual \$000	Variation \$000	2007 Actual \$000	2006 Actual \$000	Variation \$000
<b>DELIVERY OF SERVICES</b>						
<b>Item 63 net amount appropriated to deliver services</b>	184,528	182,610	(1,918)	182,610	259,651	(77,041)
Amount authorised by other statutes						
Salaries and Allowances Act 1975	19,497	19,705	208	19,705	17,391	2,314
Children's Court of Western Australia Act 1988	303	319	16	319	306	13
Criminal Injuries Compensation Act 1985	19,419	20,142	723	20,142	19,796	346
District Court of Western Australia Act 1969	8,529	8,827	298	8,827	7,629	1,198
Judge's Salaries and Pensions Act 1950	7,181	7,728	547	7,728	7,270	458
Solicitor General Act 1969	320	361	41	361	267	94
Suitors Fund Act 1964	30	30	-	30	9	21
State Administrative Tribunal Act 2004	2,384	3,130	746	3,130	2,273	857
Town Planning and Development Act 1928			-	0	448	(448)
	242,191	242,852	661	242,852	315,040	(72,188)
Section 25 transfer of service appropriation	-	(5,867)	(5,867)	(5,867)	(147,029)	141,162
<b>Total appropriations provided to deliver services</b>	242,191	248,719	6,528	248,719	462,069	(213,350)
<b>CAPITAL</b>						
Item 150 Capital Contribution	15,488	8,437	(7,051)	8,437	26,101	(17,664)
<b>GRAND TOTAL</b>	257,679	257,156	(523)	257,156	488,170	(231,014)
<b>Details of Expenses by Service</b>						
Service 1 - Judiciary and Judicial Support	75,012	83,560	8,548	83,560	63,854	19,706
Service 2 - Civil Justice Services	45,261	47,462	2,201	47,462	46,575	887
Service 3 - Family Court Services	13,291	14,420	1,129	14,420	11,808	2,612
Service 4 - Adult Criminal Justice Services	98,806	98,180	(626)	98,180	315,939	(217,759)

## Summary of Consolidated Fund Appropriations and Income Estimates

For the year ended 30 June 2007

	2007 Estimate \$000	2007 Actual \$000	Variation \$000	2007 Actual \$000	2006 Actual \$000	Variation \$000
Service 5 - Juvenile Criminal Justice Services	2,840	2,651	(189)	2,651	31,713	(29,062)
Service 6 - Advocacy, Guardianship and Administration Services	3,022	2,781	(241)	2,781	2,658	123
Service 7 - Trustee Services	12,490	13,436	946	13,436	12,022	1,414
Service 8 - Births, Deaths and Marriages	6,253	4,611	(1,642)	4,611	4,641	(30)
Service 9 - Services to Government	47,292	69,382	22,090	69,382	34,379	35,003
Service 10 - Legal Aid Assistance	19,357	21,143	1,786	21,143	17,679	3,464
<b>Total appropriations provided to deliver services</b>	323,624	357,626	34,002	357,626	541,268	(183,642)
<b>Less total income</b>	(68,279)	(72,255)	(3,976)	(72,255)	(77,596)	5,341
<b>Net cost of services</b>	255,345	285,371	30,026	285,371	463,672	(178,301)
<i>Adjustments</i>	(13,154)	(36,652)	(23,498)	(36,652)	(1,603)	(35,049)
<b>Total appropriations provided to deliver services</b>	242,191	248,719	6,528	248,719	462,069	(213,350)
<b>Capital Expenditure</b>						
Purchase of non-current physical assets	23,454	15,803	(7,651)	15,803	32,623	(16,820)
Adjustment for other funding sources	7,966	7,366	(600)	7,366	6,522	844
<b>Capital Contribution (appropriation)</b>	15,488	8,437	(7,051)	8,437	26,101	(17,664)
<b>DETAILS OF INCOME ESTIMATES</b>						
Income disclosed as Administered Income	64,399	98,412	34,013	98,412	108,053	9,641

Adjustments comprise movements in cash balances and other accrual items such as receivables, payables and superannuation.

Explanations of variations between the current year estimates and actual results are set out in Note 41.

2007 Administered Income estimate excludes Family Law Court funding received from Commonwealth as it is controlled funding.

The summary of Consolidated Fund Appropriations, Variance to Budget and Actual should be read in conjunction with the accompanying notes.

Comparative figures consist of seven months transactions for the Department of Justice, and five months transactions for the Department of the Attorney General.

## Notes to the Financial Statements

For the year ended 30 June 2007

### 1 Department of the Attorney General mission and funding

The Department of the Attorney General (the "Department" for the purposes of these notes) is responsible for the leadership, support and provision of a diverse range of justice services, including:

- Providing administrative and support services, technical facilities and accommodation to State courts and tribunals.
- Providing support, assistance, advice and counselling to victims of crime.
- Providing legal services to Government and its agencies.
- Translating Government policy into laws that are easily understood.
- Providing services to ensure that the best interests of people with decision-making disabilities are represented at hearings and to promote and protect their rights in the community.
- Making trustee services available.
- Registering births, deaths and marriages.
- Providing support to the Prisoners Review Board and Supervised Release Review Board.
- Regulating State-based corporate bodies such as Friendly Societies.

The Department is predominantly funded by Parliamentary appropriations.

The Department's financial statements encompass all funds through which the Department controls resources to carry on its functions.

### 2 Australian equivalents to International Financial Reporting Standards

The Department's financial statements for the year ended 30 June 2007 have been prepared in accordance with Australian equivalents to International Financial Reporting Standards (AIFRS), which comprise a Framework for the Preparation and Presentation of Financial Statements (the framework) and Australian Accounting Standards (including the Australian Accounting Interpretations).

In preparing these financial statements the Department has adopted, where relevant to its operations, new and revised standards and interpretations from their operative dates as issued by the Australian Accounting Standards Board (AASB) and formerly the Urgent Issues Group (UIG).

The Australian Accounting Interpretations are adopted through AASB 1048 'Interpretation and Application of Standards' and are classified into those corresponding to IASB Interpretations and those only applicable in Australia.

The AASB has decided to maintain Statements of Accounting Concepts (SAC 1 and SAC 2) and has continued to revise and maintain accounting standards and the interpretations that are of particular relevance to the Australian environment, especially those that deal more specifically with not-for-profit entity issues and/or do not have an equivalent IASB standard or interpretation.

#### Early adoption of standards

The Department cannot early adopt an Australian Accounting Standard or Australian Accounting Interpretation unless specifically permitted by TI 1101 'Application of Australian Accounting Standards and Other Pronouncements'. No standards and interpretations that have been issued or amended but are not yet effective have been early adopted by the Department for the annual reporting period ended 30 June 2007.

## Notes to the Financial Statements

For the year ended 30 June 2007

### 3 Significant accounting policies

The following accounting policies have been adopted in the preparation of the financial statements. Unless otherwise stated, these policies are consistent with those adopted in the previous year.

#### (a) General statement

The financial statements constitute a general purpose financial report which has been prepared in accordance with Accounting Standards, the Framework, Statements of Accounting Concepts and other authoritative pronouncements of the AASB as applied by the Treasurer's Instructions. Several of these are modified by the Treasurer's Instructions to vary application, disclosure, format and wording. The Financial Management Act and the Treasurer's Instructions are legislative provisions governing the preparation of financial statements and take precedence over Australian Accounting Standards, the Framework, Statements of Accounting Concepts and other authoritative pronouncements of the AASB. Where modification is required and has a material or significant effect upon the reported results, details of that modification and the resulting financial effect are disclosed in the notes to the financial statements.

#### (b) Basis of preparation

The financial statements have been prepared in accordance with Accounting Standard AAS 29 Financial Reporting by Government Departments.

The statements have been prepared on the accrual basis of accounting using the historical cost convention, except for certain assets and liabilities which, as noted, are measured at fair value. The accounting policies adopted in the preparation of the financial statements have been consistently applied throughout all periods presented unless otherwise stated.

#### (c) Reporting entity

The reporting entity comprises the Department and no other related bodies.

Administered assets, liabilities, expenses and revenues are not integral to the Department in carrying out its functions and are disclosed in the notes to the financial statements, forming part of the general purpose financial report of the Department. The administered items are disclosed on the same basis as is described above for the financial statements of the Department. The administered assets, liabilities, expenses and revenues are those which the Government requires the Department to administer on its behalf. The assets do not render any service potential or future economic benefits to the Department, the liabilities do not require any future sacrifice of service potential or future economic benefits of the Department, and the expenses and revenues are not attributable to the Department.

As the administered assets, liabilities, expenses and revenues are not recognised in the principal financial statements of the Department, the disclosure requirements of Accounting Standard AASB 7 Financial Instruments: Disclosures are not applied to administered transactions.

#### Administered assets

Administered assets are not controlled by the Department but are administered on behalf of the Government. These assets include receivables in relation to:

- Supreme and District Court fines and forfeitures
- Petty Sessions fines

## Notes to the Financial Statements

For the year ended 30 June 2007

Outstanding fines and costs include:

- (a) District and Supreme Court fines and costs and those which are referred to the Fines Enforcement Registry (FER) for action and are outstanding as at 30 June 2007; and
- (b) Petty Sessional fines which are outstanding in each Court and have not been referred to the FER as at 30 June 2007.

Infringement penalty details are not included as the State Solicitor provided an opinion that infringements form no liability or obligation to pay until a Court has ordered the offender to pay the penalty.

### **Provision for unrecoverable debts - administered transactions**

The provision in respect of Court fees and fines outstanding and referred to the FER is based on the recovery history of Court fees and fines managed by the FER.

### **(d) Service appropriations**

Service appropriations are recognised as revenues, at nominal value, in the period in which the Department gains control of the appropriated funds. The Department gains control of appropriated funds at the time those funds are deposited into the Department's bank account or credited to the holding account held at the Department of Treasury and Finance. Refer to note 18 for further commentary on services appropriations.

### **(e) Contributed equity**

UIG interpretation 1038 Contributions by Owners Made to Wholly-Owned Public Sector Entities requires transfers in the nature of equity contributions to be designated by the Government (the owner) as contributions by owners (at the time of, or prior to, transfer) before such transfers can be recognised as equity contributions. Capital contributions (appropriations) have been designated as contributions by owners by TI 955 Contributions by Owners made to Wholly Owned Public Sector Entities and have been credited directly to Contributed Equity. Repayable capital appropriations are recognised as liabilities.

### **(f) Net appropriation determination**

Pursuant to section 23 of the Financial Management Act, the Department has entered into a net appropriation arrangement with the Treasurer, where the proceeds from services are retained by the Department. Items covered by the agreement include commonwealth recoups, court fees, births deaths and marriage registration fees, proceeds from Public Trustee fees, Public Trust common fund interest revenues, legal services, workers compensation recoups and other miscellaneous revenues.

In accordance with the determination, the Department retained \$72.29 million in 2007. Retained revenues may only be applied to the services specified in the 2006-2007 Budget Statements.

### **(g) Grants and other contributions revenue**

Grants, donations, gifts and other non-reciprocal contributions are recognised as revenue when the Department obtains control over the assets comprising the contributions. Control is normally obtained upon their receipt. Contributions are recognised at fair value.

### **(h) Revenue recognition**

Revenue is recognised at the fair value of consideration received or receivable where it can be reliably measured, in the period to which it relates. However, where there is not an established pattern of income flow, revenue is recognised on a cash receipts basis. Criminal injuries revenue is recognised at the time payment is received.

## Notes to the Financial Statements

For the year ended 30 June 2007

Outstanding criminal injuries recoveries are not recognised as debts, as the future economic benefits are minimal and cannot be reliably measured. Criminal injuries recoveries include awards pursuant to the Criminal Injuries Compensation Acts of 1970 and 1982 together with amounts recorded under the Criminal Injuries Compensation Act 1985. Recoveries pursued as at 30 June 2007 were \$9.27 million (30 June 2006 \$9.18 million).

### (i) Depreciation of non-current assets

All non-current assets with a value of more than \$5,000 and a useful life of more than 2 years are systematically depreciated over their useful lives in a manner which reflects the consumption of their future economic benefits. Furniture items are mostly under this limit and are expensed in the year of purchase. Library and livestock purchases are also expensed in the year of purchase.

Depreciation is calculated on the straight line basis, using rates which are periodically reviewed. Estimated useful lives for each class of depreciable assets are:

- Buildings	50 years
- Leasehold improvements	10 years
- Information technology systems	5 years
- Plant, equipment and vehicles	4 - 15 years

Building and information technology projects are reported as 'Works In Progress' until commissioned.

### (j) Revaluation of land, buildings and infrastructure

The Department has a policy of revaluing land and buildings to fair value, on an annual basis, under AASB 116.31. The annual revaluations are undertaken by Landgate and movements are recognised in the financial statements. Where market evidence is not available, the fair value of land and buildings is determined on the basis of existing use. This normally applies where buildings are specialised or where land use is restricted. Fair value for existing use assets is determined by reference to the cost of replacing the remaining future economic benefits embodied in the asset ie the depreciated replacement cost. The revaluation of land and buildings is an independent valuation provided on an annual basis by Landgate (valuation services). Refer to note 22.

### (k) Impairment of assets

Property, plant and equipment, infrastructure and intangible assets are tested for indications of impairment at each reporting date. Where there is an indication of impairment, the recoverable amount is estimated. Where the recoverable amount is less than the carrying amount, the asset is written down to the recoverable amount and an impairment loss is recognised. The risk of impairment is generally limited to circumstances where an asset's depreciation is materially understated, where the replacement cost is falling, or where there is a significant change in useful life. Each relevant class of assets is reviewed annually to verify that the accumulated depreciation/amortisation reflects the level of consumption or expiration of asset's future economic benefits and to evaluate any impairment risk from falling replacement costs.

### (l) Intangible assets

All acquired and internally developed intangible assets are initially recognised at cost. Amortisation for intangible assets with finite lives is calculated for the period of the expected benefit (estimated useful life) on the straight line basis. All intangible assets controlled by the Department have a finite useful life and zero residual value. The expected useful life for Departmental intangible assets is five years.

## Notes to the Financial Statements

For the year ended 30 June 2007

### (m) Leases

The Department's rights and obligations under finance leases, which are leases that effectively transfer to the Department substantially all of the risks and benefits incident to ownership of the leased items, are initially recognised as assets and liabilities equal to the present value of the minimum lease payments. The assets are disclosed as leased buildings and are depreciated to the Income Statement over the period during which the Department is expected to benefit from the use of the leased assets. Minimum lease payments are allocated between interest expense and reduction of the lease liability, according to the interest rate implicit in the lease.

Finance lease liabilities are allocated between current and non-current components. The principal component of lease payments due on or before the end of the succeeding year is disclosed as a current liability, and the remainder of the lease liability is disclosed as a non-current liability.

The Department has entered into a number of operating lease arrangements, for buildings through the Department of Housing and Works, for passenger and light commercial motor vehicles through the State Supply Commission and for office equipment where the lessors effectively retain all of the risks and benefits incidental to ownership of the items held under the operating leases. Equal instalments of the lease payments are charged to the Income Statement over the lease term as this is representative of the pattern of benefits to be derived from the leased property.

Refer to notes 9, 25 and 31 (b).

### (n) Financial instruments

The Department has two categories of financial instrument: (1) receivables (includes cash) and (2) non-trading financial liabilities (finance lease, payables, Treasurer's advance). Initial recognition and measurement is at fair value. Usually the transaction cost or face value is equivalent to the fair value. Subsequent measurement is at amortised cost using the effective interest method. Short term receivables and payables with no stated interest rate are measured at transaction cost/face value where the effect of discounting is immaterial.

The Department considers that there are no embedded derivative implications with regard to potential increases in contractual costs.

### (o) Cash and cash equivalents

For the purpose of the Cash Flow Statement, cash and cash equivalents includes cash assets and restricted cash assets.

### (p) Accrued salaries

The accrued salaries suspense account (refer note 19) consists of amounts paid annually into a suspense account over a period of ten financial years to largely meet the additional cash outflow in each eleventh year when 27 pays occur instead of the normal 26. No interest is received on this account.

Accrued salaries (refer note 27) represent the amount due to staff but unpaid at the end of the financial year, if the end of the last pay period for that financial year does not coincide with the end of the financial year. Accrued salaries are settled within a few days of the financial year end. The Department considers the carrying amount of accrued salaries to be equivalent to the net fair value. The last pay day in 2006/07 was 28 June 2007, therefore an accrual of 1 day was necessary in this financial year.

## Notes to the Financial Statements

For the year ended 30 June 2007

### (q) Amounts receivable for services (holding account)

The Department receives funding on an accrual basis that recognises the full annual cash and non-cash cost of services. The appropriations are paid partly in cash and partly as an asset (Holding Account receivable) that is accessible on the emergence of the cash funding requirement to cover items such as leave entitlements and asset replacement.

### (r) Receivables

Receivables are recognised and carried at the original invoice amount less an allowance for uncollectible amounts (i.e. impairment). The collectability of receivables is reviewed on an ongoing basis and any receivables identified as uncollectible are written off. The provision for doubtful debts is raised where there is objective evidence that the Department will not be able to collect the debts. The carrying amount is equivalent to fair value as it is due for settlement within 30 days. Refer note 20.

### (s) Expenditure carried forward

Software - significant costs associated with the acquisition or development of computer software are capitalised and amortised on a straight line basis over the periods of the expected benefit, which is usually five years.

Website costs - costs in relation to websites controlled by the Department are charged as expenses in the period in which they are incurred.

### (t) Payables

Payables, including accruals not yet billed, are recognised at the amounts payable when the Department becomes obliged to make future payments as a result of a purchase of assets or services. Payables are generally settled within 30 days.

### (u) Provisions

#### Annual leave

This benefit is recognised at the reporting date in respect to employees' services up to that date and is measured at the anticipated amounts expected to be paid when the liabilities are settled.

#### Long service leave

A liability for long service leave is recognised, and is measured as the present value of expected future payments to be made in respect of services provided by employees up to the reporting date. Consideration is given, when assessing expected future payments, to expected future wage and salary levels including relevant on costs, experience of employee departures and periods of service. Expected future payments are discounted using interest rates to obtain the estimated future cash outflows. The long service leave liability is based on a shorthand method provided by Price Waterhouse Coopers actuaries in May 2006 and is compliant with AASB 119 "Employee Benefits".

#### Employment on-costs

Employment on-costs, including workers compensation insurance, are not employee benefits and are recognised as liabilities and expenses when the employment to which they relate has occurred. Employment on-costs are included as part of the Department's other expenses, and are not included as part of the employee benefits expense. The related liability is included in employment on-cost provision. Refer note 14 and note 26.

## Notes to the Financial Statements

For the year ended 30 June 2007

### (v) Superannuation

Staff may contribute to the Superannuation and Family Benefits Act scheme, a defined benefits pension scheme now closed to new members, or to the Gold State Superannuation Scheme, a defined benefit and lump sum scheme now also closed to new members. All staff who do not contribute to either of these schemes become non-contributory members of the West State Superannuation Scheme, an accumulation fund complying with the Commonwealth Government's Superannuation Guarantee (Administration) Act 1992. All of these schemes are administered by the Government Employees Superannuation Board (GESB).

Employees commencing employment prior to 16 April 2007 who are not members of either the Pension or the GSS Schemes became non-contributory members of the West State Superannuation Scheme (WSS). Employees commencing employment on or after 16 April 2007 became members of the GESB Super Scheme (GESBS). Both of these schemes are accumulation schemes. The Department makes concurrent contributions to GESB on behalf of employees in compliance with the Commonwealth Government's Superannuation Guarantee (Administration) Act 1992. These contributions extinguish the liability for superannuation charges in respect of the WSS and GESBS Schemes.

The superannuation expense is comprised of the following elements:

- (i) Defined benefit plans - change in the unfunded employer's liability (ie current service cost and actuarial gains and losses) assumed by the Treasurer in respect of current employees who are members of the Pension Scheme and current employees who accrued a benefit on transfer from that scheme to the Gold State Superannuation Scheme (GSS).
- (ii) Defined contribution plans - employer contributions paid to the West State Superannuation Scheme (WSS), and the equivalent of employer contributions to the GSS.

The superannuation expense does not include payment of pensions to retirees as this does not constitute part of the cost of services provided by the Department in the current year.

A revenue Liabilities assumed by the Treasurer equivalent to (i) is recognised under Income from State Government in the Income Statement as the unfunded liability is assumed by the Treasurer. The GESB makes the benefit payments and is recouped by the Treasurer.

From 1 July 2001 employer contributions are paid to the GESB in respect of the Gold State Superannuation Scheme (GSS) and the West State Superannuation Scheme (WSS). Prior to 1 July 2001, the unfunded liability in respect of these schemes was assumed by the Treasurer. An amount equivalent to the employer contributions which would have been paid to the GSS and the WSS if the Department had made concurrent employer contributions to those schemes, was included in superannuation expense. This amount was also included in the revenue item "Liabilities assumed by the Treasurer".

### (w) Judges' pensions

All Judges' pension benefits are met by the Treasurer. Judges are entitled to pensions of 60% of their final salary after ten years of service and proportionate pensions for lesser service. Spouses of Judges are entitled to pensions of five-eighths of the Judges' pension entitlement on the Judges' death. The liability for Judges' pensions as at 30 June 2007 was calculated by Price Waterhouse Coopers actuaries.

The GESB has responsibility for the administration of the Judges' Pension Scheme. GESB initially incurs the cost of the pensions and then recoups the amount from the Consolidated Fund (Department of Treasury and Finance). The expense for Judges' pensions is included as an employee expense of the Department with a corresponding liability assumed by the Treasurer.

The expense reflects the increase in the liability at the Department of Treasury and Finance.

## Notes to the Financial Statements

For the year ended 30 June 2007

**(x) Resources received free of charge or for nominal value**

Resources received free of charge or for nominal cost that can be reliably measured are recognised as income and as assets or expenses as appropriate, at fair value.

**(y) Comparative figures**

On 1 February 2006, the Department of Justice, which comprised of Attorney General and Custodial functions, split into the Department of the Attorney General and the Department of Corrective Services. Comparative figures therefore consist of seven months transactions for the Department of Justice, and five months transactions for the Department of the Attorney General.

**(z) Rounding of Amounts**

Amounts in the financial statements have been rounded to the nearest thousand dollars, or in certain cases, to the nearest dollar.

### 4 Services of the Department

Information about the Department's services is set out in the Schedule of Income and Expenses by Service. Information about the Department's administered expenses, revenues, assets and liabilities is set out in notes 39 and 40.

The services of the Department are:

**(1) Judiciary and Judicial Support**

Service relates to financing the cost of judicial officers (including their support staff) to serve the community in the determination of cases brought before courts and tribunals.

**(2) Civil Justice Services**

Civil Justice Services promote community confidence through the resolution of civil disputes and providing parties with appropriate and enforceable remedies.

**(3) Family Court Services**

Family Court Services promote community confidence through the resolution of family disputes and providing parties with appropriate and enforceable remedies.

**(4) Adult Criminal Justice Services**

An adult criminal justice system that contributes to community confidence, provides timely resolution of justice issues, ensures court sanctions are completed, and contributes to reducing the rate of re-offending and imprisonment.

**(5) Juvenile Criminal Justice Services**

An accessible and equitable juvenile justice system which diverts juveniles and offenders at risk from offending, provides timely intervention and resolution of justice issues, ensures the statutory requirements of justice are met, and contributes to reducing the rate of re-offending and detention.

**(6) Advocacy and Guardianship Services**

To advocate for the best interests of people with decision-making disabilities both at hearings of the Guardianship and Administration Board to decide on the need for a guardian and/or administrator and in the community and to investigate complaints or allegations of abuse, exploitation or neglect. To act as guardian, when appointed by the Guardianship and Administration Board.

## Notes to the Financial Statements

For the year ended 30 June 2007

### (7) Trustee Services

The Public Trustee provides a fund management and investment service through the operations of the common fund, an at call investment facility which is backed by the State Government, and acts as financial administrator pursuant to the orders of courts and tribunals. It also administers the estates of people who die with or without a will, in accordance with the terms of the will or the relevant law and under the authority of the Supreme Court.

### (8) Births, Deaths and Marriages

This involves the creation and permanent storage of birth, death and marriage records, which enables members of the public to obtain documentary proof of these events for legal, personal and historical records. Approved organisations are also able to obtain authorised information for research and records.

### (9) Services to Government

This service specifies those services directly provided by the Department of the Attorney General which support outcomes and services of other Government agencies.

### (10) Legal Aid Assistance

The community and target groups require access to, and the provision of, quality legal services. This service contributes to an orderly community by regulating demand for legal assistance through the application of priority guidelines, eligibility and merit tests to enable legal representation to be provided to legally aided clients by grants of aid and assignment of cases to in-house or private practitioners. Legal advice, duty lawyer services and community education is provided to assist the wider community to access fair solutions to legal problems at the earliest opportunity.

## 5 Disclosure of Changes in Accounting Policy and Estimates

### Future impact of Australian Accounting Standards not yet operative

The Department cannot early adopt an Australian Accounting Standard or Australian Accounting Interpretation unless specifically permitted by TI 1101 Application of Australian Accounting Standards and Other Pronouncements. Consequently, the Department has not applied the following Australian Accounting Standards and Australian Accounting Interpretations that have been issued but are not yet effective. These will be applied from their application date:

1. AASB 7 Financial Instruments: Disclosures (including consequential amendments in AASB 2005-10 Amendments to Australian Accounting Standards [AASB 132, AASB 101, AASB 114, AASB 117, AASB 133, AASB 139, AASB 1, AASB 4, AASB 1023 & AASB 1038]). This standard requires new disclosures in relation to financial instruments. The Standard is considered to result in increased disclosures, both quantitative and qualitative, of the Department's exposure to risks, enhanced disclosure regarding components of the Department's financial position and performance, and possible changes to the way of presenting certain items in the financial statements. The Department does not expect any financial impact when the standard is first applied. The standard is required to be applied to annual reporting periods beginning on or after 1 January 2007.

## Notes to the Financial Statements

For the year ended 30 June 2007

2. AASB 2005-10 Amendments to Australian Accounting Standards [AASB 132, AASB 101, AASB 114, AASB 117, AASB 133, AASB 139 AASB 1, AASB 4, AASB 1023, & AASB 1038]. The amendments are as a result of the issue of AASB 7 Financial Instruments: Disclosures, which amends the financial instrument disclosure requirements in these standards. The Department does not expect any financial impact when the standard is first applied. The standard is required to be applied to annual reporting periods beginning on or after 1 January 2007.
3. AASB 101 Presentation of Financial Statements. This standard was revised and issued in October 2006 so that AASB 101 has the same requirements as IAS 1 Presentation of Financial Statements (as issued by the IASB) in respect of for-profit entities. The Department is a not-for-profit entity and consequently does not expect any financial impact when the standard is first applied. The standard is required to be applied to annual reporting periods beginning on or after 1 January 2007.
4. AASB 2007-4 Amendments to Australian Accounting Standards arising from ED 151 and other amendments (AASB 1, 2, 3, 4, 5, 6, 7, 102, 107, 110, 112, 114, 116, 117, 118, 119, 120, 121, 127, 128, 129, 130, 131, 132, 133, 134, 136, 137, 138, 141, 1023 & 1038). This standard introduces policy options and modifies disclosures. These amendments arise as a result of the AASB decision that, in principle, all options that currently exist under IFRSs should be included in the Australian equivalents to IFRSs and additional Australian disclosures should be eliminated, other than those now considered particularly relevant in the Australian reporting environment. The Department of Treasury and Finance has indicated that it will mandate to remove the policy options added by this amending standard. This will result in no impact as a consequence of application of the standard. The standard is required to be applied to annual reporting periods beginning on or after 1 July 2007.
5. AASB 2007-5 Amendment to Australian Accounting Standard - Inventories Held for Distribution by Not-for Profit Entities (AASB 102). This amendment changes AASB 102 'Inventories' so that inventories held for distribution by not-for-profit entities are measured at cost, adjusted when applicable for any loss of service potential. The Department does not have any inventories held for distribution so does not expect any financial impact when the standard is first applied. The standard is required to be applied to annual reporting periods beginning on or after 1 July 2007.
6. AASB Interpretation 4 Determining whether an Arrangement contains a Lease [revised]. This Interpretation was revised and issued in February 2007 to specify that if a public-to-private service concession arrangement meets the scope requirements of AASB Interpretation 12 Service Concession Arrangements as issued in February 2007, it would not be within the scope of Interpretation 4. At balance sheet date, the Department has not entered into any arrangements as specified in the Interpretation or within the scope of Interpretation 12, resulting in no impact when the Interpretation is first applied. The Interpretation is required to be applied to annual reporting periods beginning on or after 1 January 2008.
7. AASB Interpretation 12 Service Concession Arrangements. This Interpretation was issued in February 2007 and gives guidance on the accounting by operators (usually a private sector entity) for public-to-private service concession arrangements. It does not address the accounting by grantors (usually a public sector entity). It is currently unclear as to the application of the Interpretation to the Department if and when public-to-private service concession arrangements are entered into in the future. At balance sheet date, the Department has not entered into any public-to-private service concession arrangements resulting in no impact when the Interpretation is first applied. The Interpretation is required to be applied to annual reporting periods beginning on or after 1 January 2008.

## Notes to the Financial Statements

For the year ended 30 June 2007

8. AASB Interpretation 129 'Service Concession Arrangements: Disclosures [revised]': This Interpretation was revised and issued in February 2007 to be consistent with the requirements in AASB Interpretation 12 'Service Concession Arrangements' as issued in February 2007. Specific disclosures about service concession arrangements entered into are required in the notes accompanying the financial statements, whether as a grantor or an operator. At balance sheet date, the Department has not entered into any public-to-private service concession arrangements resulting in no impact when the Interpretation is first applied. The Interpretation is required to be applied to annual reporting periods beginning on or after 1 January 2008.

The following Australian Accounting Standards and Interpretations are not applicable to the Department as they will have no impact or do not apply to not-for-profit entities:

### AASB Standards and Interpretations

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AASB 8	Operating Segments
AASB 1049	Financial Reporting of General Government Sectors by Governments
AASB 2007-1	Amendments to Australian Accounting Standards arising from AASB Interpretation 11 [AASB 2]
AASB 2007-2	Amendments to Australian Accounting Standards arising from AASB Interpretation 12 [AASB 1, AASB 117, AASB 118, AASB 120, AASB 121, AASB 127, AASB 131 & AASB 139] - paragraphs 1 to 8
AASB 2007-3	Amendments to Australian Accounting Standards arising from AASB 8 [AASB 5, AASB 6, AASB 102, AASB 107, AASB 119, AASB 127, AASB 134, AASB 136, AASB 1023 & AASB 1038]
Interpretation 10	Interim Financial Reporting and Impairment
Interpretation 11	AASB 2 - Group and Treasury Share Transactions

## Notes to the Financial Statements

For the year ended 30 June 2007

### 6. Employee benefits expense

Wages and salaries	120,369	202,792
Superannuation - defined contribution plans	11,399	18,783
Superannuation - defined benefit plans	1,483	1,035
Long Service Leave	4,388	8,019
Annual Leave	8,995	20,628
Judges pensions - liability assumed by the Treasurer	21,628	5,587

2007 \$000	2006 \$000
---------------	---------------

168,262	256,844
---------	---------

Defined contribution plans include West State and Gold State (contribution paid)

Defined benefit plans include Pension scheme and Gold State (pre-transfer benefits)

### 7. Supplies and services

Services and contracts	39,868	74,615
Resources free of charge	15,551	7,739
Goods and supplies purchased	6,209	20,349

61,628	102,703
--------	---------

### 8. Depreciation and amortisation

#### Depreciation

Buildings	3,388	12,291
Plant, equipment and vehicles	1,233	1,740
Total depreciation	4,621	14,031

4,621	14,031
-------	--------

#### Amortisation

IT systems	2,178	3,609
Leased buildings	215	215
Leasehold improvements	768	825
Total amortisation	3,161	4,649

3,161	4,649
-------	-------

7,782	18,680
-------	--------

### 9. Finance costs

Finance lease finance charges	1,350	1,372
-------------------------------	-------	-------

1,350	1,372
-------	-------

### 10. Accommodation expenses

Building rental operating lease expenses	15,520	16,290
--	--------	--------

15,520	16,290
--------	--------

## Notes to the Financial Statements

For the year ended 30 June 2007

### 11. Grants and subsidies

Criminal injuries  
 Offenders gratuities  
 Government organisations  
 Other grants and subsidies

2007 \$000	2006 \$000
---------------	---------------

20,979	19,675
-	2,563
21,300	17,793
5,857	3,351
48,136	43,382

### 12. Capital user charge

Capital user charge expense for the year

20,168	42,707
--------	--------

A capital user charge rate of 8% has been set by the Government and represents the opportunity cost of capital invested in the net assets of the Department used in the provision of services. The charge is calculated on the net assets adjusted to take account of exempt assets.

During 2006/07, the final year in which the charge was levied, payments were made equal to the appropriation for 2006/07, plus an adjustment for underpayment relating to 2005/06.

### 13. Net gain/(loss) on disposal of non-current assets

#### Proceeds from disposal of non-current assets

Gross proceeds on disposal

39	25
----	----

#### Costs of disposal of non-current assets

Plant, equipment and vehicles  
 Buildings

(39)	(164)
-	-

Net gain/(loss)

-	(139)
---	-------

### 14. Other expenses

Building repairs and maintenance  
 Electricity and water  
 Communication expenses  
 Plant, equipment and vehicle operating lease expenses  
 Plant, equipment and vehicle repairs and maintenance  
 Vehicle hire, fuel, registration and management fees  
 Insurance  
 Other staff costs  
 Other expenses

5,904	9,645
1,872	3,801
2,911	6,769
2,120	3,421
418	2,322
1,308	2,805
518	1,624
5,094	9,994
14,635	18,770
34,780	59,151

## Notes to the Financial Statements

For the year ended 30 June 2007

### 15. User charges and fees

Legal Services State Solicitors Office  
 Public Trust Office fees  
 Births, deaths and marriage fees  
 Licences  
 Court fees  
 Miscellaneous fees and charges

2007 \$000	2006 \$000
2,768	2,882
8,808	7,838
6,537	5,871
127	138
33,033	32,627
171	221
51,444	49,577

### 16. Commonwealth grants and contributions

#### Recurrent

Commonwealth recoup for Family Court and court fees  
 Commonwealth recoup other

12,575	12,308
197	473
12,772	12,781

During 2006/07 the Family Court of Western Australia overspent its funding grant from the Commonwealth by \$242,000 (during 2005/06 there was a \$1.09 million underspend). This funding shortfall will be sought back from the Commonwealth during 2007/08.

### 17. Other revenues

Sale of produce and goods  
 Canteen sales  
 Public Trust Office - common fund surplus  
 Recoup of salaries and workers compensation  
 Residential recoveries  
 Recoup of telephones, postage and other reimbursements  
 Criminal injuries - recoups  
 Other miscellaneous revenue

-	1,271
-	2,627
1,064	903
1,651	3,866
2,176	1,366
19	919
1,273	1,382
1,856	2,904
8,039	15,238

## Notes to the Financial Statements

For the year ended 30 June 2007

### 18. Income from State Government

Appropriation revenue received during the year:

Service appropriations <sup>(1)</sup>

248,719 462,069

248,719 462,069

Liabilities assumed by the Treasurer during the financial year <sup>(2)</sup>

Superannuation - employees

1,483 1,035

Judges pensions

21,628 5,587

23,111 6,622

An actuarial assessment of the defined benefits obligations of the Judges Pension Scheme is undertaken on an annual basis, in accordance with AASB 119 Employee Benefits.

Resources received free of charge <sup>(3)</sup>

Determined on the basis of the following estimates provided by agencies.

Treasury / Housing & Works (Commercial Property Branch)

- notional management fee

72 131

Department of Land Information

- services for valuation services, land registration and information

147 41

Department of Treasury and Finance

- provision of integrated procurement services

231 253

Department of Corrective Services

- provision of court security & custodial contracts

15,101 7,314

15,551 7,739

(1) Service appropriations are accrual amounts reflecting the full price cost of services delivered. The appropriation revenue comprises a cash component and a receivable (asset). The receivable (holding account) comprises the depreciation expense for the year and any agreed increase in leave liability during the year.

(2) The assumption of the superannuation liability by the Treasurer is only a notional revenue to offset the notional superannuation expense reported in respect of current employees who are members of the pension scheme and current employees who have a transfer benefit entitlement under the Gold State Superannuation scheme.

(3) Where assets or services have been received free of charge or for nominal consideration, the Department recognises revenues equivalent to the fair value of the assets and/or the fair value of those services that can be reliably determined and which would have been purchased if not donated, and those fair values shall be recognised as assets or expenses, as applicable.

## Notes to the Financial Statements

For the year ended 30 June 2007

### 19. Restricted cash and cash equivalents

**Non-current**

Accrued salaries suspense account

Amount held in the salaries suspense account is to be used only for the purpose of meeting the 27th pay in a financial year that occurs every 11 years.

### 20. Receivables

**Current**

Trade debtors

GST receivable

Prepayments

The Department does not have any significant exposure to any individual customer or counterparty.

### 21. Amounts receivable for services

**Current**

**Non-current**

This asset represents the non-cash component of service appropriations. It is restricted in that it can only be used for asset replacement or payment of leave liability.

	2007 \$000	2006 \$000
	830	416
	830	416
	6,231	3,327
	1,556	1,773
	236	219
	8,023	5,319
	7,263	7,966
	30,503	26,216
	37,766	34,182

## Notes to the Financial Statements

For the year ended 30 June 2007

### 22. Property, plant, equipment

#### Land

At fair value <sup>(1)</sup>

#### Buildings

At fair value <sup>(1)</sup>

#### Leased buildings

At cost

Accumulated depreciation

#### Leasehold improvements

At cost

Accumulated depreciation

#### Plant and equipment

At cost

Accumulated depreciation

#### Work in progress

Buildings

IT systems

Total property, plant and equipment

	2007 \$000	2006 \$000
	68,337	49,447
	68,337	49,447
	173,797	150,683
	173,797	150,683
	10,739	10,739
	(1,297)	(1,082)
	9,442	9,657
	10,534	8,279
	(7,119)	(6,351)
	3,415	1,928
	14,496	12,831
	(9,525)	(8,637)
	4,971	4,194
	30,516	25,772
	9,782	8,799
	40,298	34,571
	300,260	250,480

(1) The revaluation of land and buildings was performed during the year ended 30 June 2007 in accordance with an independent valuation by Landgate. Fair value has been determined by reference to the cost of replacing the remaining future economic benefits embodied in the asset, ie depreciated replacement cost. In accordance with AASB 116.35 (b), accumulated depreciation has been netted off against the gross carrying amount of the asset and the net amount restated to the revalued amount of the asset. The 2005/06 comparatives have been restated to reflect this change in accounting treatment.

## Notes to the Financial Statements

For the year ended 30 June 2007

### 22. Property, plant, equipment *continued*

#### Reconciliations

Reconciliations of the carrying amounts of property, plant, equipment and vehicles at the beginning and end of the current and previous financial year are set out below.

#### Land

Carrying amount at beginning of year  
 Additions  
 Disposals  
 Distribution to owner  
 Revaluation increments  
 Carrying amount at end of year

2007 \$000	2006 \$000
49,447	97,831
-	6,668
-	(300)
-	(56,278)
18,890	1,526
68,337	49,447

#### Buildings

Carrying amount at beginning of year  
 Additions  
 Disposals  
 Distribution to owner  
 Revaluation increments  
 Depreciation  
 Carrying amount at end of year

150,683	570,380
3,572	9,944
(1,846)	(161)
-	(438,855)
24,776	21,666
(3,388)	(12,291)
173,797	150,683

#### Leased buildings

Carrying amount at beginning of year  
 Additions  
 Depreciation  
 Carrying amount at end of year

9,657	9,872
-	-
(215)	(215)
9,442	9,657

#### Leasehold improvements

Carrying amount at beginning of year  
 Additions  
 Distribution to owner  
 Depreciation  
 Carrying amount at end of year

1,928	4,511
2,255	336
-	(2,094)
(768)	(825)
3,415	1,928

## Notes to the Financial Statements

For the year ended 30 June 2007

### 22. Property, plant, equipment *continued*

#### Reconciliations *continued*

##### Plant, equipment and vehicles

Carrying amount at beginning of year  
 Additions  
 Disposals  
 Distribution to owner  
 Depreciation  
 Carrying amount at end of year

2007 \$000	2006 \$000
---------------	---------------

4,194	9,818
2,072	1,405
(62)	(207)
-	(5,082)
(1,233)	(1,740)
4,971	4,194

##### Work in progress

Carrying amount at beginning of year  
 Additions  
 Distribution to owner  
 Transfers to non-current assets  
 Carrying amount at end of year

34,571	34,871
13,792	26,074
-	(14,579)
(8,065)	(11,795)
40,298	34,571

### 23. Intangible assets

#### Computer software

At cost  
 Accumulated amortisation

27,084	23,001
(21,297)	(19,119)
5,787	3,882

#### Reconciliations

Reconciliations of the carrying amounts of intangible assets at the beginning and end of the current and previous financial year are set out below.

##### IT systems

Carrying amount at beginning of year  
 Additions  
 Disposals  
 Distribution to owner  
 Amortisation  
 Carrying amount at end of year

3,882	7,689
4,083	-
-	-
-	(198)
(2,178)	(3,609)
5,787	3,882

## Notes to the Financial Statements

For the year ended 30 June 2007

### 24. Payables

#### Current

Trade and other creditors

2007 \$000	2006 \$000
9,174	4,329

### 25. Other borrowings

#### Finance lease liabilities

Current

234 211

Non current

12,364 12,598

12,598 12,809

Lease liabilities are effectively secured as the rights to the leased assets revert to the lessor in the event of default.

### 26. Provisions

#### Current

##### Employee benefits provision

Annual leave

8,379 8,096

Long service leave

16,590 17,307

Superannuation

2,219 2,302

27,188 27,705

##### Other provisions

Employee on-costs

Carrying amount at start of year

348 -

Additional provisions recognised

143 348

Carrying amount at end of year

491 348

27,679 28,053

#### Non-current

##### Employee benefits provision

Long service leave

9,089 9,484

Superannuation

978 1,020

10,067 10,504

##### Other provisions

Employee on-costs

Carrying amount at start of year

191 -

Additional provisions recognised

(9) 191

Carrying amount at end of year

182 191

10,249 10,695

## Notes to the Financial Statements

For the year ended 30 June 2007

### 26. Provisions *continued*

Annual leave liabilities have been classified as current as there is no unconditional right to defer settlement for at least 12 months after balance sheet date. Assessments indicate that actual settlement of the liabilities will occur as follows:

Within 12 months of balance sheet date  
More than 12 months after balance sheet date

Long service leave liabilities have been classified as current as there is no unconditional right to defer settlement for at least 12 months after balance sheet date. Assessments indicate that actual settlement of the liabilities will occur as follows:

Within 12 months of balance sheet date  
More than 12 months after balance sheet date

### 27. Other current liabilities

#### Current

Accrued salaries and wages  
Accrued interest  
Revenue received in advance

	2007 \$000	2006 \$000
	8,379	
	-	
	8,379	
	4,176	
	21,503	
	25,679	
	489	1,620
	105	107
	121	-
	715	1,727

The last pay day of the 2006/07 financial year was on 28 June 2007. A salary accrual of one working day was required to be taken up.

Accrued salaries and wages are settled within a few days of the financial year end. The carrying amount is equivalent to the net fair value.

## Notes to the Financial Statements

For the year ended 30 June 2007

### 28. Equity

Equity represents the residual interest in the net assets of the Department. The Government holds the equity interest in the Department on behalf of the community. The asset revaluation reserve represents that portion of equity from the revaluation of non-current assets.

#### Contributed equity

Opening balance	-	37,875
Capital contributions	8,437	26,101
Distributions to owner - Department of Justice split	-	(516,745)
Distributions to owner - Other	-	(461)
Transfer to accumulated surplus/(deficiency)	-	453,230
Closing balance	8,437	-

Distributions to owner also represents non reciprocal transfers of land assets to other Government Agencies.

#### Reserves

##### Asset revaluation reserve

###### Land

Opening balance	41,416	94,796
Transfer to accumulated surplus/(deficiency)	-	(54,906)
Net revaluation increment	18,889	1,526
Closing balance	60,305	41,416

###### Buildings

Opening balance	147,675	467,626
Transfer to accumulated surplus/(deficiency)	-	(341,617)
Net revaluation increment	24,775	21,666
Closing balance	172,450	147,675
Total asset revaluation reserve	232,755	189,091

The asset revaluation reserve is used to record increments and decrements on the revaluation of non-current assets, as described in accounting policy note 3 (j).

##### Accumulated surplus/(deficiency)

Opening balance	57,653	101,602
Transfer from contributed equity	-	(453,230)
Transfer from asset revaluation reserve	-	396,523
Operating (deficit) / surplus	2,010	12,758
Closing balance	59,663	57,653
Total equity	300,855	246,744

## Notes to the Financial Statements

For the year ended 30 June 2007

### 29. Notes to the cash flow statement

(a) Reconciliation of cash

Cash at the end of the financial year as shown in the cash flow statement is reconciled to the related items in the balance sheet as follows:

Cash and cash equivalents - operating account

Cash and cash equivalents - permanent and temporary advances

Restricted cash and cash equivalents (note 19)

(b) Non-cash financing and investing activities

During the financial year there were no assets/liabilities transferred/assumed to/from other Government agencies not reflected in the Cash Flow Statement.

From 1 July 2000 the Government Employees Superannuation Board (GESB) assumed responsibility for the administration of the Judges' Pension Scheme. Under the new arrangement, GESB initially incur the cost of the pensions and then recoup the amount from the Consolidated Fund (Treasury). The liability transferred to Treasury is not reflected in the cash flow statement.

(c) Reconciliation of net cost of services to net cash flows used in operating activities

Net cost of services (income statement)

Non-cash items:

Depreciation and amortisation expense

Superannuation and judges pensions expense

Resources received free of charge

Written down value of property, plant and equipment disposals

Distribution to owner

(Increase)/decrease in assets:

Receivables

Other current assets

	2007 \$000	2006 \$000
	8,342	9,693
	262	385
	8,604	10,078
	830	416
	9,434	10,494
	(285,371)	(463,672)
	7,782	18,680
	23,111	6,622
	15,551	7,739
	(1)	129
		(3,284)
	(2,903)	(59)
	(17)	1,917



## Notes to the Financial Statements

For the year ended 30 June 2007

### 31. Commitments for expenditure

#### (a) Capital expenditure commitments

Capital expenditure commitments, being contracted capital expenditure additional to the amounts reported in the financial statements, are payable as follows:

Within one year  
Later than one year and not later than five years

The capital commitments include amounts for:  
Land and buildings  
Other

#### CBD Courts project

The Department of the Attorney General is undertaking a significant capital works project involving the development of new, purpose built court buildings in the Perth CBD to be completed in 2007/08 and the upgrade of existing facilities in the Central Law Courts. The Department, in conjunction with the Department of Housing and Works, is exploring the option of procuring the new facility and related services, under a Public Private Partnership (PPP) arrangement in accordance with the State's Partnerships for Growth policy.

#### (b) Lease commitments

Commitments in relation to leases contracted for at the reporting date but not recognised as liabilities payable.

Within one year  
Later than one year and not later than five years  
Later than five years

Representing:  
Operating leases  
Finance leases

	2007 \$000	2006 \$000
	42,811	32,679
	125,343	129,682
	168,154	162,361
	120,822	115,960
	47,332	46,401
	168,154	162,361
	10,873	18,462
	35,515	57,626
	47,842	22,641
	94,230	98,729
	65,347	68,285
	28,883	30,444
	94,230	98,729



## Notes to the Financial Statements

For the year ended 30 June 2007

### 32. Contingent liabilities

In addition to the liabilities incorporated into the financial statements the Department has the following contingent liabilities.

(i) Litigations in progress

Claims against the Department of the Attorney General from the general public and offenders.

None of the claims are covered by an insurance policy and any claims settled will have to be met by the Department.

(ii) Disclosure regarding criminal injuries compensation.

Claims yet to be assessed

Under the Contaminated Sites Act 2003, The Department is required to report known and suspected contaminated sites to the Department of the Environment and Conservation (DEC). In accordance with the Act, DEC classifies these sites on the basis of the risk to human health, the environment and environmental values. Where sites are classified as contaminated, remediation is required. Where sites are possibly contaminated, investigation is required. The Department may have a liability in respect of investigation or remediation expenses.

The Department has no known or suspected contaminated sites that are required to be reported under the Contaminated Sites Act 2003.

2007 \$000	2006 \$000
483	50
9,273	9,184

## Notes to the Financial Statements

For the year ended 30 June 2007

### 33 Remuneration and retirement benefits of senior officers

The number of senior officers whose total of fees, salaries, superannuation and other benefits received, or due and receivable, for the financial year, falls within the following bands:

	2007	2006
20,001 - 30,000	1	
57,001 - 60,000	1	
100,001 - 110,000		1
110,001 - 120,000		1
120,001 - 130,000	2	1
140,001 - 150,000	1	1
150,001 - 160,000	2	1
160,001 - 170,000		1
180,001 - 190,000	1	
220,001 - 230,000		1
400,001 - 410,000	1	1
410,001 - 420,000	1	1
670,001 - 680,000		1*
	10	10

\*includes termination payment of \$452,000 and current year salary of replacement

The total remuneration of senior officers is \$1,792,000.

Senior officers are those who take part in the management of the organisation. Deemed to be Director General, Executive Directors and other Divisional Heads.

The superannuation included here represents the superannuation expense incurred by the Department in respect of senior officers.

No senior officers are members of the Superannuation and Family Benefits Act Scheme (Pension Scheme).

### 34 Related bodies

The Department had no related bodies during the financial year.

### 35 Affiliated bodies

The Department provided more than 50% of the total operational funds to the Legal Aid Commission of Western Australia during the 2007 financial year. The Commission is not subject to operational control by the Department and is therefore considered to be an affiliated body under the Financial Management Act.

## Notes to the Financial Statements

For the year ended 30 June 2007

### 36 Supplementary financial information

#### Write-offs

Revenue and debts to the State written off in accordance with Section 48 of the Financial Management Act.

Accountable Officer

Minister

Total losses and write offs

#### Losses through theft, defaults and other causes

Losses of public moneys and property through theft, default or otherwise not covered by insurance.

### 37 Remuneration of Auditor

Remuneration to the Auditor General for the financial year is as follows:

Auditing the financial statements and performance indicators

### 38 Financial instruments

#### (a) Cash flow interest rate risk

The Department is not exposed to interest rate risk because it has no borrowings other than a finance lease.

#### (b) Financial risk management

Financial instruments held by the Department are cash and cash equivalents, finance leases, receivables and payables. The Department has limited exposure to financial risks.

#### (c) Liquidity risk

The Department has appropriate procedures to manage cash flows including drawdowns of appropriations by monitoring forecast cash flows to ensure that sufficient funds are available to meet its commitments.

	2007 \$000	2006 \$000
Accountable Officer	10,234	12,584
Minister		
Total losses and write offs	10,234	12,584
Losses through theft, defaults and other causes	1	1
Auditing the financial statements and performance indicators	170	181

## Notes to the Financial Statements

For the year ended 30 June 2007

### 38 Financial instruments *continued*

#### (d) Interest rate risk exposure

The Department's exposure to interest rate risk, repricing maturities and the weighted average interest rates on financial instruments at balance date are as follows:

	Weighted average interest rate	Floating interest rate	Fixed interest rate maturities			Non interest bearing	Total
			1 year or less	2 to 5 years	Over 5 years		
2007	%	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
<b>Financial assets</b>							
Cash and cash equivalent assets						8,604	8,604
Restricted cash and cash equivalent assets						830	830
Receivables						8,023	8,023
Amounts receivable for services						37,766	37,766
Total financial assets		-	-	-	-	55,223	55,223
<b>Financial liabilities</b>							
Payables						9,174	9,174
Finance lease liabilities	10.6		234	1,226	11,138		12,598
Total financial liabilities		-	234	1,226	11,138	9,174	21,772
Net financial asset/(liabilities)		-	(234)	(1,226)	(11,138)	46,049	33,451
<b>2006</b>							
<b>Financial assets</b>							
Cash and cash equivalent assets						10,078	10,078
Restricted cash and cash equivalent assets						416	416
Receivables						5,319	5,319
Amounts receivable for services						34,182	34,182
Total financial assets		-	-	-	-	49,995	49,995
<b>Financial liabilities</b>							
Payables						4,329	4,329
Finance lease liabilities	10.6		211	1,104	11,494		12,809
Total financial liabilities		-	211	1,104	11,494	4,329	17,138
Net financial asset/(liabilities)		-	(211)	(1,104)	(11,494)	45,666	32,857



## Notes to the Financial Statements

For the year ended 30 June 2007

### 40 Administered assets and liabilities

#### Current assets

Administered assets are not controlled by the Department but are administered by it on behalf of the Government.

Cash and restricted cash assets

- Suitors Fund
- Departmental receipts in suspense
- Family Court
- Judicial fines and penalties
- DPP Criminal Property Confiscations

Receivables

- Magistrates Court - fines and costs
- Supreme and District Court fines and forfeitures
- Fines Enforcement Registry
- Children's Court
- DPP Criminal Property Confiscations

Less: provision for doubtful debts

- Unrecoverable fees and fines - note 2 (c)

Total administered current assets

#### Current liabilities

- Payables
- Amounts due to the Treasurer (Appeals Cost Board)

Net administered assets

	2007 \$000	2006 \$000
	25	4
	886	846
	45	(3,026)
	(1)	1,580
	4,530	2,214
	5,485	1,618
	12,413	10,392
	-	3,071
	110,618	82,212
	316	238
	-	67
	123,347	95,980
	(61,330)	(46,146)
	62,017	49,834
	67,502	51,452
	2	3
	1,100	1,000
	1,102	1,003
	66,400	50,449

The assets and liabilities of the Criminal Property Confiscations account, previously reported in the Director of Public Prosecution (DPP) annual report, is now reported as Department of the Attorney General administered assets and liabilities, in accordance with the administrative responsibility for the Criminal Property Confiscations Act 2000.

The negative Family Court cash balance of \$3,026,000 in 2005/06 represents a transfer of funding from Administered to Controlled, equivalent to the June 2006 quarter Commonwealth Grant for the Family Court which was not received until July 2006.

## Notes to the Financial Statements

For the year ended 30 June 2007

### 41 Explanatory statement

The Summary of Consolidated Fund Appropriations and Revenue Estimates discloses appropriations and other statutes expenditure estimates, the actual expenditure and revenue estimates and payments into the Consolidated Fund on an accrual basis.

The following explanations are provided in accordance with Treasurer's Instruction 945. Significant variations are considered to be those greater than 5% and \$300,000.

Due to the Department of Justice split on 1 February 2006, an explanation on variations for Actual 2007 to 2006 has not been provided.

<b>A Details of authorisation to expend in advance of appropriation</b>	<b>\$'000</b>
To meet initiatives approved during the financial year and other unavoidable costs, supplementary appropriation requests were approved.	
Delivery of services	6,528
Capital contribution	(7,051)
	523
<b>Delivery of services appropriation limits were increased for:</b>	
Re-instatement of OSS savings due to delay in OSS implementation	5,130
2006 CSA related wages outcome	1,833
Commissioner for Children and Young People - transfer from DCD	1,500
Act of grace payments – unbudgeted payments for the year	1,439
Defendant's costs - Supplementary Funding	1,100
Legal Aid - expensive cases funding	877
SAT - a review of the baseline funding requirements for SAT over the forward estimate period has been undertaken. The review indicated a consistent underlying funding shortfall of around \$1 million.	583
Coroners Court – additional funding	400
Legal Aid - additional grant cost escalation for CSA wage outcome impact	363
Legal Aid – additional funding to support the implementation of the Children and Community Services Act	250
Salaries & Allowances Act - 4.4% determination	206
Legal Aid – finance brokers – funding to advance remaining 6 actions	200
Interim ex-gratia payment - Andrew Mallard	200
Accommodation and lease ratchets (AXA and PTO)	177
Public Trust Office MATE licencing - cost escalation associated with revised contract	177
Legal Aid - escalation of the State grant to Legal Aid for community legal centres	91
SAT Determination - special acts salaries	16
Legal Aid - annual grant cost escalation	5
Special Act - end of year adjustment	1,906

## Notes to the Financial Statements

For the year ended 30 June 2007

### 41 Explanatory statement *continued* \$'000

**These increases were offset by:**

2007/08 approved capital program	(1,704)
Department of Corrective Services S25 transfer	(6,067)
Commissioner for Children and Young People – S25 transfer from DCD relating to unspent funds.	(1,300)
Depreciation 2007/08 - revised estimates	(507)
Mahoney funding unspent. Forecast underspend \$1.095 million. Agreed transfer of \$800,000 Human Rights Consultative Committee.	(295)
Criminal screening - Working with children - return funding	(52)

**Increase in net amount appropriated to deliver outputs**

6,528

### B Significant variations between actual expenditure and budget estimates for 2006/07 \$'000

**RECURRENT**

<b>Service 1 - Judiciary and Judicial Support</b>	<b>Excess</b>	<b>8,548</b>
Increase in expenditure is mainly due to actuarial assessment of judicial pensions, criminal injuries grants and defendants costs.		
<b>Service 2 - Civil Justice Services</b>	<b>Excess</b>	<b>2,201</b>
Increase in expenditure is mainly due to additional expenditure for State Administrative Tribunal and additional Coroners Court expenditure.		
<b>Service 3 - Family Court Services</b>	<b>Excess</b>	<b>1,129</b>
Increase in expenditure is mainly due to additional expenditure for building repairs and maintenance and computing services. In addition to the Commonwealth Government not escalating the Family Court of Western Australia's (FCWA) annual grant sufficiently to meet Judicial and Public Servant pay rises, the FCWA exceeded its salary and wages budget in 2006/07.		
<b>Service 7 - Trustee Services</b>	<b>Excess</b>	<b>946</b>
Increase in expenditure is mainly due to additional demand for estate and trust management services. This was partly offset by additional revenue.		
<b>Service 8 - Births, Deaths and Marriages</b>	<b>Saving</b>	<b>1,642</b>
Decrease in expenditure is mainly due to reduce spending on WARS project.		

## Notes to the Financial Statements

For the year ended 30 June 2007

### 41 Explanatory statement *continued*

\$'000

#### Service 9 - Services to Government

**Excess 22,090**

Increase in expenditure is mainly due to the original budget for this service not including the full amount for services provided to the Department of Corrective Services. This was due to the accounting treatment at the time, an increase in ex-gratia payments, and the budgeted figure not including the return of Office of Shared Services savings to the Corporate area of the Department of the Attorney General.

#### Service 10 - Legal Aid Assistance

**Excess 1,786**

Increase in expenditure is mainly due to additional expenditure for expensive cases and implementation of the Children and Community Services Act.

#### Retained revenue

**Excess 3,976**

A variety of reasons account for the additional revenue in 2006/07. These include:

- PTO Estate fees up 11% on budget.
- Births, Death and Marriages fees up 15% on budget.
- Fine Enforcement fees up 29% on budget.
- Residential recoveries up 81% on budget.
- Legal costs recoups up 105% on budget.

#### Adjustments

**Excess 23,498**

Adjustments exceeded budget mainly due to an increase in the liabilities assumed by the Treasurer of \$10.6m and Resources Free of Charge \$15.3m due to the net figure (not the gross figure) being included in the original budget. Movements in cash balances make up the remainder.

#### Capital

**Saving 8,726**

The 2006/07 Capital Works Program budget of \$32.7m was to be financed from:

Appropriation for services	8,998
Drawdowns from holding account	7,966
Capital contribution	15,488
Internal funds and balances	227
	<b>32,679</b>

Total payments in 2006/07 by the Department of the Attorney General were \$24 million (2005/06 \$37.8 million). These were financed from:

Appropriation for services	4,853
Drawdowns from the holding account	10,663
Capital contribution	8,437
	<b>23,953</b>

## Notes to the Financial Statements

For the year ended 30 June 2007

		\$'000	% Variance from original budget
<b>41 Explanatory statement</b> <i>continued</i>			
Details of significant variances in capital expenditure from budget were as follows			
<b>Building infrastructure/maintenance</b>	<b>Saving</b>	<b>6,447</b>	<b>85%</b>
An estimated \$1.0M to be carried forward due to delays in a variety of minor works. All work has been committed to but cannot be invoiced and costed to the GL until it is completed, which is it expected to occur in early 2007-08. The other \$5.5m saving was a section 25 transfer to the Department of Corrective Services.			
<b>Kalgoorlie Court upgrade</b>	<b>Saving</b>	<b>1,763</b>	<b>98%</b>
Project delayed due to need to address community requirements and subsequent budgeting issues.			
<b>CBD courts construction</b>	<b>Saving</b>	<b>1,270</b>	<b>87%</b>
This project was revised during the mid year review and scaled down.			
<b>Court and judicial security</b>	<b>Saving</b>	<b>1,071</b>	<b>82%</b>
The components of the IWDC project that have not been completed and paid for during 2006/07 include the Key Safe Equipment Contract, Supreme Court Weapons Detection Checkpoints, Self Contained Vehicle Mounted Checkpoints and Smart CCTV projects. It is envisaged that the majority of these projects will be finalised and paid for during 2007/08.			
<b>Prisoners Review Board</b>	<b>Saving</b>	<b>964</b>	<b>66%</b>
Expenditure for the fit-out is expected to be around \$1M under the original budget estimate. This was because the Department was able to source a site that was already fit for purpose and only required minor fit-out modifications. This saving is expected to be rolled over into 2007-08 and added to the IT systems original budget of \$1M for the PRB.			
<b>CBD office accommodation</b>	<b>Saving</b>	<b>892</b>	<b>34%</b>
Project is nearly completed but will need to be carried over into 2007/08. The other saving was a section 25 transfer to the Department of Corrective Services.			
<b>Legislative drafting &amp; database system (Parliamentary Counsel's Office)</b>	<b>Saving</b>	<b>872</b>	<b>87%</b>
The current project schedule will result in a change of expenditure pattern which will result in shifting back some budget to 2007/08.			

## Notes to the Financial Statements

For the year ended 30 June 2007

		\$'000	% Variance from original budget
<b>41 Explanatory statement</b> <i>continued</i>			
<b>Central Law Courts refurbishment</b>	<b>Excess</b>	<b>2,079</b>	<b>108%</b>
<p>This project was increased in scope in the mid year review for the following reasons: Separable portion 1 of this contract (exterior &amp; lifts upgrade) is now complete. Some design components of separable portion 2 have been moved forward into this first phase. Separable portion 2 (internal areas refurbishment) doesn't start until near to the commencement date for the new District Court Building, when current CLC district court personnel move premises. Some re-programming of the design and construct work has resulted in a change to the cashflow requirement. Carry over of funds must occur to accommodate the contract value which has not changed.</p>			
<b>Integrated Court Management System</b>	<b>Excess</b>	<b>1,063</b>	<b>64%</b>
<p>Additional funding was granted for extra work in the mid year review.</p>			
<b>ICT infrastructure upgrade</b>	<b>Excess</b>	<b>926</b>	<b>13%</b>
<p>To be offset against 2007/08 budget</p>			
<b>CBD courts complex - planning and management</b>	<b>Excess</b>	<b>878</b>	<b>71%</b>
<p>To be offset against 2007/08 budget.</p>			
<b>Courts audiovisual maintenance and enhancements</b>	<b>Excess</b>	<b>683</b>	<b>100%</b>
<p>This project was increased in scope in the mid year review and following delays in the award of the tender the current project schedule will result in change of expenditure pattern with shift back of some budget to 2007/08.</p>			
<b>ADMINISTERED REVENUES</b>	<b>Excess</b>	<b>34,013</b>	
<p>Judicial fines and penalties - over budget revenue reflects the current performance levels in fines enforcement.</p> <p>Revenue from other agencies - under budget revenue reflects level of fines forwarded to FER from other agencies.</p> <p>Criminal Property Confiscations - under budget revenue reflects DPP performance in property confiscations.</p>			
<p><b>Significant variations between actual services for the financial year and services for the immediately preceding financial year.</b></p> <p>Due to the split of the Department of Justice into the Department of the Attorney General and the Department of Corrective Services on 1 February 2006, no explanation on variations has been provided.</p>			

## Notes to the Financial Statements

For the year ended 30 June 2007

### 42. Trust and Treasurer's Advance Accounts

Account	2006-07				Opening Balance \$000	2005-06			Closing Balance \$000
	Opening Balance \$000	Receipts \$000	Payments \$000	Closing Balance \$000		Opening Balance \$000	Receipts \$000	Payments \$000	
1. Civil Court Judgment - Government Account	100	1,646	1,635	111	113	1,342	1,355	100	
2. Land Acquisition Account	3,052	177,279	176,252	4,079	3,204	81,221	81,373	3,052	
3. Suitor's Fund Account	4	88	67	25	13	9	18	4	
4. Clerk of Courts Trust Account	7,173	37,016	37,656	6,533	2,776	37,470	33,073	7,173	
5. Departmental Receipts in Suspense*	846	64,418	64,406	858	997	66,038	66,189	846	
6. Sheriff's and District Court Bailiff's Trust Account*	56	1,764	1,373	447	102	1,804	1,850	56	
7. Civil Action - Supreme and District Courts Account	-	-	-	-	6,256	1,386	7,642	-	
8. Companies Liquidation Account	732	-	-	732	732	-	-	732	
9. Department of Justice - Settlement Payments Account	2	-	-	2	2	-	-	2	
10. Family Court - Commonwealth Advance Account	45	9,439	9,439	45	45	12,308	12,308	45	
11. Appeal Costs Board - Treasurer's Advance Account*	1,000	100	-	1,100	1,000	-	-	1,000	
12. DPP Criminal Property Confiscations Account	2,214	4,959	2,643	4,530	-	-	-	-	

Departmental receipts in suspense balances are included in the Department's controlled cash and cash equivalents balance.

The assets and liabilities of the Criminal Property Confiscations account, previously reported in the Director of Public Prosecution (DPP) annual report, is now reported as Department of the Attorney General administered assets and liabilities, in accordance with the administrative responsibility for the Criminal Property Confiscations Act 2000.

## Notes to the Financial Statements

For the year ended 30 June 2007

### 1 Civil Court Judgments - Government Account

To hold moneys arising from Civil Court Judgments made in favour of Government departments and authorities.

### 2 Land Acquisition Account

To hold moneys for and on behalf of Government departments and authorities pending settlement of land acquisition.

### 3 Suitor's Fund Account

To Hold Funds, in Accordance with section 4 of the Suitors' Fund Act (The Act), to meet the liability for costs of certain litigation and for incidental and other purposes pursuant to the Act.

### 4 Clerk of Courts Trust Account

To hold moneys, collected in the course of court activities at courts of petty sessions and local courts throughout the State, for the disbursement to other parties.

### 5 Departmental Receipts in Suspense

To hold funds pending identification of the purpose for which those monies were received pursuant to section 9 (2) (c) (iv) of the Financial Administration and Audit Act.

### 6 Sheriff and District Court Bailiff's Trust Account

To hold monies collected or realised from the Execution by the Sheriff, Supreme Court or Bailiff District Court of Writs of fieri facias against Judgment Debtors in Civil Actions in the Supreme or District Courts of Western Australia.

### 7 Civil Action - Supreme and District Courts Account

To hold monies paid into the Supreme and District Courts in civil actions as ordered by the Supreme Court of Western Australia or District Court.

### 8 Companies Liquidation Account

To hold funds received by the Director General, Department of Justice from the Commissioner for Corporate Affairs pending payment pursuant to section 427 of the Companies (Western Australia) Code.

### 9 Department of Justice - Settlement Payments Account

To hold monies received by the Department of Justice and Small Claims Tribunal as a consequence of actions to resolve disputes.

### 10 Family Court - Commonwealth Advance Account

To hold funds received from the commonwealth for the Establishment and Administration of the family court of Western Australia, in accordance with an agreement pursuant to section 41 (1) of the Family Law Act, pending transfer to the consolidated Revenue Fund.

### 11 Appeal Costs Board - Treasurer's Advance Account

A maximum expenditure advance of \$1,000,000 was approved by the Treasurer to provide a temporary advance for funding of the Suitor's Fund Act. The expenditures are subject to reimbursement from the consolidated fund via the Suitor's Fund Account.

### 12 DPP Criminal Property Confiscations Account

The operations of the Criminal Property Confiscations account, previously reported in the Director of Public Prosecution (DPP) annual report, are now reported in Department of the Attorney General annual report, in accordance with the administrative responsibility for the Criminal Property Confiscations Act 2000. The purpose of this account is to hold moneys and proceeds of property recovered or confiscated by the State in accordance with the Criminal Property Confiscations Act 2000, and to distribute such moneys in accordance with the Act.

## Notes to the Financial Statements

For the year ended 30 June 2007

### 43 Commonwealth Grant - Christmas and Cocos Island

**Opening Balance**

**Income**

Commonwealth reimbursements

Court fees

Total receipts

**Expenses**

Operating costs

Additional services for prisoner costs

Total payments

**Closing Balance**

	2007 \$000	2006 \$000
<b>Opening Balance</b>	<b>101,663</b>	<b>157,536</b>
<b>Income</b>		
Commonwealth reimbursements	140,337	140,000
Court fees	440	2,781
Total receipts	140,777	142,781
<b>Expenses</b>		
Operating costs	220,049	198,654
Additional services for prisoner costs		
Total payments	220,049	198,654
<b>Closing Balance</b>	<b>22,391</b>	<b>101,663</b>

Operating costs are based on both actuals plus identified estimated services provided as agreed in the Standard Delivery Service Agreement signed by the Commonwealth and the State.

Note: 2005/06 Operating expenses include \$47,014 that was incurred by the Department of Corrective Services.

## Key Performance Indicators

### **Certification of Performance Indicators for the Year Ending 30 June 2007**

I hereby certify that the performance indicators are based on proper records, are relevant and appropriate for assisting users to assess the Department of the Attorney General's performance, and fairly represent the performance of the Department of the Attorney General for the financial year ended 30 June 2007.



Cheryl Gwilliam  
DIRECTOR GENERAL  
13 September 2007

## Performance Management Framework

### Our Purpose

To provide high quality and accessible justice, legal, registry, guardianship and trustee services that meet the needs of the community and Government.

### Our Outcome Statement

The right to justice and safety for all people in Western Australia is preserved and enhanced.

### Our Vision

We are valued as leaders in developing and delivering justice services, policy and reforms that are significant and sustainable.

### Funding Objectives

Funding for the year was received in accordance with the following outcomes and services.

### Relationships to Government Goals

Broad, high-level government goals are supported at agency level by more specific desired outcomes. Agencies deliver services to achieve these desired outcomes that ultimately contribute to meeting the higher level government strategic goals. The following table illustrates the relationship between the agency level desired outcomes and the most appropriate government goal.

Government Goal	DotAG-Desired Outcome	Services
Enhancing the quality of life and wellbeing of all people throughout Western Australia by providing high quality, accessible services.	The right to justice and safety for all people in Western Australia is preserved and enhanced.	<ol style="list-style-type: none"> <li>1. Judiciary and judicial support</li> <li>2. Civil justice services</li> <li>3. Family court services</li> <li>4. Adult criminal justice services</li> <li>5. Juvenile criminal justice services</li> <li>6. Advocacy, guardianship and administration services</li> <li>7. Trustee services</li> <li>8. Births, deaths and marriages</li> <li>9. Services to government</li> <li>10. Legal Aid assistance</li> </ol>

### Proposed Changes for the 2007/08 Reporting Period

#### Review of Department's Outcome Structure

The current set of key performance indicators (KPIs) and services is based on the Justice System Framework (JSF) endorsed by the Outcome Structure Review Group (OSRG) in March 2005. The JSF comprises 10 services for the Department of the Attorney General, five of which relate to Court and Tribunal Services (1. Judiciary and Judicial Support; 2. Civil Justice Services; 3. Family Court Services; 4. Adult Criminal Justice Services and 5. Juvenile Criminal Justice Services) and supported by 25 KPIs.

## Disclosures and Legal Compliance - Key Performance Indicators

A major review of the Court and Tribunal Services' outcome structure and KPIs was undertaken in February 2007 for the following reasons: split of the Department of Justice reduced the relevance of a complete 'justice system framework' (JSF) model; KPIs were not jurisdictionally based; irrelevance of some indicators and feedback from the Office of the Auditor General. This will be the last annual report utilising the JSF. From 2007/08, the existing five services related to Courts and Tribunals will be amalgamated into one service. This change to the agency outcome structure has been approved by the Outcome Structure Review Group in 2007.

Comparison between Service suites is offered in the table below.

Services reported in 2006/07 Annual Report		Services to be reported in 2007/08 Annual Report	
1.	Judiciary and judicial support	1.	Court and tribunal services
2.	Civil justice services	2.	Advocacy, guardianship and administration services
3.	Family court services	3.	Trustee services
4.	Adult criminal justice services	4.	Births, deaths and marriages services
5.	Juvenile criminal justice services	5.	Services to government
6.	Advocacy, guardianship and administration services	6.	Legal Aid assistance
7.	Trustee services		
8.	Births, deaths and marriages		
9.	Services to government		
10.	Legal Aid assistance		

## Court and Tribunal Services

Court and Tribunal Services play a crucial role in the department's goal to create a safe and orderly environment for the Western Australian community. Its role is to instil and maintain community trust and confidence in the court system – to provide access to justice, finalise disputes in an effective and efficient manner, and ensure equality, equity and integrity in the court system.

Courts, boards and tribunals (referred to collectively as courts) provide the community with a method to resolve disputes. Specifically, courts provide:

- a registry where disputes/cases are lodged and managed through to finalisation;
- a courtroom where cases are heard; and
- an independent judge and rules that ensure parties' rights are protected.

Additionally, once a dispute is resolved, courts also provide a method to enforce the court's decision.

Two distinct entities administer courts in Western Australia: the independent judicial officers who preside over the various courts; and the Court and Tribunal Services division that provides the courts with administrative services, support and infrastructure.

Court and Tribunal Services, in partnership with the judiciary, works to instil and maintain community trust and confidence in the court system. The following elements must exist for community trust and confidence in courts to be maintained:

- access to justice – the structure and machinery of courts must be accessible to the community;
- expedition and timeliness – disputes must be effectively and efficiently finalised; and
- equality, equity and integrity – due process must be followed and be consistent with established laws and procedures.

This suite of KPIs is related to a justice system framework which, for the Court and Tribunal Services division, comprises the key services of:

- Judiciary and Judicial Support;
- Civil Justice;
- Family Court;
- Adult Criminal Justice; and
- Juvenile Criminal Justice.

### Service 1: Judiciary and Judicial Support

#### Service Description

A key task of the justice system in serving the community is the adjudication of cases brought before the court or tribunal. This service relates to the salaries and allowances of judicial officers, and their support staff, totalling \$83,562,034 in 2006/07 (\$63,854,229 in 2005/06).

#### Indicator

The department has not produced a performance indicator for this service, as an exemption has been granted on the basis that the judiciary, by virtue of the doctrine of separation of powers, is independent of the executive arm of government.

## Service 2: Civil Justice Services

### Service Description

Civil Justice Services promote community confidence through the resolution of civil disputes through:

- the accessible, equitable and timely resolution of disputes; and
- a consistent process that provides parties with appropriate and enforceable remedies.

Civil Justice Services comprises the body of work encompassing the resolution of civil cases in the Supreme, District, Magistrates, Coroner’s, Liquor Licensing and Children’s Courts, and in the State Administrative Tribunal, Parole Board and the office of the Assessor of Criminal Injuries Compensation.

Note: The Liquor Licensing Court was abolished on 31 March 2007 and has been replaced by the Liquor Licensing Commission. The Liquor Licensing Court, however, will continue for the purpose of the disposal of incomplete matters. An assessment of the outstanding matters indicates that of the six matters outstanding, all but one are near completion.

### Effectiveness Indicators

#### Indicator 2.1: Clearance index

The clearance index for Civil Justice Services is a measure of the capacity of the various courts to effectively deal with as many matters as they receive. It is important because of its relevance to the capacity of courts to provide timely resolution of disputes.

Data is amalgamated over civil jurisdictions of the abovementioned courts.

The indicator is derived by dividing the number of finalisations in the reporting period by the number of lodgements in the same period (multiplied by 100 to convert to a percentage).

#### Indicator 2.2: Backlog of court cases – civil

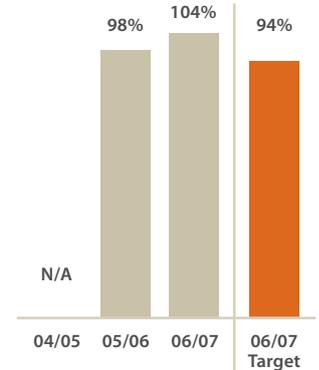
Each court has set a timeframe as a standard within which a matter should be completed. Backlog is a count of the number of cases still to be finalised at year end that have not been finalised within the relevant standard.

Backlog is a key indicator because it provides the community with an indication of the timeliness by which Civil Justice Services finalises matters.

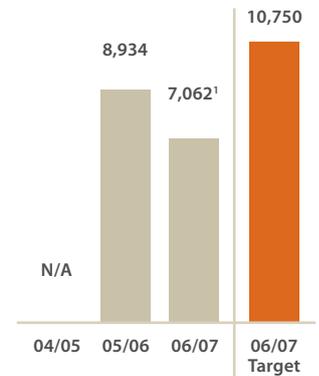
The Civil Justice Services backlog is calculated by totalling the number of cases in backlog for the above courts.

<sup>1</sup> The 2006/07 backlog is lower than the previous year and the 2006/07 target due to important reductions in backlog achieved by both the District Court and Magistrates Court. The reduction at the District Court was achieved by more active case management. The reduction at the Magistrates Court is due to a more comprehensive application of the twelve month deeming rule which causes a case to be considered finalised after twelve months of inactivity.

2.1 Clearance index



2.2 Backlog of court cases – civil



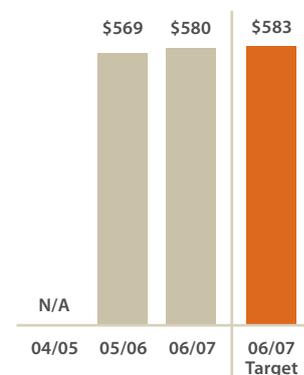
Efficiency Indicator

Indicator 2.3: Average cost per case finalised

This indicator measures cost efficiency by which all courts finalise civil cases.

It is derived by dividing total administrative expenditure in processing civil cases by the number of cases finalised.

2.3 Average cost per case finalised



Service 3: Family Court Services

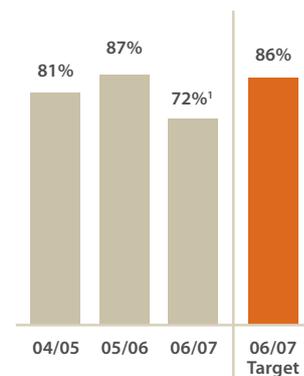
Service Description

Family Court Services promote community confidence through the resolution of family disputes by enabling:

- the accessible, equitable and timely resolution of all disputes; and
- a consistent process that provides parties with appropriate and enforceable remedies.

Unlike other jurisdictions, the Family Court is principally funded by the Commonwealth.

3.1 Clearance index



Effectiveness Indicators

Indicator 3.1: Clearance index

Clearance Index for the Family Court is a measure of the capacity to effectively deal with as many matters as it receives. It is important because of its relevance to the capacity of the court to provide timely resolution of disputes.

The indicator is derived by dividing the number of finalisations in the reporting period by the number of lodgements in the same period (multiplied by 100 to convert to a percentage).

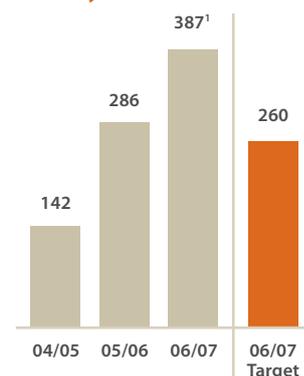
<sup>1</sup> The 2006/07 actual is lower than the 2005/06 actual and the 2006/07 target as the introduction of the new case management system is more focussed on finalising cases through mediation and has removed the capacity for parties to apply for interim applications, therefore decreasing the clearance index.

Indicator 3.2: Backlog of court cases

The Family Court has set a timeframe of 44 weeks as a standard within which a matter should be completed. Backlog is a count of the number of cases still to be finalised at year end that have not been finalised within the relevant standard. Backlog is a key indicator because it provides the community with an indication of the timeliness by which the Family Court finalises matters.

Family Court Services backlog is calculated by counting the number of cases not finalised at the end of the financial year that exceed the court’s time standard.

3.2 Backlog of court cases – Family Court



<sup>1</sup> The 2006/07 actual is higher than the 2005/06 actual and the 2006/07 target due to a reduction in the number of finalisations and the longer time to finalise matters. This is largely due to the reduced availability of judicial resources following the retirement of two judges and one judge not being replaced, which was a decision of the Commonwealth Government.

**Indicator 3.3: Cases finalised before trial**

This indicator measures the number of cases that are finalised before proceeding to trial and is an indicator of the capacity of the court to resolve matters by methods other than formal trial. It is derived by expressing the number of cases finalised prior to a trial proceeding as a percentage of all finalised matters.

**Efficiency Indicator**

**Indicator 3.4: Average cost per case finalised**

This indicator measures cost efficiency with which the Family Court finalises cases. It is derived by dividing total expenditure in processing Family Court cases by the number of cases finalised.

*1 Increased cost per case in 2006/07 over both the 2005/06 figure and the 2006/07 target is mainly due to the reduction in the number of cases finalised.*

**Service 4: Adult Criminal Justice Services**

**Service Description**

An adult criminal justice system that:

- contributes to community confidence;
- provides timely resolution of justice issues;
- ensures court sanctions are completed; and
- contributes to reducing the rate of re-offending and imprisonment.

Adult Criminal Justice Services comprises the body of work encompassing the resolution of criminal cases in the Supreme, District and Magistrates Courts.

**Effectiveness Indicators**

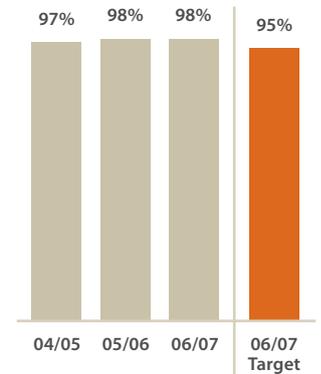
**Indicator 4.1: Clearance index**

Clearance Index for Adult Criminal Justice Service is a measure of the capacity of the various courts to effectively deal with as many matters as they receive. It is important because of its relevance to the capacity of courts to provide timely resolution of criminal matters.

Data is amalgamated over criminal jurisdictions of the abovementioned courts.

The indicator is derived by dividing the number of finalisations in the reporting period by the number of lodgements in the same period (multiplied by 100 to convert to a percentage).

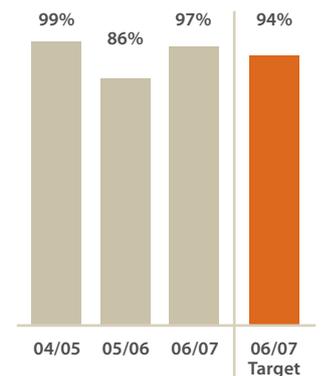
**3.3 Cases finalised before trial**



**3.4 Cost per case**



**4.1 Clearance index**



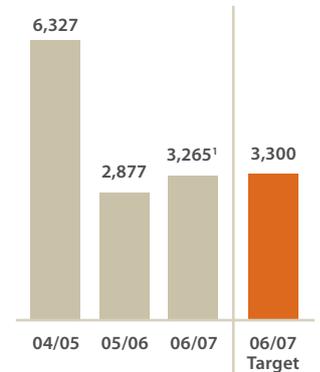
**Indicator 4.2: Backlog of court cases – adult criminal**

Each court has set a timeframe as a standard within which a matter should be completed. Backlog is a count of the number of cases still to be finalised at year end that have not been finalised within the relevant standard. Backlog is a key indicator because it provides the community with an indication of the timeliness by which Adult Criminal Justice Services finalise matters.

Adult Criminal Justice Services backlog is calculated by totalling the number of cases in backlog for the above courts.

*1 The backlog target for 2006/07 was set in anticipation of the impact on backlog of the significant increase in lodgements from 2004/05 and 2005/06. The backlog for 2006/07 reflects that impact.*

**4.2 Backlog of court cases – adult criminal**

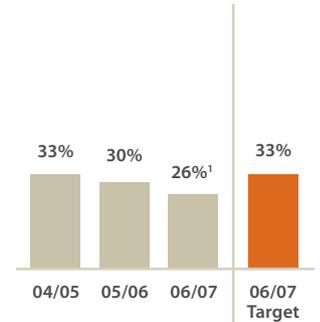


**Indicator 4.3: Percentage of fines and costs satisfied by Fines Enforcement Register (FER) within time standard**

This indicator measures the number of fines satisfied within 52 weeks of referral to FER as a proportion of all fines referred to FER. It is derived by expressing the number of fines satisfied within 52 weeks of referral as a percentage of the total number of fines referred to FER.

*1 The number of matters finalised by FER has remained relatively steady for the last three years. The drop in the proportion of matters finalised within the time standard in 2006/07 is the result of an increase in lodgements.*

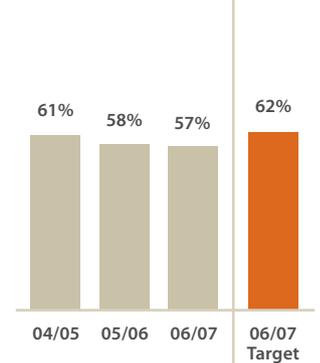
**4.3 Fines and costs satisfied by FER within time standard**



**Indicator 4.4: Percentage of infringements satisfied by FER within time standard**

This indicator measures the number of infringements satisfied within 52 weeks of referral to FER. It is derived by expressing the number of infringements satisfied within 52 weeks of referral as a percentage of the total number of infringements referred to FER.

**4.4 Infringements satisfied by FER within time standard**



**Indicator 4.5: Percentage of victims of crime responded to within 72 hours**

This indicator is a measure of response time. It is derived by calculating the date and time of first response minus date and time of referral.

**Efficiency Indicators**

**Indicator 4.6: Cost per case finalised**

This indicator measures cost efficiency by which all adult jurisdictions finalise criminal cases.

The indicator is derived by dividing total expenditure in processing criminal cases, by the number of cases finalised.

<sup>1</sup> Cost per case in 2006/07 is lower than that for both 2005/06 and the target for 2006/07 because of a significant increase in finalisations.

**Indicator 4.7: Average cost per order (Fines Enforcement Registry)**

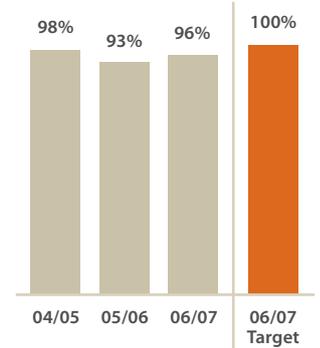
This indicator measures the average cost per order enforced. The indicator is derived by dividing total expenditure by the number of finalisations at FER.

**Indicator 4.8: Cost per case victim support matter**

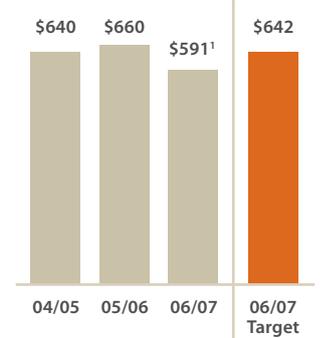
This indicator measures cost efficiency by which all victims are supported. It is derived by dividing expenditure on these services by the number of adult and juvenile referrals.

<sup>1</sup> The 2006/07 actual is lower than both the figures for 2005/06 and the 2006/07 target because the budget figure incorrectly included unrelated costs. These expenses have been removed which has significantly reduced the cost.

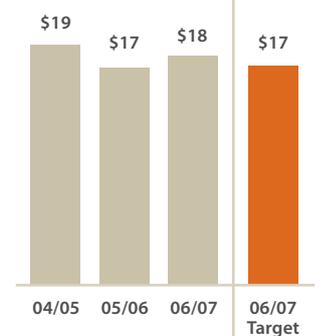
**4.5 Victims of crime responded to within 72 hours**



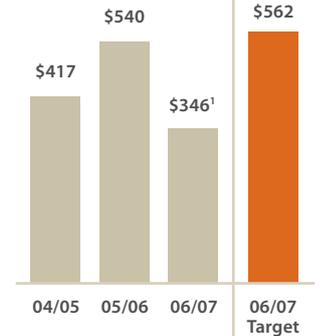
**4.6 Cost per case finalised**



**4.7 Average cost per order (FER)**



**4.8 Cost per case victim support**



## Service 5: Juvenile Criminal Justice Services

### Service Description

An accessible and equitable juvenile justice system which:

- diverts juveniles and offenders at risk from offending;
- provides timely intervention and resolution of justice issues;
- ensures the statutory requirements of justice are met; and
- contributes to reducing the rate of re-offending and detention.

### Effectiveness Indicators

#### Indicator 5.1: Clearance index

Clearance Index is a measure of the capacity of the Children’s Court to effectively deal with as many matters as it receives. It is important because of its relevance to the capacity of courts to provide timely resolution of criminal matters.

The indicator is derived by expressing the number of finalisations in the reporting period as a percentage of the number of lodgements in the same period.

#### Indicator 5.2: Backlog of court cases – Children’s Court

The Children’s Court has set a timeframe as a standard within which a matter should be completed. Backlog is a count of the number of cases still to be finalised at year end that have not been finalised within that standard.

Backlog is a key indicator because it provides the community with an indication of the timeliness by which Juvenile Criminal Justice Services finalise matters.

<sup>1</sup> The target for 2006/07 was set in anticipation of the Director of Public Prosecutions taking over criminal prosecutions and brief management for indictable offences. Backlog has reduced from 2005/06, but not to the extent anticipated due to a longer than anticipated lag period.

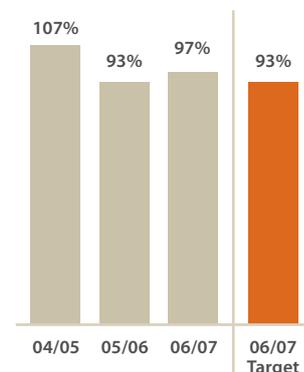
### Efficiency Indicators

#### Indicator 5.3: Cost per case finalised – Children’s Court

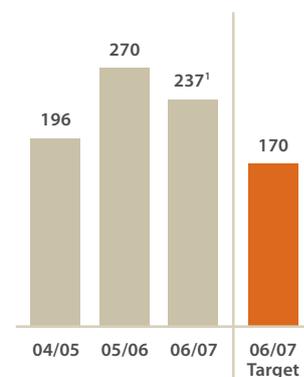
This indicator measures cost efficiency with which Children’s Court finalises criminal cases. It is derived by dividing total expenditure in processing Children’s Court criminal cases, by the number of cases finalised.

<sup>1</sup> Reduced cost per case due to significantly increased number of finalisations.

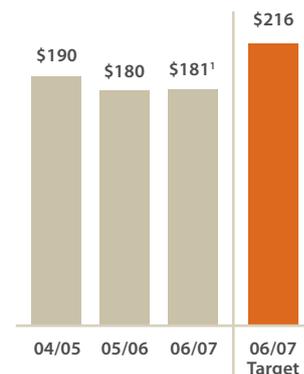
5.1 Clearance index



5.2 Backlog of court cases – Children’s Court



5.3 Cost per case finalised – Children’s Court



## Office of the Public Advocate

In any society, the ability of a community to care for those who are unable to care for themselves is a measure of its maturity. In Western Australia, the maintenance of a safe and orderly community requires that the State safeguards the rights of adults with reduced decision-making abilities, and reduces the incidence of risk, neglect and exploitation. The Public Advocate represents and advances the best interests of people with decision-making disabilities, both at hearings for the appointment of a guardian and in the community.

The current KPIs were established in 2005/06.

### Service 6: Advocacy, Guardianship and Administration Services

#### Output Description

To advocate for the best interests of people with decision-making disabilities, both at hearings of the State Administrative Tribunal (SAT) — to decide the need for a guardian and/or administrator, and in the community — to investigate complaints of allegations of abuse, exploitation or neglect; and to act as guardian when appointed by the SAT.

The Office of the Public Advocate (OPA) conducted a review of its core business system — OPA Statistical Collection Access System (OSCAS) — in March 2004. Business rules were reviewed and established for all performance indicators. In late 2006 investigation commenced into the use of the Department of Attorney General Data Warehouse system as a means of producing KPI related and other management reports using data sourced from the OSCAS database. This is continuing. Business modeling of a new Case Management system concluded in March 2007. It is intended for tenders to be called for development of new Case Management System for implementation in 2008.

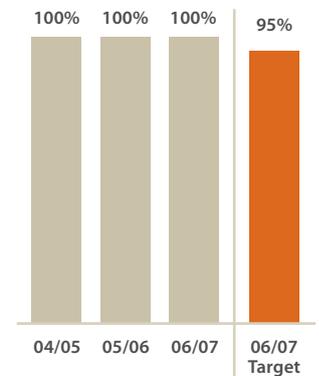
#### Effectiveness Indicators

##### Indicator 6.1: Proportion of customers provided with advocacy relative to the number of referrals

This indicator measures the number of matters allocated for advocacy as a percentage of the total referrals, including community referrals. It measures the ability to provide advocacy to clients identified as requiring advocacy and is considered a key indicator because it shows the extent to which the OPA is able to protect the rights of adults with decision-making disabilities and reduce the risk of neglect, exploitation or abuse.

The Manager Advocacy, Investigation and Legal receives applications referred by the SAT, as well as community referrals, and assesses their priority before allocating the highest priority applications to investigators. Applications not able to be allocated are placed on a waitlist.

6.1 Proportion of customers provided with advocacy relative to the number of referrals



**Indicator 6.2: Client satisfaction with services**

Customer surveys are distributed to secondary customers. That is, people with a direct personal or professional involvement in the lives of people in the primary customer group.

This indicator measures the satisfaction level of clients in respect to the information and advice received at training sessions. Feedback questionnaires are distributed to the target group at the conclusion of every training course. It is measured by collating the ranking level (1 = high satisfaction and 4 = unsatisfied) assigned to the feedback questions by clients.

In 2006/07 442 people attended community education sessions held by the Office of the Public Advocate. All attendees were given survey forms at the end of each session. 346 responses have been received, yielding a response rate of 78%.

This KPI was introduced under the new Justice System Framework in 2005/06.

The indicator relates directly to one of the key elements of the Public Advocate’s outcome statement of providing information and advice to the community about the Guardianship and Administration system.

**Indicator 6.3: Guardian of Last Resort appointments allocated within one working day**

This indicator measures the timeliness of the Public Advocate in allocating a guardian to a represented person in order to make decisions on their behalf and protect them from neglect, abuse or exploitation. A guardian is appointed only when considered necessary, and when there is no one else suitable or available to take on the role.

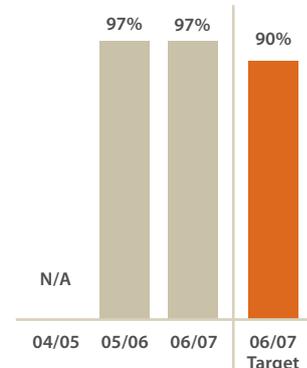
The indicator is based on the Public Advocate’s best practice to ensure the needs of the represented person are met immediately. It is measured by the number of appointments of Guardians of Last Resort made by the SAT at the hearing and accepted by the Public Advocate’s delegate within one working day of receipt of the guardianship order.

**Efficiency Indicators**

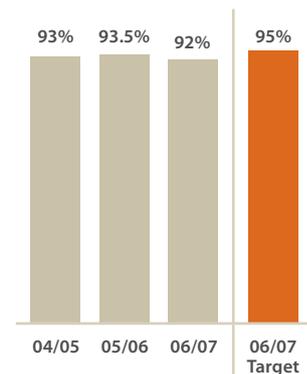
**Indicator 6.4: Average cost per case of providing advocacy and guardianship services**

This indicator measures the average cost per case of providing advocacy and guardianship services on behalf of people with decision-making disabilities. It is calculated by dividing the total cost of providing the services by the number of advocacy and guardianship services provided.

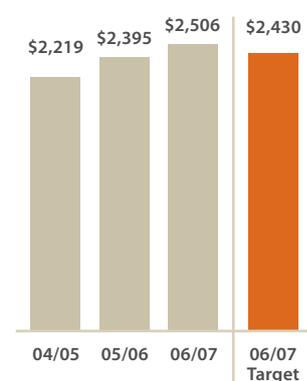
**6.2 Percentage of customers surveyed satisfied with information and advice provided by OPA**



**6.3 Guardian of Last Resort appointments allocated within one working day**



**6.4 Average cost per case of providing advocacy and guardianship services**



## Public Trustee

Equitable access to trustee services for all Western Australians is a crucial element in maintaining an orderly community. Providing trustee services is the responsibility of the Public Trustee.

The Public Trustee is a statutory authority within the provisions of the Financial Management Act 2006. It provides a funds management and investment service through the operation of the Common Account – an at-call investment facility backed by the State – and acts as trustee or financial administrator pursuant to the orders of courts or tribunals. It also administers the estates of people who die with or without a will, in accordance with the terms of the will or the relevant law and under the authority of the Supreme Court.

The Public Trustee offers high quality, personalised trustee services to meet the needs of all sectors of the Western Australian community.

Key performance indicators have been selected to measure the Office's effectiveness and efficiency in fulfilling the duties of the Public Trustee Act.

### Service 7: Trustee Services

#### Service Description

Trustee services include:

- administering estates of people who die with or without a will (estate administration)
- managing the financial affairs of people who are unable or unwilling to manage their financial affairs (trust management)
- preparing wills and powers of attorney for people who wish to appoint the Public Trustee as their executor or donee (wills)
- examining the accounts of administration orders (this has been transferred to the Public Trustee from the Guardianship and Administration Board).

These services are available to all Western Australians, irrespective of profitability or complexity.

#### Effectiveness Indicators

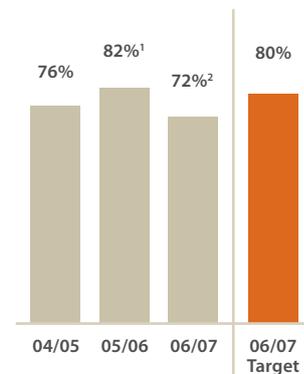
##### Indicator 7.1: Extent to which trustee services meet the needs of clients

This indicator measures the level of client satisfaction with the quality of trustee services provided.

In 2006/07, Paterson Market Research were engaged to conduct a telephone survey among a random sample of the Public Trustee client-base. The sample group parameters were:

- clients aged between 18 and 80 years
- clients who have a current common account in 2006/07
- clients who are capable of making meaningful comment, that is, those who are known not to be suffering from dementia or in a comatose state, etc.

#### 7.1 Extent to which trust management services meet the needs of customers



## Disclosures and Legal Compliance - Key Performance Indicators

Based on the above definition, a random sample of 1,547 clients was generated and selected, representing a cross-section of clients who use the various trustee services provided by the Public Trustee.

The survey covered 11 criteria of client satisfaction, including aspects of client service attributes and reliability. A total of 400 respondents were surveyed yielding a sampling precision of +/- 4.9% at 95% confidence interval.

- 1 Recalibration upwards of 3% (from 79%) by Patterson Market Research due to sampling and methodology anomalies.
- 2 Lower results were obtained for dependability, accuracy and knowledge aspects of client satisfaction, all of which can be directly attributed to the abnormally higher rate of 26% staff turnover in the Trust Management area during the financial year.

### Indicator 7.2: Number of estates relative to the number of adult (18 years and over) deaths in Western Australia

This indicator measures the Public Trustee's performance in the market to monitor its success in providing an estate administration service for all Western Australians.

The Public Trustee administers estates regardless of whether it is appointed executor or not. Some estates do not require formal administration but still require resources to arrange registration of assets in the survivor's or beneficiary's name. eg. joint assets and/or nominal bank accounts.

The indicator represents the number of estates/deaths reported as a percentage of the number of adult deaths in WA.

1,631 estates were referred to the Public Trustee, this represents 14% of all estates of adults who died in 2006/07. They were referred either as executor of the estate or the beneficiaries of the estate seeking assistance. The Public Trustee aimed to reach a target of 14%.

### Indicator 7.3: Extent to which the Public Trustee maintains a market share in drawing wills naming the Public Trustee as executor

The Public Trustee operates in a commercial environment offering services that can be provided by numerous professional service providers.

This indicator represents the number of people who died during the year who had a will prepared naming the Public Trustee as executor. It is shown as a percentage of the total number of adult deaths in WA.

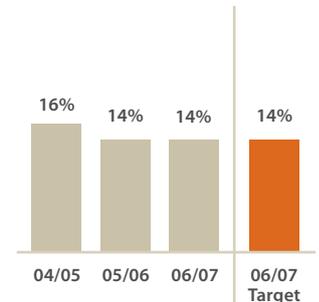
In 2006/07, the Public Trustee administered 1,411 estates that named the Public Trustee as executor. The Public Trustee's market share for this period was 12%.

### Indicator 7.4: Percentage of estates finalised within 12 months of being reported

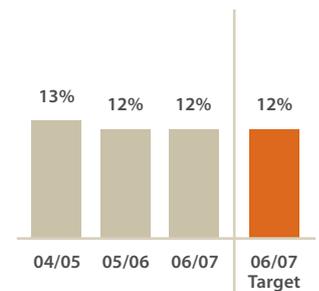
This indicator provides a measure of success, from a client's perspective, of the average time taken to administer an estate. Issues such as life interests, taxation, family disputes and testator family maintenance actions contribute to the time taken to close an estate, which are outside the control of the Public Trustee.

The average time taken to complete an estate, if completed within 12 months, was 6.03 months, based on the date of final completion.

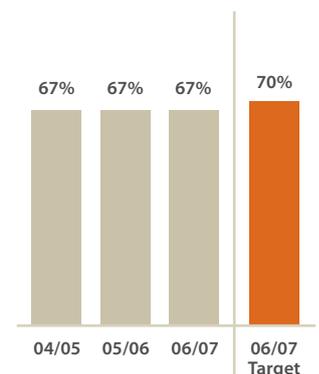
#### 7.2 Number of estates relative to the number of adult (18 years and over) deaths in Western Australia



#### 7.3 Extent to which Public Trustee maintains a market share in drawing wills naming the Public Trustee as executor



#### 7.4 Percent of estates finalised within 12 months of being reported



Efficiency Indicators

Indicator 7.5: Cost per trust managed

This indicator measures the cost of managing a trust, calculated by dividing the total cost of providing trust management services, by the number of trusts under management.

<sup>2</sup> Actual result is 12% higher than the target due to recurrent budget cost escalations and below target number of files

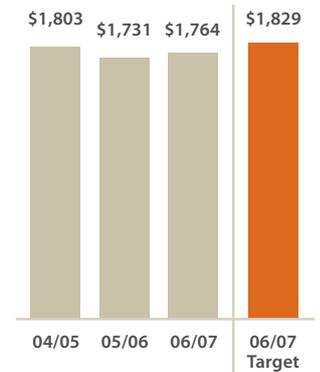
Indicator 7.6: Cost per deceased estate administered and cost per will prepared

The deceased estate administration service comprises two main cost areas. These have been separated in this indicator to provide a clear indication of the costs involved.

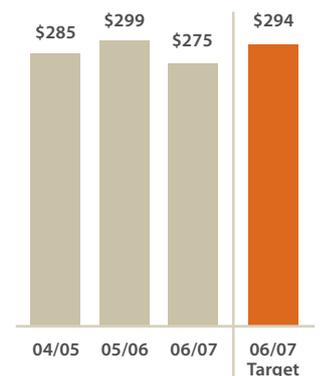
7.5 Cost per trust managed



7.6 Cost per deceased estate administered



7.6 Cost per will prepared



## Registry of Births, Deaths and Marriages

The security, integrity and preservation of birth, death and marriage records are essential components of an orderly community.

### Service 8: Births, Deaths and Marriages

#### Service Description

To create and ensure permanent storage of birth, death and marriage records that enables the public to obtain documentary proof of key life events for legal, personal and historical purposes and that enables approved organisations to obtain authorised information for research and records.

#### Effectiveness Indicators

##### Indicator 8.1: Accuracy of birth, death and marriage information

This indicator measures the percentage of new registrations accurately recorded by the registry, excluding incorrect source information provided by customers. It is a key performance indicator because the registry is the creator and custodian of vital records and the public must have confidence that records are accurate and reliable.

Only the number of registry errors in death registrations is used to calculate this indicator because immediate feedback is provided if an error is evident in the death certificate, which is always needed for estate settlement. Any errors made on birth or marriage certificates are not immediately detected, as these certificates may not be requested for many years after registration. As the processes for recording births, deaths and marriages are nearly identical, the number of errors in death registrations is considered representative of all three registration types.

The computerised registration system, Western Australian Registration System (WARS) counts the number of death registrations corrected as a result of staff data entry errors and divides this count by the total number of deaths registered for the year. The result (i.e. erroneous registrations) is expressed as a percentage. The percentage of death registrations for the year that were not corrected is displayed below.

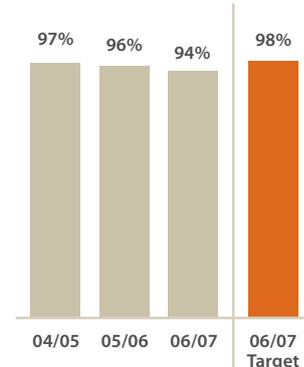
#### Efficiency Indicators

##### Indicator 8.2: Average cost of registration services

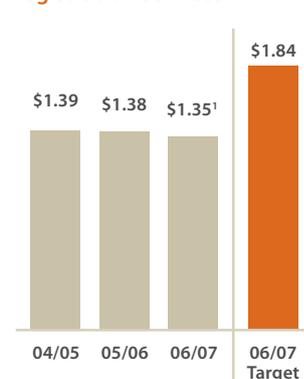
The registry has maintained a database of birth, death and marriage records since it was established in 1841. These are either in paper registers, on microfilm or computer. This indicator measures the unit cost of creating, amending and issuing information and storing records indefinitely. To obtain this measure, the total cost of registration services is divided by the total number of registration services provided, including records held in storage.

<sup>1</sup> The variance between the 2006/07 target and 2006/07 actual was due to a delay in commencing conversion of paper-based records to an electronic format. The contract was signed on 18 June 2007 and it is expected that the first records will be converted in November 2007.

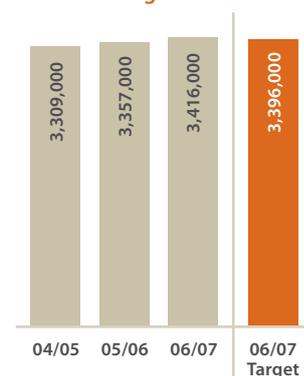
#### 8.1 Extent to which source information is recorded error free



#### 8.2 Average cost of registration services



#### 8.2 Number of Registration services including records held in storage



## State Solicitor's Office

Inherent in a safe and orderly community is the integrity of the Government's legal dealings, and provision of legal services of the highest quality to all Government agencies.

### Service 9: Services to Government

#### Service Description

The State Solicitor's Office provides a broad-based legal service to Government, its departments, instrumentalities and agencies. These services include the provision of legal advice, conduct of litigation, preparation of legal documents and representation as counsel in courts and tribunals.

#### Effectiveness Indicators

##### Indicator 9.1: The extent to which Government departments and agencies are satisfied with the legal services provided

This indicator measures client satisfaction with the quality of legal services provided. It is measured through a client survey and targets chief executive officers (CEOs) of Government departments and agencies. Details of areas to be canvassed are forwarded in advance to CEOs and are followed by an interview conducted by the State Solicitor.

In 2006/07 24 client agencies were surveyed.

The number of agencies surveyed represents approximately 90% of the chargeable work of the State Solicitor's Office

The criteria used to assess satisfaction with service included:

- the technical quality of work;
- the relevance of information provided to client's needs;
- the timeliness of information provided, and
- overall, the extent to which Government departments are satisfied with legal services.

The table below depicts the criteria used and the overall extent to which Government departments and agencies are satisfied with the legal services provided by the State Solicitor's Office.

1 The variation between the "Actual 2006/07" and "Target 2006/07" represents slightly higher than anticipated levels of client satisfaction as expressed during the annual survey.

#### Efficiency Indicators

##### Indicator 9.2: Average cost per legal matter

This indicator measures the average cost of a legal matter, which is defined as an initiating instruction received from a client in the reporting year, plus any other matter active during the reporting year and upon which some legal work was conducted. It also includes work in progress.

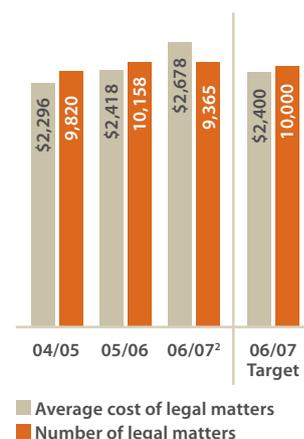
The cost per matter is calculated by dividing the total cost of providing legal services by the number of matters dealt with during the financial year.

2 The variation between the "Actual 2006/07" and "Target 2006/07" is due to an increase in costs (particularly salary costs, recoupable & corporate expenses) and a lower number of legal matters than anticipated.

##### 9.1 The extent to which Government departments and agencies are satisfied with the legal services provided



##### 9.2 Average cost per legal matter



## Parliamentary Counsel's Office

### Service 9: Services to Government

#### Service Description

To prepare legislation for the Government of Western Australia and its departments and agencies to effect the Government's legislative programme.

#### Effectiveness Indicators

##### Indicator 9.1: Extent to which legislation was drafted in a timely manner to effect the Government's legislative programme

To put Government policies into legislative form, the Government's legislative programme must be met. This key indicator measures whether the programme has been met by determining the extent to which Cabinet authorities, for the preparation of legislation, have been completed according to the priorities set out in the programme.

The indicator represents the total number of Cabinet authorities of various priorities, for which legislation was completed by the relevant cut-off dates in a Parliamentary year. It is expressed as a percentage of the total number of Cabinet authorities to which the legislative programme relates.

This calculation excludes matters which were not completed on time due to circumstances beyond the control of the Parliamentary Counsel's Office, such as:

- Lack of action on the part of the instructing agency to progress a Bill; or
- Deferral of a Bill by the instructing agency.

*Note: This indicator is reported on a calendar year basis to directly align performance to the Parliamentary year, i.e. the 2006/07 figure represents the 2006 Parliamentary year. A precise method of assessment is used under which the history of each piece of priority legislation is analysed.*

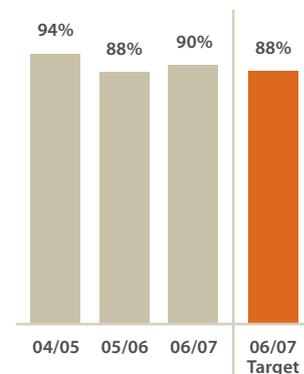
#### Efficiency Indicators

##### Indicator 9.2: Average cost per page output

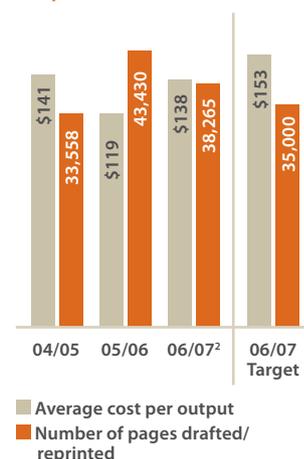
The average cost per drafting service is calculated by dividing the total cost of the Parliamentary Counsel's Office by the number of pages of reprinted legislation and the changed pages of bills, subsidiary legislation and reprinted texts produced by the office each financial year.

These results will vary from one reporting period to another because of fluctuations in demand for the preparation of legislation. These variations may obscure changes in efficiency.

##### 9.1 Extent to which legislation was drafted in a timely manner



##### 9.2 Average cost per page output



## Legal Aid

### Service 10: Legal Aid

#### Key Performance Indicators

for the year ended 30 June 2007

#### Certification of Key Performance Indicators

I hereby certify that the performance indicators are based on proper records, are relevant and appropriate for assisting users to assess the Legal Aid Commission of Western Australia's performance, and fairly represent the performance of the Legal Aid Commission of Western Australia for the financial year ended 30 June 2007.



Malcolm McCusker AO QC  
Chairman

Date: 20 August 2007



George Turnbull  
Director

Date: 20 August 2007



## AUDITOR GENERAL

### INDEPENDENT AUDIT OPINION

To the Parliament of Western Australia

#### LEGAL AID COMMISSION OF WESTERN AUSTRALIA FINANCIAL STATEMENTS AND KEY PERFORMANCE INDICATORS FOR THE YEAR ENDED 30 JUNE 2007

I have audited the accounts, financial statements, controls and key performance indicators of the Legal Aid Commission of Western Australia.

The financial statements comprise the Balance Sheet as at 30 June 2007, and the Income Statement, Statement of Changes in Equity and Cash Flow Statement for the year then ended, a summary of significant accounting policies and other explanatory Notes.

The key performance indicators consist of key indicators of effectiveness and efficiency.

#### Commission's Responsibility for the Financial Statements and Key Performance Indicators

The Commission is responsible for keeping proper accounts, and the preparation and fair presentation of the financial statements in accordance with Australian Accounting Standards (including the Australian Accounting Interpretations) and the Treasurer's Instructions, and the key performance indicators. This responsibility includes establishing and maintaining internal controls relevant to the preparation and fair presentation of the financial statements and key performance indicators that are free from material misstatement, whether due to fraud or error; selecting and applying appropriate accounting policies; making accounting estimates that are reasonable in the circumstances; and complying with the Financial Management Act 2006 and other relevant written law.

#### Summary of my Role

As required by the Auditor General Act 2006, my responsibility is to express an opinion on the financial statements, controls and key performance indicators based on my audit. This was done by testing selected samples of the audit evidence. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my audit opinion. Further information on my audit approach is provided in my audit practice statement. Refer "<http://www.audit.wa.gov.au/pubs/Audit-Practice-Statement.pdf>".

An audit does not guarantee that every amount and disclosure in the financial statements and key performance indicators is error free. The term "reasonable assurance" recognises that an audit does not examine all evidence and every transaction. However, my audit procedures should identify errors or omissions significant enough to adversely affect the decisions of users of the financial statements and key performance indicators.

**Legal Aid Commission of Western Australia  
Financial Statements and Key Performance Indicators for the year ended 30 June 2007**

**Audit Opinion**

In my opinion,

- (i) the financial statements are based on proper accounts and present fairly the financial position of the Legal Aid Commission of Western Australia at 30 June 2007 and its financial performance and cash flows for the year ended on that date. They are in accordance with Australian Accounting Standards (including the Australian Accounting Interpretations) and the Treasurer's Instructions;
- (ii) the controls exercised by the Commission provide reasonable assurance that the receipt, expenditure and investment of money, the acquisition and disposal of property, and the incurring of liabilities have been in accordance with legislative provisions; and
- (iii) the key performance indicators of the Commission are relevant and appropriate to help users assess the Commission's performance and fairly represent the indicated performance for the year ended 30 June 2007.

  
COLIN MURPHY  
AUDITOR GENERAL  
20 August 2007

**Performance Indicators for 2006 - 2007**

Funds are limited and determining the extent and type of assistance provided to clients is central to Legal Aid’s operations. This involves allocating resources to services that are available to the general community and to services, including legal representation, that is restricted and managed according to the extent of disadvantage a person is experiencing.

**Government desired outcome:** The right to justice and safety for all people in Western Australia is preserved and enhanced.

**Our vision:** Is to be recognised as a leader in the coordination and delivery of legal assistance services that reflect community expectations and are responsive to need.

**Agency desired outcome:** Is to ensure the community and target groups have access to and are provided with quality legal services.

This is achieved through the provision of a range of services; including the formulation of priorities and the administration of eligibility and merit tests to enable legal representation to be provided to clients by way of a grant of aid and assignment of cases to in-house or private practitioners.

**Our services:**

For the community		For target groups		
Information and advice	Duty lawyer services	Legal advice and Minor assistance	Legal representation	Development services
To assist members of the public to identify legal problems, understand the alternatives for resolution and the resources available to them in pursuing a legal solution. Includes referral to other agencies and is delivered through public counters in all offices and by 1800 INFOLINE.	To ensure that members of the public brought before the courts have access to legal advice so that they understand the options available for responding to legal proceedings in which they are involved. Available at all Magistrate court sittings throughout WA.	To ensure that priority persons able to self-represent are assisted with advice and practical help, including telephone advocacy, drafting of negotiating letters and the preparation of court documentation. Delivered by lawyers and at all office locations, and by paralegal staff under supervision of Solicitors.	To ensure persons from priority groups are legally represented to the extent that is necessary and commensurate with their particular individual need. Includes assessment and case management for persons who are refused assistance. Includes all services provided pursuant to a grant of aid, including Alternative Dispute Resolution (ADR).	To ensure priority groups and partner organisations have access to relevant publications, self help kits, community legal education and knowledge resources sufficient to build their capacity and self-reliance in navigating the justice system. Includes electronic access to some legal aid systems and resources, by partner agencies.

Determining the type and extent of assistance provided to people is critical to Legal Aid’s operations. Decisions about the appropriateness of the service provided is regulated by policies and procedures relating to clients means, the nature and seriousness of their legal problem and the availability of resources.

### Effectiveness Indicators

The two key aspects of the outcome sought by Legal Aid WA as a result of the services provided are “access to legal services” and “service quality”.

Access is measured by the application approval rate or the extent to which legal representation can be provided, to those whom seek it. Quality is measured by client satisfaction with particular aspects of service delivery, for example the effect the assistance had in helping them understand their legal situation, and how well they believed the lawyer represented them in court.

### Explanatory Notes for Effectiveness Indicators

Applicants for a grant of aid must satisfy certain criteria for legal representation to be approved.

In areas of family law only, some applicants are assisted via a grant of aid to pursue alternative dispute resolution.

Telephone information and community education services include telephone information service both in Perth metropolitan and regional areas, policy advice sessions, community legal education and training, face to face consultation, and Family Court information services.

Legal advice services include minor assistance where a solicitor or paralegal (under the supervision of a solicitor) provides personal assistance of up to three hours in drafting negotiation letters, applications and court documentation in most areas of law for non-complex matters.

### Technical Notes for Effectiveness Indicators

## Survey Methodology

Each year Legal aid undertakes an annual Client Satisfaction Survey, alternating between family law and criminal law clients. This year, both family law clients and criminal law clients were surveyed. The surveys were designed to allow meaningful comparisons to be made to the most recent Family Law and Criminal law surveys which were conducted for inclusion in the 2005/06 and the 2004/05 Annual Reports respectively, provided that the neutral rating in the five point scale used in previous surveys was deleted and not available to respondents, so as to obtain a more definitive response from clients to the questions asked. This may impact the comparability of results between years. This years surveys were conducted by Advantage Communications and Marketing Pty Limited.

## Research Methodology

### Survey Populations

#### Family Law

The populations for the purpose of the research were all clients from the six Family Law client groups who had received their respective type of assistance from Legal Aid in the past 12 months. The population sizes for each client type are shown in Table 1 below.

Contact lists for each client group were provided by Legal Aid WA.

#### Criminal Law

The populations for the purpose of the research were all clients from the three criminal law client groups who had received their respective type of assistance from Legal Aid in the past 12 months. The population sizes for each client type are shown in Table 2 below.

Contact lists for each client group were provided by Legal Aid WA.

### Sample Sizes

#### Family Law clients

The sample sizes for the Family Law client groups satisfaction surveys were designed to balance the requirements of obtaining accuracy to within about 5% at the 95% confidence level and having sufficient sample sizes for each survey group to allow valid statistical analysis at the individual survey level and to make comparisons between the surveys.

For the Family Law client population as a whole, a sample size of 400 would give an error ratio of no more than +/- 5% at the 95% confidence level i.e. where 43% of the sample gives an answer we can be 95% confident that if we had asked the question of the entire relevant population, between 38% and 48% would have picked that answer. However, taking the populations of the different survey groups in isolation, in order to minimise the error ratio for data collected from each group within the constraints imposed by the total sample size we needed to give greater weighting to the client groups with smaller populations like Duty Lawyer and Child Support clients. While this means that the error ratios of data collected from the smaller client groups are still higher than that obtained from those survey groups with larger populations, these error ratios are not blown out to the degree that would be the case if we merely split the samples according to population numbers. To do this, it was decided to aim for 45 Duty Lawyer Surveys and 38 Child Support Surveys. The remainder of the initial sample was allocated roughly proportional to the square root of the population size between each of the client group surveys.

At the end of the fieldwork only 33 Duty Lawyer and 33 Child Support surveys could be completed due to the high level of disconnected numbers and clients in these groups having moved away. The sample sizes of the other client groups were therefore increased to meet the requirements of a maximum error ratio of +/-10%.

The following table shows the breakdown of the sample into the survey areas.

#### Populations, sample sizes and levels of accuracy

Family Law Client Group	Population Size (N)	Target Sample size	Achieved Sample Size (n)	Level of accuracy
Legal Advice	2,801	196	201	+/- 4.5%
Alternative Dispute Resolution	154	50	50	+/- 8.7%
Grants of Aid	345	68	74	+/- 7.9%
Duty Lawyer/Family Court Services	106	45	33	+/- 8.8%
Child Support	77	38	33	+/- 7.9%
<b>TOTAL</b>	<b>3,483</b>	<b>397</b>	<b>391</b>	<b>+/- 3.3%</b>

The estimated overall level of accuracy expected from this was +/- 4.3% assuming a satisfaction level of 70% based on previous results. The accuracy levels for the individual surveys are higher but still within acceptable error bounds. The achieved overall level was +/-3.3%.

#### Criminal Law clients

The sample sizes for the Family Law client groups satisfaction surveys were designed to balance the requirements of obtaining accuracy to within about 5% at the 95% confidence level and having sufficient sample sizes for each survey group to allow valid statistical analysis at the individual survey level and to make comparisons between the surveys.

For the Criminal Law client population as a whole, a sample size of 400 would give an error ratio of no more than +/- 5% at the 95% confidence level i.e. where 43% of the sample gives an answer we can be 95% confident that if we had asked the question of the entire relevant population, between 38% and 48% would have picked that answer. However, taking the populations of the 3 survey groups in isolation, in order to minimise the

error ratio for data collected from each group within the constraints imposed by the total sample size we gave greater weighting to the Legal Advice and Grants of Aid client groups with smaller populations. While this means that the error ratios of data collected from the smaller client groups are still higher than that obtained from the Duty Lawyer client group with its larger population, these error ratios are not blown out to the degree that would be the case if we merely split the samples according to population numbers. To do this, the initial sample of 400 was allocated proportional to the square root of the population size between each of the client group surveys.

The following table shows the breakdown of the sample into the three survey areas.

**Populations, sample sizes and levels of accuracy**

<b>Criminal Law Client Group</b>	<b>Population Size (N)</b>	<b>Target Sample size</b>	<b>Achieved Sample Size (n)</b>	<b>Level of accuracy</b>
Duty Lawyer	5,001	237	239	+/- 4.3%
Legal Advice	574	80	84	+/- 6.7%
Grants of Aid	608	83	84	+/- 6.2%
<b>TOTAL</b>	<b>6,183</b>	<b>400</b>	<b>407</b>	<b>+/- 3.2%</b>

The estimated overall level of accuracy expected from this was +/- 4.3% assuming a satisfaction level of 70% based on previous results. The accuracy levels for the individual surveys are higher but still within acceptable error bounds. The achieved overall level was +/- 3.2%.

**Questionnaire Design**

**Family Law Clients**

The questions used for this year’s Family Law survey were supplied by Legal Aid and the questions used to calculate the satisfaction index were the same as those used in previous years, to allow meaningful comparisons with earlier reports. However, a number of new questions were added and others revised in order to extend the areas covered by the survey, improve the quality of response and provide more meaningful management information.

At Legal Aid’s request, where respondents were previously asked to rate their agreement to statements as either strongly agree, agree, neutral, disagree or strongly disagree, this year the neutral or neither agree nor disagree response category was dropped from the five point scale. By modifying the scale to four points, respondents were forced to make a choice towards agreement or disagreement. This may impact comparability of results between years.

A new Child Support survey was designed to be consistent with existing questionnaires.

**Criminal Law Clients**

The questions used for this year’s Criminal Law survey were supplied by Legal Aid and the questions used to calculate the satisfaction index were the same as those used in previous years, to allow meaningful comparisons with earlier reports. However, a number of new questions were added and others revised in order to extend the areas covered by the survey, improve the quality of response and provide more meaningful management information.

At Legal Aid’s request, where respondents were previously asked to rate their agreement to statements as either strongly agree, agree, neutral, disagree or strongly disagree, this year the neutral or neither agree nor disagree response category was dropped from the five point scale. By modifying the scale to four points, respondents were forced to make a choice towards agreement or disagreement. This may impact comparability of results between years.

## Data Collection Methodology

### Family Law Clients

Surveys were conducted over the telephone using the contact lists provided by Legal Aid over a three week period from 7th June 2007 to 28th June 2007. Calling took place in both business hours and evenings. The majority of residential calls would have been made in the late afternoon, early evening hours from around 4pm – 8 pm weekdays and also 9am – 5pm on Saturdays.

Surveys were conducted in accordance with the requirements of the Federal Privacy Act and the Australian Market & Social Research Society (AMSRS) Professional Code of Conduct.

The quality of data collected and the “completeness” of each survey was checked by supervisory staff before and after input. In addition, a minimum of 10% of all respondents were recontacted to validate the information provided (as required by Market Research Quality Standards).

### Criminal Law Clients

Surveys were conducted over the telephone using the contact lists provided by Legal Aid over a three week period from 19th June 2007 to 30th June 2007. The majority of calls would have been made in the late afternoon, early evening hours from around 4pm – 8 pm weekdays and also 9am – 5pm on Saturdays.

Surveys were conducted in accordance with the requirements of the Federal Privacy Act and the Australian Market & Social Research Society (AMSRS) Professional Code of Conduct.

The quality of data collected and the “completeness” of each survey was checked by supervisory staff before and after input. In addition, a minimum of 10% of all respondents were recontacted to validate the information provided (as required by Market Research Quality Standards).

## Data Analysis and Reporting Notes

### Family Law Clients

To ensure consistency in reporting comparisons with previous survey results, overall satisfaction has been reported as the proportion of the respondents who gave a “net agree” (i.e. strongly agree or agree) response excluding respondents who indicated that a particular aspect was not applicable or didn’t know. Results are rounded to the nearest whole number and therefore some totals may exceed 100%.

As indicated previously, where respondents were previously asked to rate their agreement to statements as either strongly agree, agree, neutral, disagree or strongly disagree, this year the neutral or neither agree nor disagree response category was dropped from the five point scale. By modifying the scale to four points, respondents were forced to make a choice towards agreement or disagreement. This may impact comparability of results between years.

### Criminal Law Clients

To ensure consistency in reporting comparisons with previous survey results, overall satisfaction has been reported as the proportion of the respondents who gave a “net agree” (i.e. strongly agree or agree) response excluding respondents who indicated that a particular aspect was not applicable or didn’t know. Results are rounded to the nearest whole number and therefore some totals may exceed 100%.

As indicated previously, where respondents were previously asked to rate their agreement to statements as either strongly agree, agree, neutral, disagree or strongly disagree, this year the neutral or neither agree nor disagree response category was dropped from the five point scale. By modifying the scale to four points, respondents were forced to make a choice towards agreement or disagreement. This may impact comparability of results between years.

**Desired Outcomes and Key Effectiveness Indicators**

**Desired Outcome:** The right to justice and safety for all people in Western Australia is preserved and enhanced and the community and target groups have access to and are provided with quality legal services.

	2005 Actual	2006 Actual	2007 Target	2007 Actual	Reasons for Significant Variance between 2007 Target and 2007 Actual
Applications approved for a grant of aid as a percentage of all applications received	65%	67%	65%	71%	Additional funded activity in Child Protection proceedings as well as increased appointments of Independent Children’s Lawyers in the Family Court under a pilot project resulted in increased applications granted.
Percentage of clients satisfied with service provided:					
Criminal Law	72%	-	73%	87%	Criminal Law and Family Law survey questionnaires changed to 4 point scale without a neutral response, whereas prior year survey used a 5 point scale with a neutral response.
Family Law	-	74%	-	85%	

Key Efficiency Indicators	2005 Actual	2006 Actual	2007 Target	2007 Actual	Reasons for Significant Variance between 2007 Target and 2007 Actual
<b>State Law:</b>					
Average cost per call	13	14	15	17	
Average cost per service: face to face information	21	30	32	36	
Average cost per service: duty lawyer service	78	90	92	98	
Average cost per legal advice	99	103	108	113	
Average cost per minor assistance	203	172	195	187	
Average cost per application processed	143	152	156	127	Revised guidelines for representation in the Magistrates Court and e-lodgement of criminal applications has simplified assessment process.
Average cost per legal representation	1,818	1,836	1,915	1,892	

## Disclosures and Legal Compliance - Key Performance Indicators

Key Efficiency Indicators	2005 Actual	2006 Actual	2007 Target	2007 Actual	Reasons for Significant Variance between 2007 Target and 2007 Actual
<b>Commonwealth Law:</b>					
Average cost per call	18	18	19	22	
Average cost per service: face to face information	26	30	32	29	
Average cost per service: duty lawyer service	88	96	90	134	Time to provide each service has increased due to the new processes associated with the Child Related Proceedings Program.
Average cost per legal advice	94	96	95	126	Client service times have increased to meet additional advisor obligations as a result of Family Law changes.
Average cost per minor assistance	178	166	168	185	
Average cost per application processed.	487	440	494	493	
Average cost per legal representation	2,716	2,599	2,570	2,861	Changes to case-mix brought about by increased grants for the appointment of Independent Children's Lawyers under pilot arrangements agreed with the Family Court.
Average cost per child support	1,394	1,363	1,420	1,296	

## Other Financial Disclosures

### Pricing Policy

Under Treasurer's Instruction 903 section 13(i), the Department of the Attorney General is required to advise of the policies underlying the pricing of its goods and services. The pricing policy adopted by the Department in setting fees and charges varies across the Department as follows:

#### Court and Tribunal Services

Fees are collected for a variety of services across the court system which range from the provision of civil court hearing time and enforcement of civil and criminal court orders to the provision of court transcripts.

Broadly, the court system has adopted a policy of partial cost recovery largely confined to the civil jurisdiction (with the exception of some criminal enforcement activities). In setting court fees, the Department aims to strike an appropriate balance between:

- access to justice
- incentives to settle
- user pays contributions.

In achieving this balance, a staged civil fee structure is utilised whereby users of the court system make partial contributions towards the cost as it progresses through the court system. This encourages parties to settle before taking a matter to the next stage. In this way, the pricing structure aims to regulate demand and discourage frivolous use of the civil court system. This must be balanced against the need to ensure that access to justice is not compromised by making it prohibitively expensive.

A review of court fees is conducted each year to ensure they are achieving the appropriate balance between the above three criteria. The assessment includes a comparison with fees charged in other state jurisdictions.

The court fees in operation during 2006/07 were published in the *Gazette* on 23 June 2006 and began on 1 July 2006. Further increases were published in the *Gazette* on 26 June 2007, to take effect from 1 July 2007, but are still subject to review by the Joint Standing Committee on Delegated Legislation.

#### Registry of Births, Deaths and Marriages

The fees applied by the Registry of Births, Deaths and Marriages to its products and services are determined by the following:

- Department of Treasury and Finance instructions on full cost recovery
- Department-wide annual review of fees and charges that takes into account the Consumer Price Index.

Fees and charges were not increased in 2006/07.

From 1 July 2007, the fee structure will be simplified. Regulations detailing the new schedule of fees were published in the Government Gazette on 15 June 2007.

#### Public Trustee

The pricing policy adopted by the Public Trustee in setting fees and charges is contained in legislation under the *Public Trustee Act 1941* and in regulations. Fees and charges are reviewed annually and requests for variations are referred to the Attorney General for approval. The current fee structure will be reviewed under proposed legislation changes. See p.33

## Capital Projects

### Major Capital Works (projects > \$5 million)

	Estimated Total Cost \$'000	Life to Date Expenditure \$'000	Remaining Expenditure \$'000	Estimated Year of Completion
<b>Works in Progress</b>				
CBD Courts Complex - planning and management	13,884	12,692	1,192	2009
CBD courts construction	9,905	5,296	4,609	2009
Central Law Courts refurbishment	45,304	9,048	36,256	2010
Court and judicial security	6,229	1,843	4,386	2010
Integrated Courts Management System	20,203	18,411	1,792	2007
<b>Completed Works</b>				
Albany Justice Complex	12,007	11,681	326	2007
Supreme Court upgrade of services and fit-out	5,071	4,707	364	2007
<b>New Works</b>				
Kalgoorlie Court upgrade	30,700	37	30,663	2011

### Significant variation from the estimated total cost reported in the previous year

#### Kalgoorlie Court upgrade

The estimated total cost for the Kalgoorlie Court upgrade increased by \$9.9 million during 2006/07 due to cost escalation in the building industry in the Goldfields region and an increase in the scope of works.

#### Integrated Courts Management System

The estimated total cost for the Integrated Courts Management System increased by \$2.9m during 2006/07. This was largely due to the implementation of Fines Enforcement Registry systems and flow on costs for criminal case management.

## Employee Information

### Employee profile

The majority of employees in the Department in 2006/07 were public servants. There was an increase of 24 public servants on the previous year.

The Department employed 71 Aboriginal employees at 30 June 2007.

**Employee profile (headcount) at 30 June 2007**

Employees by award or occupational grouping	2005/06*					2006/07*				
	Number			%		Number			%	
	F	M	Total	F	M	F	M	Total	F	M
Aboriginal Visitors Scheme	21	12	33	64	36	15	7	22	68	32
Catering employees and tea attendants	6	0	6	100	0	4	0	4	100	0
Child care workers	1	0	1	100	0	1	0	1	100	0
Cleaners and caretakers	42	8	50	84	16	21	3	24	88	13
Government officers (GOSAC/GOSGA Award)	52	71	123	42	58	53	64	117	45	55
Public service employees	929	547	1476	63	37	968	552	1520	64	36
Prisoners Review Board	0	0	0	0	0	7	3	10	70	30
Salaries and allowances tribunals	3	14	17	18	82	8	19	27	30	70
State Administrative Tribunal	4	9	13	31	69	8	10	18	44	56
<b>TOTAL</b>	<b>1058</b>	<b>661</b>	<b>1719</b>	<b>62%</b>	<b>38%</b>	<b>1085</b>	<b>658</b>	<b>1743</b>	<b>62%</b>	<b>38%</b>

\* Senior and ordinary members only. State Administrative Tribunal public servants are counted as public service employees. Sessional and judicial members are not included.

**Senior employees**

The number of level seven positions within the Department increased by 15% compared to 2005/06. This can be attributed to the restructure of the Department and the subsequent creation of strategic human resource and finance directorates.

There was a 46% decrease in the number of level eight positions. This variance can be attributed to the duplication of various positions in 2005/06, following the separation of the Department of Justice, which have since been transferred to the Department of Corrective Services. Additionally, a number of additional level eight positions which were created in 2005/06 to address recommendations of the Mahoney Inquiry have been abolished.

An error made in the 2005/06 data for total males and total staff has been corrected.

**Senior employees (headcount) at 30 June 2007**

Classification	2005/06*					2006/07*				
	Number			%		Number			%	
	F	M	Total	F	M	F	M	Total	F	M
Group 3	0	1	1	0	100	0	1	1	0	100
Class 3	0	1	1	0	100	1	0	1	100	0
Class 2	0	1	1	0	100	0	1	1	0	100
Class 1	1	1	2	50	50	1	3	4	25	75
Level 9	2	6	8	25	75	3	7	10	30	70
Level 8	12	29	41	29	71	5	23	28	18	82
Level 7	19	35	54	35	6	25	38	63	40	60
<b>Total</b>	<b>34</b>	<b>74</b>	<b>108</b>	<b>30%</b>	<b>70%</b>	<b>35</b>	<b>73</b>	<b>108</b>	<b>32%</b>	<b>68%</b>

\* Excludes legal officers, includes employees seconded into positions.

**Appointment pools**

**Appointment pools advertised between 1 July 2006 and 28 June 2007**

<b>Division and position</b>	<b>Level</b>	<b>Date advertised</b>	<b>Total number of applicants</b>
Corporate Services			
Personnel Services Officers	2	December 2006	163
Employment Officers	2	March 2007	37
Classification Officers	4	March 2007	10
Court and Tribunal Services			
Senior Secretary	3	November 2006	25
Customer Service Officers	2	May 2007	37
Public Trustee			
Trust Officer	2	May 2007	37
Estate Officer	2	June 2007	16

**Awards and agreements**

The Department of Consumer and Employment Protection negotiated a new industrial agreement, the Public Service General Agreement 2006, which was registered in July 2006. As part of the agreement, amendments were made to the Public Service Award.

**Policies and guidelines**

**Classification of positions**

The Classification and Reclassification policy was reviewed and endorsed in December 2006 with no significant changes.

**Identification card**

In response to security concerns over the issuing of identity cards, an Identification Card policy was developed in August 2006. It provides a clear process for the issuing of identity cards to staff.

**Working with children (criminal record checking)**

The Department is committed to complying with the Working with Children Act 2004. In accordance with this policy, all employees identified as working with children undergo background screening. The policy and procedures were endorsed in January 2007 and implemented across the Department.

**Industrial issues**

**Industrial action**

No industrial action was taken by Department employees in 2006/07.

**Unions**

Department employees are covered by a range of unions including the Community and Public Sector Union/ Civil Service Association and the Australian Liquor, Hospitality and Miscellaneous Workers Union.

Joint consultative committees within each division met regularly during the year to discuss issues and concerns of staff. Various other consultative groups are established at workplace level, as required.

### Employee welfare

#### Occupational safety and health

Occupational safety and health is a priority for the Department. During the past twelve months there has been continued focus on conducting OSH compliance audits across the state.

OSH education is critical in preventing workplace injuries and hazards. The Department provided a range of employee awareness sessions in 2006-2007 on OSH related topics. These included OSH awareness training, computer workstation set-up training and manual handling training sessions. These sessions were conducted in metropolitan and regional areas. In addition, managers and supervisors received training in managing OSH issues.

#### Employee assistance

An employee assistance program is available to employees and their immediate families. In 2006/07, 106 referrals for the service were received, with an average of 2.4 sessions per referral. The referral rate for employee assistance program counselling was consistent with that of previous years and with national rates.

#### Workers' compensation

Previous year's data reflects the Department of Justice performance and has, therefore, not been included. This year's figures will form the basis for comparison in 2007/08.

<b>Workers' Compensation Claims</b>	<b>2006/07</b>
Number of workers' compensation claims	28
Lost time frequency rate	4.05
Incident rate	0.34
Total working days lost	681
Lost time claims	11
No. stress claims	4

In addition to workers' compensation claims the employee welfare unit provided advice and assistance in the management of nineteen non-compensable claims.

## Other Legal Requirements

### Advertising and Marketing Expenditure

Listed below is a summary of advertising and marketing expenditure for the Department of the Attorney General from 1 July 2006 to 30 June 2007 in accordance with section 175ZE(1) of the *Electoral Act 1907*. (This includes advertising and marketing expenditure of the former Department of Justice.)

<b>Advertising and marketing expenditure</b>	<b>Amount(\$)</b>
<b>Advertising agencies</b>	
Meerkats: The Brand Leadership Company P/L	4,147.02
<b>Direct advertising organisations</b>	
Albany & Great Southern Weekender	300.00
Albany Advertiser P/L	95.45
Australia Post	466.83
Cambridge Media	1,910.00
Community Press	640.00
Corporate Rewards	120.00
Department of Community Development	850.00
DPS Publishing	2,177.00
Hocking and Company Pty Ltd	339.55
Imagehunter	2,728.00
Important News	320.00
Marketforce Productions	275,445.40
Lynne McLeod	991.25
Media Decisions	2,093.45
NGIS	55,000.00
Out in Perth	500.00
Rural Press Regional Media	126.00
Sensis P/L	1,239.00
West Australian Prison Officers Union	727.27
West Australian Newspapers	6,429.38
<b>Market research</b>	
Nil	0
<b>Polling organisations</b>	
Nil	0
<b>TOTAL</b>	<b>356,645.60</b>

### Disability Access and Inclusion Plan

The Department has developed its first Disability Access and Inclusion Plan 2007-2010 to ensure professional and appropriate services are provided to customers with physical, intellectual, sensory or cognitive disabilities, their carers and families. The Department's plan complies with the Disability Services Act 1993.

The plan was endorsed by the Department's Corporate Executive Committee in June 2007 and will be lodged with the Disability Services Commission in July 2007.

Public comment on the plan was invited in April and May and involved:

- making the draft plan available for feedback on the Department's website [www.justice.wa.gov.au](http://www.justice.wa.gov.au)
- placing an advertisement inviting feedback from the public in *The West Australian* newspaper's Government Notice Board on 18 April 2007
- registering the consultation process on the State Government's *Consult WA* website
- notifying key disability services organisations of the consultation process through targeted correspondence.

The Department received positive feedback from two organisations. Minor changes were made as a result.

#### Outcome one

##### **People with disabilities have the same opportunities as other people to access the services of, and any events organised by, a public authority.**

The Public Trustee continued to operate the Wills on Wheels service which enabled people with disabilities to have a will prepared in their own home, nursing home or hospital. In the past financial year 333 people were assisted in this way and the service was extended to include visits within a 50km radius of the central business district.

The Office of the Public Advocate conducted 32 information and training sessions for individuals and organisations in the community providing services to people with decision-making disabilities.

#### Outcome two

##### **People with disabilities have the same opportunities as other people to access the buildings and other facilities of a public authority.**

Work continued to progress the implementation of the recommendations from the Disability Access Audit report to improve access to buildings and other facilities across the State.

Planning began for the implementation of the following during 2007/08:

- installation of a lift at the Children's Court
- upgrade of bathroom facilities at the Supreme Court for people with disabilities
- development of an emergency refuge for people with disabilities at the State Administrative Tribunal.

#### Outcome three

##### **People with disabilities receive information for a public authority in a format that will enable them to access the information as readily as other people are able to access it.**

The Office of the Public Advocate installed and commissioned an electronic telephone transmission (TTY) device to enable people with hearing impairment to access its telephone advisory service.

In July 2007, the Family Court of Western Australia installed hearing induction loops in each courtroom to enable litigants and court visitors with hearing difficulties to participate more effectively in proceedings. Significant acoustic issues in each courtroom were also resolved as part of the installation.

### Outcome four

#### **People with disabilities receive the same level and quality of service from the staff of a public authority as other people receive from the staff of that public authority.**

The Public Trustee continued to implement a training program to provide staff with the necessary skills to better understand and work with clients with disabilities, in particular, those with mental illness and degenerative cognitive skills.

### Outcome five

#### **People with disabilities have the same opportunities as other people to make complaints to a public authority.**

The Department implemented new online feedback processes in 2006/07 to ensure a variety of methods are available for people to lodge feedback. This includes a new online process where complaints can be submitted through the feedback section of the Department's website.

A new feedback brochure with a hardcopy form attached via a perforated edge so the form can be detached, folded and sealed then posted using the reply paid feature for the public was also made available. This brochure explains the feedback process in plain English and is available in alternative formats on request.

### Outcome six

#### **People with disabilities have the same opportunities as other people to participate in any public consultation by a public authority**

Consultation on the Department's draft Disability Access and Inclusion Plan 2007-2010 included inviting comment via the Department's website, advertising the consultation process in The West Australian newspaper and notifying key disability services organisations of the consultation process. See above.

The Consultation Committee for the Proposed Human Rights Act conducted public forums in June. Brochures and advertisements notifying the public of the forums stated that, upon request, provisions would be made to ensure participation of people with disabilities.

### Opportunity and diversity

The Equity and Diversity Objectives 2006-2009 and the Equity and Diversity Improvement Plan 2006-2009 were developed, endorsed and submitted to the Office of Equal Employment Opportunity in November 2006. The following initiatives were implemented in 2006/07:

- A review was undertaken of the Workplace Grievance Management policy and procedures that underpin the Department's commitment to maintaining an equitable and harmonious workplace.
- The Bullying in the Workplace policy was reviewed in close collaboration with the Community and Public Sector Union/Civil Service Association and endorsed in May 2007. It will be implemented in 2007/08. In the meantime, the 2005 draft policy remains in use.

## Public Sector Standards

### Recruitment, Selection and Appointment Standard

In 2006/07, some 501 permanent and fixed-term vacancies of more than six months were advertised, including seven appointment pools, which were covered by the Recruitment, Selection and Appointment Standard.

### Summary of breach of standards claims

The Department maintained a good record in limiting breaches against the Recruitment, Selection and Appointment Standard.

Of the five claims lodged with the Department during the year, one was resolved in the agency and four breach claims were referred to the Office of Public Sector Standards Commissioner where they were dismissed.

## Disclosure and Legal Compliance - Other Legal Requirements

### Total claims

(includes all claims lodged whether resolved internally or referred to the Office of the Public Sector Standards Commissioner)

	Recruitment, selection and appointment	Grievance resolution	All
<b>Total claims lodged and handled in 2006/07</b>	<b>5</b>	<b>0</b>	<b>5</b>
<b>Outcome of claims handled</b>			
Withdrawn in agency	0	-	0
Resolved in agency	1	-	1
Still pending in agency	0	-	0
Referred to OPSSC	4	-	4
- Agreement reached OPSSC	0	-	0
- Dismissed at OPSSC	4	-	4
- Upheld at OPSSC	0	-	0
- Still pending at OPSSC	0	-	0
<b>Total claims handled in 2006/07</b>	<b>5</b>	<b>-</b>	<b>5</b>

### Compliance with the public sector Code of Ethics

The WA public sector Code of Ethics is readily accessible by all staff through various mediums including, but not limited to, the intranet, notice boards and references in relevant policies and procedures. No reports of non-compliance with the Code of Ethics were received.

### Compliance with the public sector Code of Conduct

The Department's Code of Conduct can be accessed by all staff through the intranet. It provides a range of information, resources and examples of acceptable behaviour standards in the workplace. It is anticipated that the code of ethics will be revised for the Department of the Attorney General in 2007/08.

## Recordkeeping

### Compliance with the State Records Act 2000

The Department is committed to recordkeeping by dedicating a project to implement and administer the requirements of the State Records Act 2000. The State Records Commission's minimum compliance requirements are:

**Requirement 1** – The efficiency and effectiveness of the organisation's recordkeeping systems is evaluated not less than once every five years.

The recordkeeping system was last evaluated in 2004 as part of the compilation of the Department of Justice Recordkeeping Plan which was subsequently adopted as the Department of the Attorney General Recordkeeping Plan in 2006/07.

**Requirement 2** – The organisation conducts a recordkeeping training program.

Some 420 staff received records management system training in 2006/07, of whom 60 staff participated in training dedicated for Records Officers.

An online records training and awareness package was progressively implemented during 2006/07, with 360 staff completing the training and a further 846 progressing through the package. The package will be made available to the rest of the staff in 2007/08.

## Disclosure and Legal Compliance - Other Legal Requirements

**Requirement 3** – The efficiency and effectiveness of the recordkeeping training program is reviewed from time to time.

Training assessment is integrated into the online records training and awareness package. Feedback is reviewed from staff that complete the awareness package and record management system training.

Training content is reviewed periodically to ensure it reflects current operational and administrative practices and processes.

**Requirement 4** – The organisation's induction program addresses employee roles and responsibilities in regard to their compliance with the organisation's recordkeeping plan.

The online records training and awareness package became mandatory for all new staff during 2006/07. The package addresses roles and responsibilities in regard to their compliance with the Recordkeeping Plan.

### State Solicitors' Office recordkeeping

In 2006/07, the State Solicitor's Office progressed implementation of its Recordkeeping Plan:

- The Retention and Disposal Schedule was approved by the State Records Commission on the 2 April 2007.
- Some 20 (87%) new employees completed the online Records Awareness Training package.
- As part of induction, new employees were provided with a copy of Record Keeping procedures, which includes a statement of employees' obligations under the State Records Act 2000.

## Government Policy Requirements

### Corruption Prevention

In line with Premier's Circular 2005/02, the Department developed the Corruption Prevention Plan. In accordance with the plan, a number of risk management workshops were run with business areas to determine risks and the potential for corruption.

### Substantive Equality

The Department is committed to the implementation of the Government's Policy Framework for Substantive Equality to achieve equitable outcomes with regard to service access and delivery to Aboriginal and ethnic minority groups. The Department's Substantive Equality Policy and implementation plan was endorsed in August 2006.

In September 2006/07, the Department began implementing the Substantive Equality Framework in the Joondalup Family Violence Court and the Metropolitan Domestic Violence Court Expansion Project. This included:

- preparing a report on the Needs and Impact Assessment of the Joondalup court and the expansion project in April 2007
- starting to implement the report's recommendations in accordance with an action plan.

The host site for implementation of Substantive Equality in 2007/08 will be the estate managers service of the Public Trustee. The Needs and Impact Assessment process is underway.

### Sustainability

The Department has a long-term commitment to delivering quality, coordinated and accessible justice services. Its goals are aligned to the principles of sustainability, as detailed in the WA Government Sustainability Code of Practice, to generate working solutions that deliver the best social, economic and environmental outcomes. The Department's Sustainability Action Plan provides practical guidelines for how the Department can apply the principles to its work. The plan sets out recommended action, ensuring the Department is mindful of future demands and has methods in place to meet those challenges.

During 2006/07 the following initiatives were undertaken in line with the Sustainability Action Plan:

- A total of 79 staff attended Aboriginal cultural awareness training. By improving understanding of Aboriginal culture, the Department aims to provide a more effective service to Aboriginal clients.
- Following the introduction of the WA Government's Carbon Neutral Program the Department has adopted a four-cylinder policy in the management of fleet vehicles. At 30 June 2007, 54% of the vehicle fleet were four-cylinder. Additionally, custodians are encouraged to select alternative fuels such as LPG or Diesel over petrol.

In 2007/08 the Sustainability Action Plan is scheduled to be discussed and reviewed.

# Appendix 1 – Strategic Framework



 Department of the Attorney General  
Government of Western Australia

## STRATEGIC FRAMEWORK 2006

### Our future

We are valued as leaders in developing and delivering justice services, policy and reforms that are significant and sustainable.

### Our purpose

To provide high quality and accessible justice, legal, registry, guardianship and trustee services that meet the needs of the community and government.

### The Department

The Department of the Attorney General was established on 1 February 2006, subsequent to a major recommendation from the Inquiry into the Management of Offenders in Custody and in the Community, Mahoney, November 2005.

The Department supports the community, Western Australian Government, Judiciary and Parliament through the provision of access to high quality justice and legal services, information and products.

The Department of the Attorney General is the agency principally responsible for assisting the Attorney General in the development and implementation of Government policy and the administration and/or compliance with approximately 200 Acts. The Department has a diverse range of core services, which include:

- Courts and Tribunal Services
- Registry of Births, Deaths and Marriages
- Office of the Public Advocate
- Public Trustee Office
- State Solicitor's Office
- Parliamentary Counsel's Office

The Office of the Public Advocate, Public Trust Office, State Solicitor's Office, Solicitor General and Parliamentary Counsel's Office report directly to the Attorney General on professional matters and to the Director General administratively.

The Department of the Attorney General provides some support services to the following offices:

- Director of Public Prosecutions
- Law Reform Commission
- Equal Opportunity Commission
- Office of the Information Commissioner
- Legal Aid Commission
- Office of the Children's Commissioner
- Solicitor General

In addition, a number of the Department's services are linked within a broader 'justice system', comprised of a network of public sector agencies, communities and individuals who may be affected by the creation, administration or enforcement of civil and criminal justice in Western Australia.



## Our key result areas

### Service Delivery

Developing and improving the responsiveness, accuracy and relevance of our services, and increasing understanding of what we do.

### Justice System Reform

Initiating and implementing key reforms in the justice system.

### Representation

Ensuring that our clients and the community are aware of, can understand, and have access to the services they require.

### Investing in People

Developing and sustaining our organisational capacity by recognising and developing the skills and expertise of our people.

## Our approach

Our services have the potential to affect almost all Western Australians. As such, we work hard to ensure effective:

- assistance and infrastructure for the community and judiciary that enables cases to be progressed, orders to be enforced and victims to be supported and counselled;
- access to accurate, permanent and confidential records of births, deaths and marriages by the community and Government;
- legal advice and legislative preparation services are available to assist Government in its service to society;
- protection for people with decision-making disabilities;
- equitable access to trustee services; and
- strategic corporate support for the achievement of business objectives within the frameworks of government.

We also lead and influence justice reform and strategic policy development for the State. We do this professionally by collaborating internally and with other agencies to efficiently and effectively make our services accessible, timely and relevant to the needs of our client/community groups.

We are continuously improving our services to understand and meet client and community needs in a way that reflects their geographic, cultural and demographic diversity. This includes developing better mechanisms for resolving justice issues, cross-government cooperation that supports better justice outcomes, and developing more efficient business processes and integrated systems.

## Our values and aspirations

### Excellent Service

Our client groups have varied service needs. We strive to achieve and maintain credible and professional services to diverse client groups. This is achieved through effective communication and by making services relevant, responsive, accessible, accurate and fair.

### Integrity & Accountability

We are open, honest, impartial and ethical in our communications and decisions. We take responsibility for our behaviours, which are governed by the legal system, agreed standards and codes.

### Equality

We respect diversity and know that we sometimes have to treat our staff, the community and client groups differently to reach fair outcomes.

### Collaboration & Learning

Our people take pride in their work and the value they contribute to the Department. We recognise the knowledge and skills of our people and support their continuous learning and development.

### Professional Autonomy

We respect the differing professional attributes that are developed and nurtured in our business areas and the rights of our people to provide objective, frank and fearless advice to their clients and the community.

## Appendix 2 – Operating Locations

### Profile of the Department - Operating Locations

The Department of the Attorney General head office operates from 141 St Georges Terrace, Perth. Numerous service locations are scattered throughout Western Australia.

#### Metropolitan Locations



Regional Locations



## Appendix 3

### Acts Administered Through the Department of the Attorney General

At 30 June 2007

*Acts Amendment (Equality of Status) Act 2003*

*Acts Amendment and Repeal (Courts and Legal Practice) Act 2003*

*Administration Act 1903*

*Age of Majority Act 1972*

*Anglican Church of Australia (Diocesan Trustees) Act 1888*

*Anglican Church of Australia (Diocese of North West Australia) Act 1961*

*Anglican Church of Australia (Swanleigh land and endowments) Act 1979*

*Anglican Church of Australia Act 1976*

*Anglican Church of Australia Constitution Act 1960*

*Anglican Church of Australia Lands Act 1914*

*Artificial Conception Act 1985*

*Australia Acts (Request) Act 1985*

*Bail Act 1982*

*Baptist Union of Western Australia Lands Act 1941*

*Bills of Exchange (day for payment) (1836) (Imp)*

*Bills of exchange (non-payment) (1832) (Imp)*

*Births, Deaths and Marriages Registration Act 1998*

*Charitable Trusts Act 1962*

*Child Support (Adoption of Laws) Act 1990*

*Children's Court of Western Australia Act 1988 (The Department of Corrective Services is the agency principally assisting the Attorney General in the administration of s. 28, 33 & 40 of this Act)*

*Choice of Law (Limitation Periods) Act 1994*

*Civil Judgments Enforcement Act 2004*

*Civil Procedure Act 1833 (Imp)*

*Classification (Publications, Films and Computer Games) Enforcement Act 1996*

*Co-operative Schemes (Administrative Actions) Act 2001*

*Commercial Arbitration Act 1985*

*Commissioner for Children and Young People Act 2006*

*Commonwealth Places (Administration of Laws) Act 1970*

*Commonwealth Powers (De Facto Relationships) Act 2006*

*Companies (Acquisition of Shares) (Application of Laws) Act 1981*

*Companies (Administration) Act 1982*

*Companies (Application of Laws) Act 1981*

*Companies Act 1961*

*Companies and Securities (Interpretation and Miscellaneous Provisions) (Application of Laws) Act 1981*

## Appendices - Appendix 3

*Constitutional Powers (Coastal Waters) Act 1979*  
*Coroners Act 1996*  
*Corporations (Administrative Actions) Act 2001*  
*Corporations (Ancillary Provisions) Act 2001*  
*Corporations (Commonwealth Powers) Act 2001*  
*Corporations (Consequential Amendments) Act (No. 3) 2003*  
*Corporations (Taxing) Act 1990*  
*Corporations (Western Australia) Act 1990*  
*Corruption and Crime Commission Amendment and Repeal Act 2003*  
*Crimes at Sea Act 2000*  
*Criminal and Found Property Disposal Act 2006*  
*Criminal Appeals Act 2004*  
*Criminal Code Act Compilation Act 1913*  
*Criminal Injuries Compensation Act 2003*  
*Criminal Investigation (Extra-territorial Offences) Act 1987*  
*Criminal Investigation Act 2006*  
*Criminal Law (Mentally Impaired Accused) Act 1996*  
*Criminal Procedure Act 2004*  
*Criminal Property Confiscation (Consequential Provisions) Act 2000*  
*Criminal Property Confiscation Act 2000*  
*Crown Suits Act 1947*  
*Dangerous Sexual Offenders Act 2006*  
*Debts Recovery Act 1830 (Imp)*  
*Debts Recovery Act 1839 (Imp)*  
*Defamation Act 2005*  
*Deodands abolition (1846) (Imp)*  
*District Court of Western Australia Act 1969*  
*Domicile Act 1981*  
*Dower amendment (1833) (Imp)*  
*Electronic Transactions Act 2003*  
*Escheat (Procedure) Act 1940*  
*Escheat and forfeiture of real and personal property (1834) (Imp)*  
*Evidence Act 1906*  
*Executors Act 1830 (Imp)*  
*Factors (1823) (Imp)*  
*Factors (1825) (Imp)*  
*Factors (1842) (Imp)*  
*Factors Acts Amendment Act 1878*  
*Family Court (Orders of Registrars) Act 1997*  
*Family Court Act 1997*

## Appendices - Appendix 3

*Family Legislation Amendment Act 2006*  
*Fatal Accidents Act 1959*  
*Federal Courts (State Jurisdiction) Act 1999*  
*Financial Transaction Reports Act 1995*  
*Fines, Penalties and Infringement Notices Enforcement Act 1994 (The Department of Corrective Services is the agency principally assisting the Attorney General in the administration of s. 48, 52 & 103 of this Act)*  
*Freemasons' Property Act 1956*  
*Futures Industry (Application of Laws) Act 1986*  
*Gender Reassignment Act 2000*  
*Guardianship and Administration Act 1990*  
*Highways (Liability for Straying Animals) Act 1983*  
*Imperial Act Adopting Ordinance 1847*  
*Imperial Acts Adopting Act 1836*  
*Imperial Acts Adopting Act 1844*  
*Imperial Acts Adopting Ordinance 1849*  
*Imperial Acts Adopting Ordinance 1867*  
*Infants' Property Act 1830 (Imp)*  
*Inheritance (Family and Dependants Provision) Act 1972*  
*Inheritance amendment (1833) (Imp)*  
*Interpretation Act 1984*  
*Judges' Retirement Act 1937*  
*Judgments Act 1839 (Imp)*  
*Judgments Act 1855 (Imp)*  
*Juries Act 1957*  
*Jurisdiction of Courts (Cross-vesting) Act 1987*  
*Justices of the Peace Act 2004*  
*Law Reform (Contributory Negligence and Tortfeasors' Contribution) Act 1947*  
*Law Reform (Miscellaneous Provisions) Act 1941*  
*Law Reform (Statute of Frauds) Act 1962*  
*Law Reporting Act 1981*  
*Law Society Public Purposes Trust Act 1985*  
*Legal Contribution Trust Act 1967*  
*Legal Practice Act 2003*  
*Legal Representation of Infants Act 1977*  
*Limitation Act 1935*  
*Limitation Act 2005*  
*Magistrates Court (Civil Proceedings) Act 2004*  
*Magistrates Court Act 2004*  
*Marketable Securities Transfer Act 1970*  
*Marriage Act 1835 (Imp)*

## Appendices - Appendix 3

*Miscellaneous Regulations (Validation) Act 1985*  
*Miscellaneous Repeals Act 1991*  
*Oaths, Affidavits and Statutory Declarations Act 2005*  
*Occupiers' Liability Act 1985*  
*Off-shore (Application of Laws) Act 1982*  
*Offenders (Legal Action) Act 2000*  
*Official Prosecutions (Accused's Costs) Act 1973*  
*Parole Orders (Transfer) Act 1984*  
*Partnership Act 1895*  
*Perpetuation of Testimony Act 1842 (Imp)*  
*Perth Anglican Church of Australia Collegiate School Act 1885*  
*Perth Diocesan Trustees (Special Fund) Act 1944*  
*Perth Hebrew Congregation Lands Act 1921*  
*Presbyterian Church Act 1908*  
*Presbyterian Church Act 1976*  
*Presbyterian Church Act Amendment Act 1919*  
*Presbyterian Church Act Amendment Act 1924*  
*Presbyterian Church of Australia Act 1901*  
*Presbyterian Church of Australia Act 1970*  
*Prescription Act 1832 (Imp)*  
*Prisoners (Release for Deportation) Act 1989*  
*Professional Standards Act 1997*  
*Property Law Act 1969*  
*Prostitution Act 2000 (s. 62 & Part 5 only)*  
*Public Institutions and Friendly Societies Lands Improvement Act 1892*  
*Public Institutions and Friendly Societies Lands Improvement Act 1892, Amendment Act 1893*  
*Public Notaries Act 1979*  
*Public Trustee Act 1941*  
*Reprints Act 1984*  
*Restraining Orders Act 1997*  
*Restraint of Debtors Act 1984*  
*Roman Catholic Bishop of Broome Property Act 1957*  
*Roman Catholic Bunbury Church Property Act 1955*  
*Roman Catholic Church Lands Act 1895*  
*Roman Catholic Church Lands Amendment Act 1902*  
*Roman Catholic Church Lands Ordinance 1858*  
*Roman Catholic Church Property Act 1911*  
*Roman Catholic Church Property Act Amendment Act 1912*  
*Roman Catholic Church Property Acts Amendment Act 1916*  
*Roman Catholic Geraldton Church Property Act 1925*

## Appendices - Appendix 3

*Royal Commission (Police) Act 2002*  
*Sailors and Soldiers' Scholarship Fund Act 1938*  
*Sea-Carriage Documents Act 1997*  
*Securities Industry (Application of Laws) Act 1981*  
*Securities Industry (Release of Sureties) Act 1977*  
*Securities Industry Act 1975*  
*Sentence Administration Act 2003 (Pt. 2 Div. 1, 3 & 4, Pt. 3, Pt. 4, Pt. 5 Div. 4, Pt. 9, s. 114, 115, 115A, 119 & 122, Sch. 1 & 2. The Department of Corrective Services assists the Minister for Corrective Services with the administration of the balance of this Act)*  
*Sentencing (Consequential Provisions) Act 1995*  
*Sentencing Legislation Amendment and Repeal Act 2003*  
*Service and Execution of Process (Harbours) Ordinance 1855*  
*Solicitor-General Act 1969*  
*Special Investigation (Coal Contract) Act 1994*  
*Spent Convictions Act 1988*  
*State Administrative Tribunal (Conferral of Jurisdiction) Amendment and Repeal Act 2004*  
*State Administrative Tribunal Act 2004*  
*Statute of Frauds (1677) (Imp)*  
*Statutory Corporations (Liability of Directors) Act 1996*  
*Stock Jobbing (Application) Act 1969*  
*Suitors' Fund Act 1964*  
*Supreme Court Act 1935*  
*The Bankruptcy Act 1892*  
*The Mercantile Law Amendment Act 1856 (Imp)*  
*The Salvation Army (Western Australia) Property Trust Act 1931*  
*Trustee Companies Act 1987*  
*Trustees Act 1962*  
*Trustees of Western Australia Limited (Transfer of Business) Act 2003*  
*Uniting Church in Australia Act 1976*  
*Vexatious Proceedings Restriction Act 2002*  
*Victims of Crime Act 1994*  
*Warehousemen's Liens Act 1952*  
*Warrants for Goods Indorsement Act 1898*  
*West Australian Trustees Limited (Merger) Act 1989*  
*Wills Act 1970*  
*Yallingup Foreshore Land Act 2006*

## Appendix 4

### Contracts

The table below contains Department of the Attorney General contracts awarded between 1 July 2006 and 30 June 2007.

Details of contracts more than \$100,000

Value	No of Contracts
\$0-\$19,999	8
\$20,000 - \$99,999	29
\$100,000 - \$499,999	12
\$500,000 - \$999,999	10
\$1 million +	5

Number	Contract Description	Vendors Recommended	Total Contract Value
2593	Removal of bodies to morgues in the Perth metropolitan area	Kaspian	\$1,500,000
2694	Partnership Program – Fremantle Police and Fremantle Community Youth Service Outreach	City of Fremantle	\$105,231
2573	Supply and install key safe equipment to courts	Diebold Australia Pty Ltd	\$217,707
2538	Air charter services for the Broome magistrate	Golden Eagle Aviation Pty Ltd	\$974,442
2547	Printing, preparation and dispatch of enforcement notices and jury summons	Computershare Document Services Pty Ltd	\$2,680,000
2822	Computing services to develop and maintain the Integrated Courts Management System	Unisys West Pty Ltd	\$415,000
2734	Commissioning of seven Audio Visual Courts	Audio Visual Imagination Pty Ltd	\$909,608
2881	Printing of certificates, brochures, forms and posters	Advance Press Pty Ltd	\$121,797
2890	Project management services for the implementation of a Corporate Management System	Junipers Pty Ltd	\$200,000
2614	Conversion of paper-based records to electronic format	Iron Mountain Australia Pty Ltd	\$6,405,211
2821	Development of WA local and regional justice plans	Global Justice Solutions, Alan Stewart Consulting	\$213,060
2794	Compliance and Risk Management System	Lawlex	\$184,223
2816	Project services for Oracle Financials Version 11i	ASG Pty Ltd	\$827,750
2899	Upgrade of PABX at Central Law Courts	NEC Business Solutions Ltd	\$177,980

## Appendices - Appendix 4

Number	Contract Description	Vendors Recommended	Total Contract Value
2834	Maintenance and project services to the Integrated Courts Management System	Unisys West Pty Ltd	\$6,100,000
2562	Children's Court support services	Kerrie Louise Harms & John Reinhard Pacy	\$818,000
2946	Replacement audio visual components to courts	Audio Visual Imagenation Pty Ltd	\$513,932
2918	Digital dictation system	Lanier Voice	\$321,752
2676	Sound reinforcement and digital recording system for Family Court AVI	Audio Visual Imagenation Pty Ltd & FTR Pty Ltd	\$682,587
2846	Bailiff services for the Bunbury area	Henry Hooft	\$200,000
2675	Court recording and transcription services	Spark and Cannon Pty Ltd & National Transcription Services Pty Ltd	\$20,600,000
2947	Supply of 87 ReporterDeck digital audio recording units	FTR Pty Ltd	\$604,650
2889	Legislative drafting services	Anthony James Dowling	\$170,000
2844	Support of MATE software	Unisys West Pty Ltd	\$975,359
42806	Provision of Cisco networking devices	CSC Australia Pty Ltd	\$950,000
23506	Provision of printers and associated warranty services	Lexmark International Pty Ltd	\$720,000
16106	Maintenance of DG servers	Trilogy Computer	\$344,890

## Appendix 5

### Freedom of Information

The Department received 35 Freedom of Information (FOI) applications in 2006/07. During this time, 26 applications were completed and six transferred to other agencies while three remain outstanding.

Four FOI decisions were reviewed internally after requests from applicants. Of these, one decision was overturned, two were varied and one upheld.

One decision was reviewed externally by the Information Commissioner. This application was withdrawn by the complainant after conciliation.

Listed below is a summary of FOI applications for 2006/07.

The Office of the Public Advocate, the Public Trustee and the State Administrative Tribunal compile separate FOI statistics and include them in their annual reports to Parliament.

<b>FOI applications 2006/07</b>	<b>Number</b>
Personal information requests	14
Non-personal information requests	15
Amendment of personal information	0
Applications transferred in full	6
<b>Total applications received</b>	<b>35</b>
Applications completed	26
Applications withdrawn	0
Internal reviews completed	4
External reviews completed	1
Applications outstanding	3