



Department of the Attorney General
Government of Western Australia

2005/2006

Annual report **of the** Department of the Attorney General



J A McGinty BA BJuris (Hons) LLB JP MLA

Attorney General

In accordance with sections 62 and 66 of the *Financial Administration and Audit Act 1985*, I hereby submit for your information and presentation to the Parliament, the Annual Report of the Department of the Attorney General for the year ending 30 June 2006.

This report has been prepared in accordance with the provisions of the *Financial Administration and Audit Act 1985*.



Colin Murphy

A/Director General
25 August 2006

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Executive Summary

In 2005/2006, the Mahoney Inquiry into the management of offenders heralded great change to the way justice services were delivered in Western Australia. For the Department, the most significant change was the separation of the Department of Justice into the Department of the Attorney General and the Department of Corrective Services in February 2006.

Despite the pressures of uncertainty brought about by the Inquiry and its very public profile, the 'grace under fire' attitude and diligence that prevailed throughout business areas and frontline employees was highly commendable. And, following the Government's decision to separate the Department of Justice, an outstanding effort emerged from all sectors to make it happen within only 33 working days.

The creation of the Department of the Attorney General and other reforms prompted by the Inquiry, coincided with a process of transition that was already in place for the State's legislative and courts systems. Various legislative reforms made an impact this year, particularly in the areas of victim support, parole and sentencing, while Court Services made positive advances in providing modern court and technological facilities.

Of particular significance in the courts this year was the heightened attention given to various security issues, particularly in court custody. A number of previous incidents had highlighted some deficiencies in this area and, when combined with an assortment of social and global issues, spring-boarded matters of security to the highest prominence. The Department now has a dedicated security group that has already made important changes to ensure the highest level of safety and security in all court buildings and processes.

While the State Administrative Tribunal celebrated a full year of operation in January 2006, two other areas also rose in prominence by demonstrating positive results – the Registry of Births Deaths and Marriages and the Fines Enforcement Registry. The former joined a national certificate validation service, while the latter had outstanding success with fines collection through a successful strategy that resulted in a record recovery of fines across the State.

Significant advances made by the Public Trust Office to develop changes to the *Trustee Act 1941* can also not be overlooked. A Bill detailing vast changes and improvements was prepared and, if passed in Parliament, will create a new, sustainable business direction for the office. It will allow the office to improve services while fulfilling their essential community service obligations.

The Office of the Public Advocate also undertook leading work, amid an increasing client workload. While service demand continued to rise in line with the ageing population, the office pioneered research into elder abuse in Aboriginal communities and among culturally and linguistically diverse people. This research was accompanied by extensive community engagement and awareness-raising sessions to start to make tangible inroads to address this issue.

[Executive Summary]

Legislative highlights

The Department continued to play a leading role in legislative reform this year. Significantly, a *Parole and Sentencing Legislation Amendment Bill* to establish a new Prisoners Review Board, to replace the existing Parole Board and address recommendations of the Mahoney Inquiry, was introduced into the Legislative Council in May 2006.

Major drafting tasks for the Parliamentary Counsel's Office included the *Electricity Corporations Bill 2005* to establish three corporations to replace Western Power Corporation to supply electricity to the South-West of the State, and a fourth corporation to supply electricity beyond the South-West region.

The cross-border justice initiative gained momentum towards allowing police, courts, community corrections and prisons services to work collaboratively in the remote cross-border area of central Australia.

The State Solicitor's Office continued to represent the State in significant legal matters, such as a claim against the State by Tipperary Developments arising from \$50 million deposited with Rothwells in 1988. The matter went before the Supreme Court in July and August 2005. The court is expected to hand down its verdict in July 2006.

Collaboration and benchmarking

The Department continued to foster intra and interstate networks to share information and deliver better services across the State. A priority to engage Aboriginal communities in decision-making processes continued to be developed through the Aboriginal Justice Agreement. The agreement enables justice-related State Government agencies to work in partnership with Aboriginal people to ensure they experience the same justice outcomes as other Western Australians.

Nationally, the Department forged new partnerships and strengthened old ones. The Registry of Births, Deaths and Marriages linked to a national online service that allowed approved Government agencies and commercial organisations to validate registry certificates. The Parliamentary Counsel's Office drafted uniform defamation legislation that was passed by State Parliament in December 2005. Changes to Western Australia's family law brought the State up-to-date with Commonwealth legislation that recognises people in a defacto relationship and their ex-nuptial children.

Technology advances

Advances in technology helped the efficiency and effectiveness of the Department's services this year.

An electronic process to deliver Magistrates Court outcomes to WA Police began in October 2005. Police now automatically receive all Magistrates Court decisions, except for care and protection orders for juveniles.

Australia's biggest ever civil trial – the Bell Resources trial – continued to break new ground with courts technology. The trial, already renowned for its use of an electronic trial book, held a hearing in London to hear testimony from a large number of overseas witnesses.

[Executive Summary]

The Registry of Births Deaths and Marriages was also involved in various technical projects to improve services, while videoconferencing was also extended to community education, investigation and guardianship services through the Office of the Public Advocate.

The Public Trust Office initiated a significant project to improve its primary information technology system, which will continue to be reviewed and implemented in 2006/2007.

Leadership changes

The Department welcomed the appointment of a new Public Trustee, John Skinner, in February 2006. John previously worked in the WA and Commonwealth public sectors, and brought a proven track record in financial services and management to the position. In the same month, the Department farewelled acting Executive Director Geoff Zimmer, who left the Department to take up a senior position at the Department for Planning and Infrastructure. He was replaced by Graeme Doyle in an acting capacity.

The Department also farewelled Chief Justice David Malcolm in February 2006 after more than 17 years in the role, and welcomed the appointment of Perth barrister Wayne Martin QC as WA's 13th Chief Justice in May 2006. A new chair of the Parole Board, Judge Valerie French, started in April 2006, to lead the Board during significant reform. She replaced Henry Wallwork QC who was chair of the board from April 2004.

Future

Without doubt, this year presented new challenges for the Department, however these were met with a great display of resilience and strength.

On reflection, the Department has readily adapted to change and will continue to adapt to changing economic and social needs for the benefit of the people of Western Australia.

Enormous advances in the delivery of justice have been made over the past decade, particularly in the areas of legislation and technology. The Department is committed to continuing to meet the changing needs and expectations of justice in Western Australia.

Colin Murphy

A/Director General

Better Planning: Better Services

The Department of the Attorney General contributes to all five of the State Government's strategic goals under its strategic framework – *Better Planning: Better Services.*

The Government seeks to improve the life of all Western Australians through its agencies, and the community and industry. In this report, the Department's achievements, which specifically address the key integrated priority areas for Government, are indicated by the following symbols:

People and communities

To enhance the quality of life and well being of all people throughout Western Australia.

Regions

To ensure that regional Western Australia is strong and vibrant.

The economy

To develop a strong economy that delivers more jobs, more opportunities and greater wealth to Western Australians by creating the conditions required for investment and growth.

The environment

To ensure that Western Australia has an environment in which resources are managed, developed and used sustainably, biological diversity is preserved and habitats protected.

Governance

To govern for all Western Australians in an open, effective and efficient manner that also ensures a sustainable future.

Profile of the Department

About this report

This report describes the activities of the Department of the Attorney General and former Department of Justice functions, aside from those transferred to the new Department of Corrective Services on 1 February 2006. Information about those offender management functions – such as Community and Juvenile Justice and Prisons – appear in the Department of Corrective Services Annual Report 2005/2006.

Where appropriate, information in this report has been compiled to provide a complete picture of services for the full 12 months.

(See Corporate Structure for a diagram of the organisation's structural changes)

About us

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

The move was a key recommendation of the inquiry into the management of offenders conducted in 2005 by retired judge His Honour Dennis Mahoney AO QC.

The Department reports to Attorney General Jim McGinty, and was led by A/Director General Colin Murphy in 2005/2006.

The key functions of the Department include:

- 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
- providing services to ensure 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 information and support to the Parole Board, Mentally Impaired Accused Review Board and Supervised Release Review Board
- regulating State-based corporate bodies, such as friendly societies.

The Department has two statutory officers – the Public Trustee and Public Advocate.

[Profile of the Department]

Our strategic framework

Early in 2005/2006, the Department of Justice's new strategic framework was rolled out and integrated into divisional business plans. Work then began to progressively integrate the framework into key corporate documentation.

In November 2005, further development of the framework was put on hold in anticipation of the creation of two new agencies, which occurred on 1 February 2006.

The terms of reference for the Department of the Attorney General's inaugural strategic framework were endorsed in April 2006. The Department's corporate executive will further develop the strategic framework in 2006/2007.

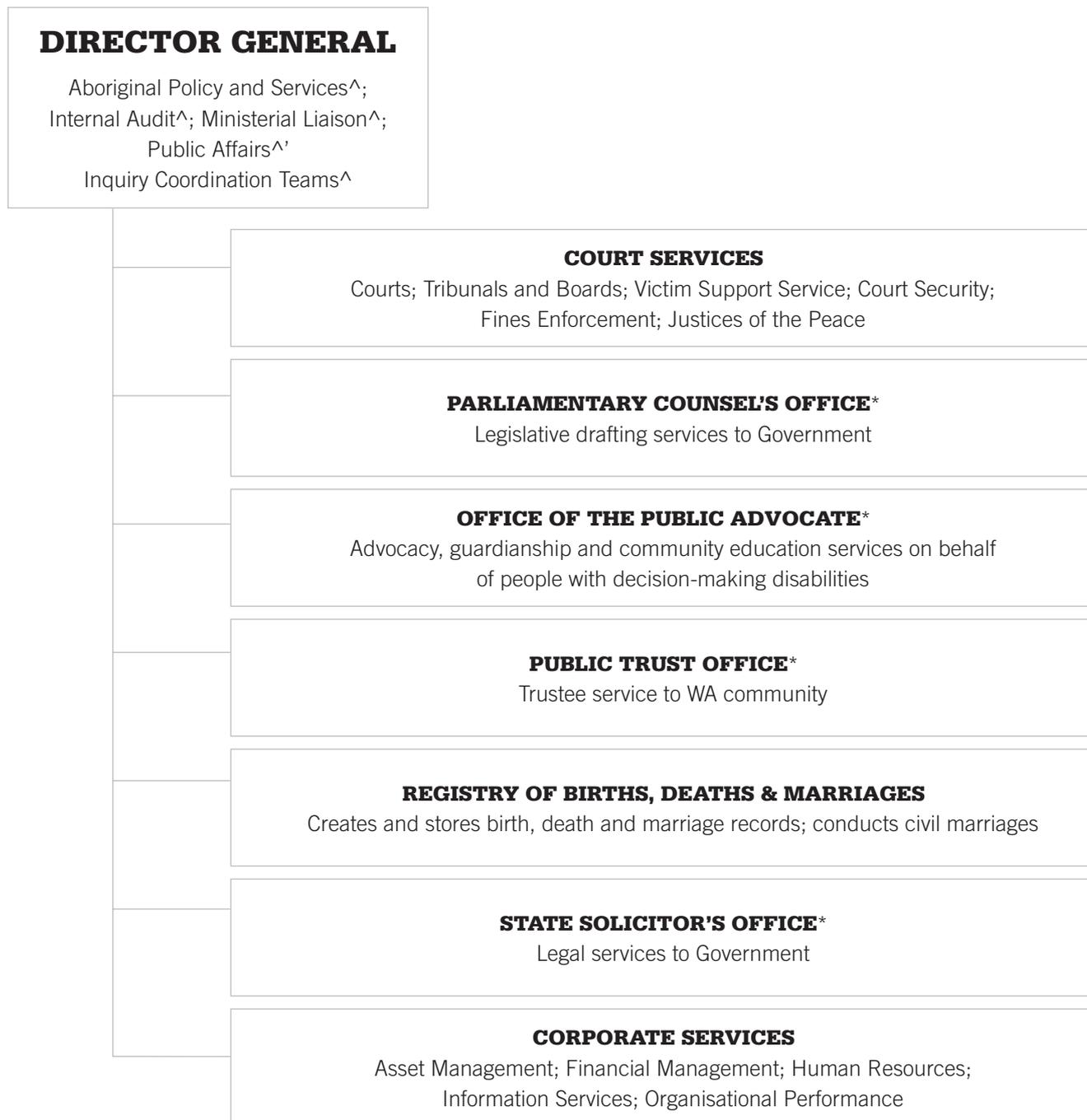
Key awards and commendations

In November 2005, the Department of Justice won a Premier's Award for its collaborative approach to volunteering.

In June 2006, the Department of Justice won a Silver Lonnie Award for excellence for its 2004/2005 Annual Report.

[Profile of the Department]

Corporate structure



[^] Provides services to both the Department of the Attorney General and the Department of Corrective Services under formalised service level agreements signed by the Director General and the Commissioner of Corrective Services on 1 February 2006.

* Reports directly to the Attorney General on professional or statutory matters, and to the Director General on administrative matters.

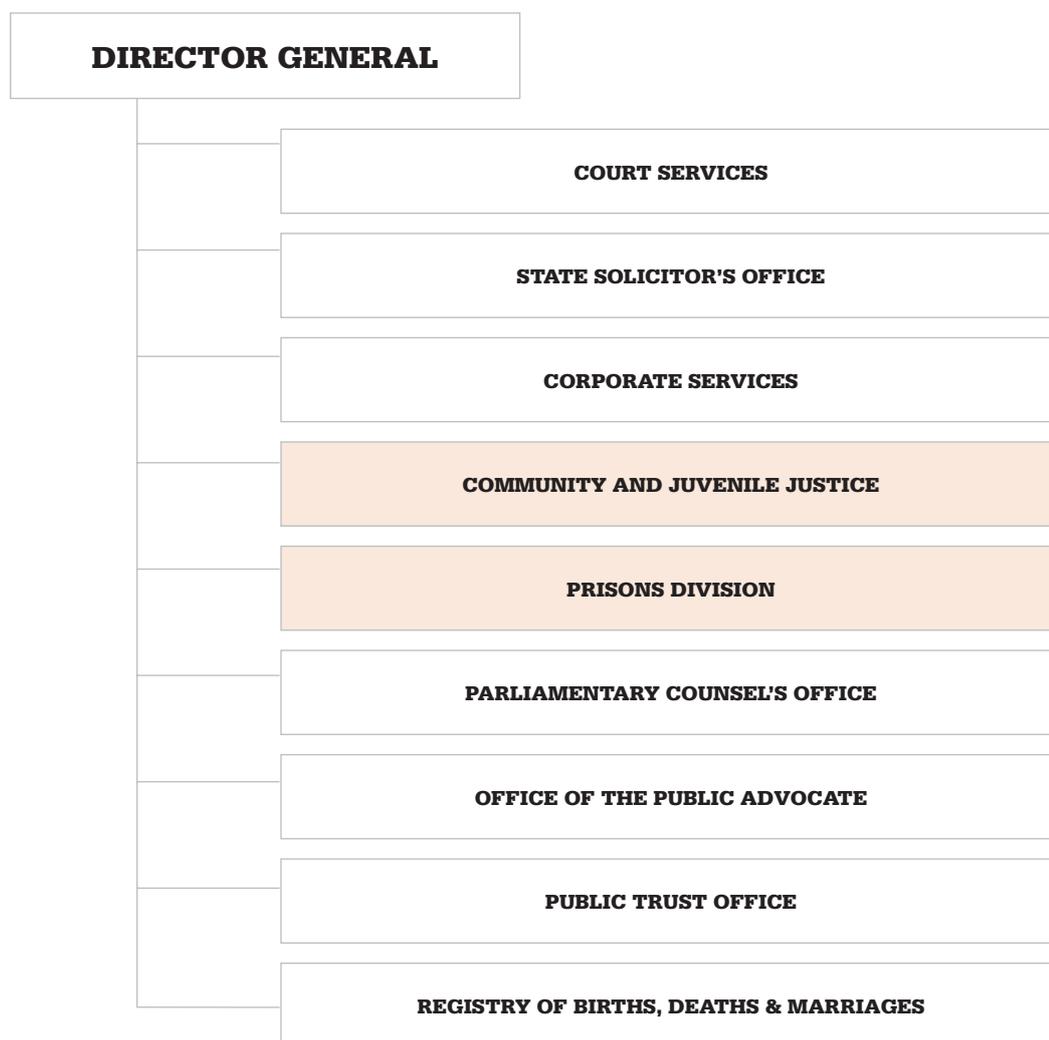
[Profile of the Department]

Former Department of Justice corporate structure

The following diagram depicts the structure of the former Department of Justice, which remained in place until 31 January 2006.

Community and Juvenile Justice and Prisons divisions formed the new Department of Corrective Services, while the remaining structure formed the Department of the Attorney General.

See the Department of Corrective Services Annual Report 2005/2006 for information about the new Corrective Services structure.



[Profile of the Department]

The executive team

A. Colin Murphy – Acting Director General

Colin Murphy became Acting Director General of the Department of the Attorney General in February 2006, after heading up the former Department of Justice from July 2005. Mr Murphy has been the State's acting Under Treasurer and has also worked as the Executive Director of Assurance Services at the Office of the Auditor General. Mr Murphy has occupied various senior management positions within Government. He holds a Bachelor of Commerce and is a fellow of CPA Australia.

B. Ray Warnes – Acting Executive Director Court Services

Ray Warnes holds a Graduate Diploma in Business and Administration, a Bachelor of Education and a Diploma of Teaching. He joined the Department of Justice as Director Organisational Performance in 1996 and was appointed Executive Director Corporate Services in July 1999. From 2003, he was acting Executive Director Community and Juvenile Justice and became acting Executive Director Court Services in January 2004.

C. Graeme Doyle – Acting Executive Director Corporate Services

Graeme Doyle is a Certified Practising Accountant with 25 years financial management experience in State Government. Originally from Bunbury, Mr Doyle moved to Perth in December 1979 after completing his tertiary qualifications in accounting. He has spent 17 years in varied roles with the Department of Treasury and Finance dealing with budget and policy issues. Between 2000 and 2004, he was that department's Director Financial Policy, responsible for implementing financial management reforms and facilitating the roll-out of accounting policy developments across WA's public sector. Graeme joined the Department of Justice in December 2004 as Acting Director Financial Management, and was appointed to the position of Acting Executive Director Corporate Services in February 2006.

D. Tim Sharp – State Solicitor

Tim Sharp was appointed WA's State Solicitor in October 2003. He joined the Office in May 1997 and was head of the commercial and conveyancing section. He originally moved to Perth with his family from Scotland in 1985 and joined the law firm now known as Mallesons Stephen Jacques, where he was a partner from 1988 to 1997.

E. Greg Calcutt – Parliamentary Counsel

Greg Calcutt graduated from the University of WA with a Bachelor of Laws in 1967 and joined the then Crown Law Department in 1971. He was appointed Deputy Parliamentary Counsel in 1985 and took up the position of Parliamentary Counsel in 1989. He was made a member of the Order of Australia in 2003 and Senior Counsel in November 2004.



A



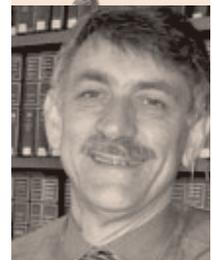
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C



D



E

[Profile of the Department]

F. Michelle Scott – Public Advocate (independent statutory officer)

Michelle Scott holds a degree in social work and became Public Advocate in September 2002. She has a strong background in community and welfare issues. She has held senior policy positions within Government in the fields of community and disability services, social security and immigration. Michelle has served on the Mental Health Review Board, as the Senior Member of the Immigration Review Tribunal and the Senior Member of the Social Security Appeals Tribunal.

G. John Skinner – Public Trustee (independent statutory officer)

John Skinner holds a Bachelor of Science (Mathematics) degree, a Graduate Diploma in Financial Planning and a Graduate Certificate in Applied Finance and Investment. He commenced as the Public Trustee in February 2006 and has previously worked in the WA and Commonwealth public sectors. He brings to the position a proven track record in financial services and management, having held senior positions with the Government Employees Superannuation Board and the Insurance and Superannuation Commission.

H. Alan Andersson – Registrar Births, Deaths and Marriages

Alan Andersson holds a Bachelor of Business in Accounting and is a Certified Practising Accountant. He has more than 20 years experience in financial management, the majority of which has been gained in a number of Government departments. Before joining the Registry of Births, Deaths and Marriages, he was Manager Financial Policy and Reporting for the former Department of Justice. Alan was appointed Registrar in 2004.

I. Kate George – Director Aboriginal Policy and Services

Kate George holds a law degree from the Australian National University and was admitted to practice as a barrister and solicitor in WA and New South Wales. She has provided national consultancy services to private and Government sectors and Aboriginal communities and has been a ministerial advisor at State and Federal levels. She joined the Department in 2002 and brings considerable expertise in the area of Aboriginal policy and programs.

J. Kym Patterson – Acting Manager Public Affairs

Kym Patterson holds a degree in journalism and public relations from Curtin University of Technology and is a member of the Public Relations Institute of Australia. She joined the Department in 2002 and was appointed Acting Manager Public Affairs in December 2005. Kym has local and international experience in public relations, having worked in a range of sectors in Perth and the United Kingdom.



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[Profile of the Department]

Operating locations

The Department of the Attorney General head office operates from 141 St Georges Terrace, Perth.

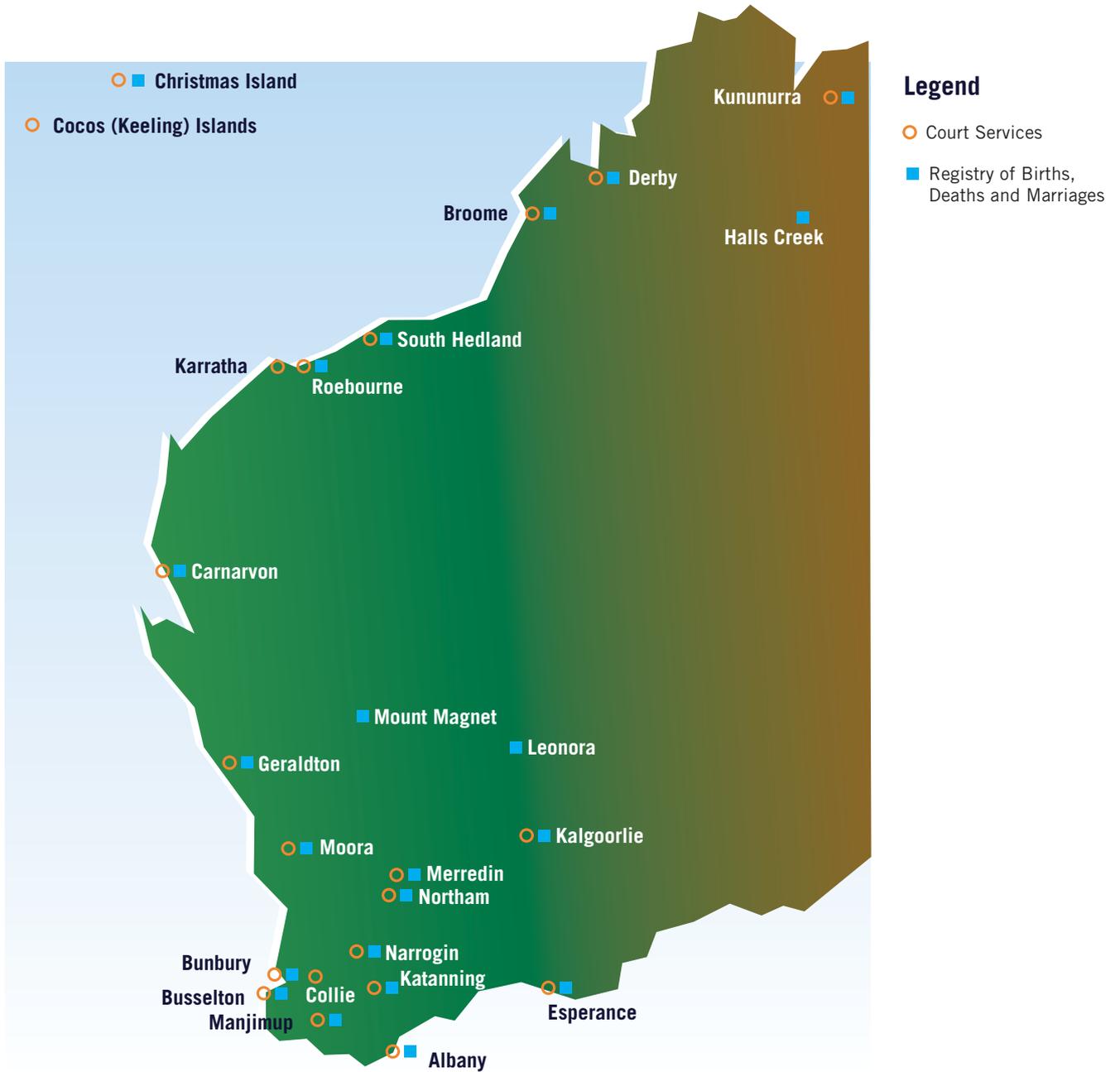
Numerous service locations are scattered throughout the Perth metropolitan area and regional Western Australia.

Metropolitan locations



[Profile of the Department]

Regional locations



The year in brief

Mahoney reform program

The Department's reform program is an outcome of the Mahoney Inquiry into the Management of Offenders in Custody and in the Community undertaken in 2005. The Department of the Attorney General was created in February 2006 as a direct result of a recommendation from the Mahoney Inquiry to separate the Department of Justice.

Key achievements

- Separated the Department of Justice into two agencies: the Department of the Attorney General and the Department of Corrective Services.
- Established teams to govern the way forward for the new departments and coordinate communication with the Government's independent Justice Reform Implementation Committee.
- Prioritised the recommendations of the Mahoney Inquiry report to reflect the impact each recommendation may have on community safety, service delivery and staff safety and well being.
- Gained Government funding to implement key initiatives related to the Mahoney Inquiry recommendations, including the Aboriginal Justice Agreement.
- Began to review branch structures for corporate support services provided to both departments after the separation of the Department of Justice.

Future directions

- Continue to develop and implement revised corporate support structures for the new departments.
- Support affected staff in the transition to new structures through the dedicated Change Management Team.
- Implement key initiatives funded by Government, including:
 - progressing the Aboriginal Justice Agreement with the development of regional and local Aboriginal plans.
 - developing the new Prisoners Review Board to focus more on case management with the most serious cases, resulting in a smaller number of prisoners being reviewed at each meeting.
 - recruiting and training Aboriginal Court Liaison Officers at Kununurra, South Hedland, Carnarvon, Albany and Perth.
 - implementing workforce planning and management, and occupational health and safety projects.

[The year in brief]

Court Services

The Court Services division, together with the judiciary, provides civil and criminal court services to uphold the rights of the WA 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.

Key achievements

- Continued a building and refurbishment program for courts across Western Australia.
- Continued to develop legislation for the cross-border justice initiative, reviewed new courts legislation and implemented Law Reform Commission recommendations relating to people who represent themselves in court.
- Progressed reforms to establish a Prisoners Review Board to replace the Parole Board.
- Developed a family violence strategy to reduce the rate of family violence with the ultimate aim of reducing Aboriginal imprisonment.
- Began a community sentencing court at Norseman that allows community members to be part of the sentencing process.
- Employed an additional judge and magistrates to allow for extra sittings.
- Continued to manage Australia's largest ever civil trial – Bell Resources – that included a hearing in London.
- Developed a commercial list, early mediation scheme and a criminal listings project for the District Court.
- Implemented major changes to family law and embraced federal reform to benefit WA families.
- Enhanced security for courts.
- Managed increased demand for services for victims, vulnerable adult witnesses, parents and child witnesses.
- Made significant advancements in technology including the electronic lodgement of many court documents and website upgrades.

[The year in brief]

Future directions

- Continue a building and refurbishment program for courts across Western Australia.
- Progress information technology capabilities for courts through the Integrated Court Management System, expand access to audio-visual facilities and explore opportunities for new electronic processes.
- Continue to review recently implemented legislation including that associated with sexual assault, family violence and the State Administrative Tribunal.
- Establish a new Prisoners Review Board.
- Support initiatives to reduce the number of Aboriginal people involved in the criminal justice system, by:
 - improving fines enforcement case management practices
 - implementing an Aboriginal Court pilot in Kalgoorlie
 - developing family violence courts and associated programs at Geraldton and in the metropolitan area
 - recruiting Aboriginal court liaison officers across key court areas to improve access to, and participation in, the justice system by Aboriginal people.
- Develop strategies within each court jurisdiction to better manage self-represented people.

Office of the Public Advocate

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.

Key achievements

- Began developing local responses to address the abuse of older Aboriginal people and people from culturally and linguistically diverse backgrounds.
- Expanded community education, investigation and guardianship services in regional Western Australia through videoconferencing technology.
- Established a working group to progress amendments to the *Guardianship and Administration Act 1990* to further protect Western Australians with a decision-making disability.
- Began to develop, with other agencies, innovative mechanisms for addressing the complex needs of people with decision-making disabilities.
- Initiated a feasibility study on the most appropriate case management system to enhance the services of the Office of the Public Advocate.

[The year in brief]

Future directions

- Develop initiatives to protect people with decision-making disabilities in regional and remote areas, particularly Aboriginal people.
- Establish new staff positions to help reduce the risk of exploitation, abuse and neglect for people with multiple and complex needs living in the community.
- Further develop initiatives to protect and support older people from culturally and linguistically diverse backgrounds.
- 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 the Community Guardianship Program by recruiting, training and supporting members of the community to become community guardians.

Parliamentary Counsel's Office

The Parliamentary Counsel's Office provides comprehensive legislative drafting and related services to Government, and State Government departments and agencies. It ensures Government policies are put into legislative form and the public has access to, and information about, existing legislation.

Key achievements

- Drafted major pieces of legislation including significant reforms for the electricity industry and health practitioners, changes to promote uniform defamation laws and a Bill that defines the powers for the investigation of offences.
- Expanded the legislative information available to the public, especially historical Western Australian legislation.

Future directions

- Work with the State Law Publisher to continue to improve the electronic publication of legislation.
- Continue to meet the Government's drafting requirements.

[The year in brief]

Public Trust Office

The Public Trust Office provides professional and independent trustee and asset management services, including trust management, estate administration, will drawing and private administrator support.

Key achievements

- Undertook stakeholder consultation and advocacy for proposed changes to the *Trustee Act 1941* and received Cabinet approval for the printing of the Acts Amendment (*Public Trustee and Trustee Companies*) Bill 2000.
- Set up a specialist team of forensic accountants to meet increased demand for trustee services.
- Reviewed and reclassified positions to better reflect the responsibilities of key roles.

Future directions

- Implement the proposed Acts Amendment (*Public Trustee and Trustee Companies*) Bill 2000 – that will allow the Public Trust Office to fully meet the needs of clients without placing a financial burden on the community.
- Update policies and procedures in line with proposed legislation from the Wills Amendment Bill 2006. If passed, the Bill would revoke wills on divorce, expand the types of informal wills that could be made, and allow court wills to be made for people who lacked capacity to make them.
- Implement appropriate recommendations from a review of the corporate information technology system, and determine its ability to deliver future services to clients.
- Implement a training and development program to help staff meet new client, business and legislation challenges.

Registry of Births, Deaths and Marriages

The Registry of Births, Deaths and Marriages manages the security, integrity and preservation of birth, death and marriage records and provides a civil marriage service.

Key achievements

- Maintained service delivery standards despite a 7% increase in birth, death, marriage and change-of-name registrations.
- Implemented an online certificate validation service in conjunction with other Australian states to help combat identity fraud.
- Started recording and printing the names of defacto partners on death certificates.
- Connected Kalgoorlie, Geraldton, Mandurah and Rockingham courts to the registry's database.
- Extended the range of historic birth, death and marriage indexes available to the public via the Department's website.

[The year in brief]

Future directions

- Begin to convert historic paper-based birth, death, marriage and change-of-name records to electronic format to guarantee their preservation.
- Implement an online death registration lodgement system for funeral directors.
- Undertake planning for an online marriage registration lodgement system for marriage celebrants.
- Progressively release further historic birth indexes on the Department's website.

State Solicitor's Office

The State Solicitor's Office is highly regarded as a leading legal service provider of a broad range of legal services to the State Government and its departments, instrumentalities and statutory corporations.

Key achievements

- Provided quality legal services to the Government and more than 110 departments and agencies.
- Dealt with several significant legal matters including a claim against the State for loss arising from \$50 million deposited with Rothwells in 1988.
- Represented the interests of the State in more than 130 Native Title claims in the Federal Court.

Future directions

- Continue to provide quality legal services to the Government and State Government agencies and manage a wide range of legal matters.
- Implement an electronic document management system to improve office efficiency and effectiveness.

[The year in brief]

Corporate support services

The following areas provide corporate support services to both the Department of the Attorney General and the Department of Corrective Services during a review and transition period, following the separation of the Department of Justice.

Aboriginal Policy and Services

Aboriginal Policy and Services provides strategic policy analysis and advice, as well as coordinating and facilitating consultation with the Aboriginal community for the Department.

Key achievements

- Secured \$10.8 million over four years to progress the Aboriginal Justice Agreement.
- Completed one Aboriginal Justice Agreement (AJA) regional plan and three AJA local plans and made substantial progress on nine others.
- Advised the Department of Corrective Services on Aboriginal community engagement processes for proposed juvenile remand centres in Kalgoorlie and Geraldton.
- Led the development of an Aboriginal reference group to ensure community engagement for input into developing a model for the Geraldton Aboriginal Family and Domestic Violence Project.
- Established the State AJA Interim Steering Committee to advise on the development of regional and State representation.
- Finalised Aboriginal protocol guidelines for the Department.
- Reviewed customer service to Aboriginal and Torres Strait Islander clients in five business areas.
- Achieved greater collaboration between the Aboriginal Visitors Scheme and WA Police through revision of processes and procedures.

Future directions

- Provide leadership and representation in ensuring input into future policy directions on Aboriginal issues, consistent with the Mahoney Inquiry recommendations.
- Continue to build the Department's capacity to engage more effectively with Aboriginal people and communities to achieve better outcomes.
- Through the AJA, 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.
- Become an employer of choice for Aboriginal people.

[The year in brief]

Future directions cont.

- Progress the implementation of the Aboriginal Justice Agreement, including the establishment of State and regional structures.
- Refocus the role and function of the Aboriginal Alternative Dispute Resolution Service as a Statewide early intervention and conflict resolution service.
- Finalise a review of the Aboriginal Visitors Scheme.

Corporate Services

Corporate Services assists in developing the overall strategic direction for the Department and manages its human, financial, information and physical resources.

Key achievements

- Contributed to the creation of two new Departments by:
 - establishing and transferring budgets for the new Department of Corrective Services
 - establishing new bank accounts and financial reporting arrangements
 - transferring staff records, separating payrolls and creating new positions
 - establishing new recordkeeping arrangements.
- Progressed the Aboriginal Employment Strategy by implementing an entry-level training program and successfully placing eight trainees.
- Developed a system to issue purchase orders from the procurement system via email to suppliers.
- Received a clean bill of health for contractual processes from the State Supply Commission.
- Progressed with plans to integrate transactional functions into the Office of Shared Services.

Future directions

- Implement a new Corporate Services divisional structure for the Department of the Attorney General and the Department of Corrective Services and manage the significant exchange of corporate knowledge between both agencies.
- Transition human resource and finance transactional functions to the Office of Shared Services.
- Manage the refurbishment of central business district office accommodation in Westralia Square and International House and begin relocating business areas to align with the new agencies for better service delivery.
- Address Information Technology disaster recovery needs, and determine options and costs.

[The year in brief]

Future directions cont.

- Progress the implementation of an electronic document and records management system.
- Continue to implement the Mahoney Inquiry recommendation concerning workforce planning and management, and occupational health and safety.
- Establish a disability services consultative committee to oversee the implementation of the *Disability Access and Inclusion Plan 2005-2008*.

Internal Audit

Internal Audit provides advice and conducts audits as outlined in the annual audit plan for the Department of the Attorney General and the Department of Corrective Services.

Key achievements

- Undertook 31 audits across the Department of the Attorney General and the Department of Corrective Services, including an audit of governance of the Departments' Mahoney Reform Program.
- Raised awareness of risk management.
- Assisted in the reduction of outstanding recommendations from the Office of the Inspector of Custodial Services.

Future directions

- Implement a new branch structure to meet the service delivery requirements of the Department of the Attorney General and the Department of Corrective Services
- Facilitate the annual risk identification process with senior management to help prioritise audit resources and prepare risk-based annual audit plans for both Departments.

Ministerial Liaison Unit

The Ministerial Liaison Unit manages correspondence between the Department of the Attorney General and the Department of Corrective Services, with the offices of the Attorney General and Minister for Corrective Services. The unit ensures ministerial requests are responded to in a timely and accurate manner.

Key achievements

- Managed 3973 ministerial requests.
- Progressed development of the ministerial tracking system and provided ongoing training to new users and refresher courses for existing users.
- Developed new stationery templates for the new Minister of Corrective Services, and kept staff informed of new ministerial processes and protocols.

[The year in brief]

Future directions

- Implement a new branch structure to meet the service delivery requirements of the Department of the Attorney General and the Department of Corrective Services
- Continue to provide an effective service to all stakeholders.
- Update and improve writing guides, styles and manuals for the Department of Corrective Services and the Department of the Attorney General.
- Implement an enhanced electronic document creation tool.

Public Affairs

Public Affairs supports the departments' business areas with strategic communications advice and a broad range of services to help develop community, stakeholder and staff awareness of their operations and achievements.

Key achievements

- Prepared and implemented more than 30 communication strategies for major projects, including a comprehensive strategy to advise stakeholders about the Mahoney Inquiry recommendations and creation of the new departments.
- Created two new websites for the departments.
- Implemented new corporate identity templates, documents and signage for the departments, in line with Government standards.
- Coordinated community consultation and stakeholder briefings for the Albany justice complex development and regional juvenile remand centres project.
- Coordinated a successful Statewide advertising campaign to encourage people to pay their fines and check if their driver's licence had been suspended.
- Prepared seven award submissions, which were all selected as finalists or winners.

Future directions

- Implement a new branch structure to meet the service delivery requirements of the Department of the Attorney General and the Department of Corrective Services.
- Review the communication requirements of the new departments to continue to provide quality communication-based services for each department.
- Implement communication strategies for key projects.
- Continue to implement the new corporate identities, including a Statewide signage replacement project.

[The year in brief]

Financial highlights

The Department receives its primary source of funding, to meet the cost of its services, via Parliamentary appropriation. In 2005/2006, \$462 million was provided through Parliamentary appropriations towards total activity costs that amounted to \$541 million. Appropriation sources also contributed \$26 million towards asset purchases of \$39 million in the Department's capital works program.

Major spending on capital works for the Department of the Attorney General in 2005/2006 included:

- Albany Justice Complex (\$3 million)
- CBD Courts and Central Law Courts refurbishment (\$13 million)
- Corporate IT systems and infrastructure (\$10 million)
- Court security and custodial contract management system (\$1 million)
- Supreme Court upgrade of services (\$1 million)
- Integrated Courts Management System (\$3 million)
- Building infrastructure and maintenance (\$5 million)
- Court security upgrade (\$1 million).

Note: The cost of services in 2005/2006 cannot be directly compared to 2004/2005 because of the separation of the Department of Justice on 1 February 2006.

[The year in brief]

Sources of funding	
Government appropriation	462
Other Government revenues	14
User charges and fees	50
Commonwealth grants and contributions	13
Other revenue	16
Total (millions \$)	555
Activity costs	
Courts Services	122
Adult criminal justice services *	316
Juvenile criminal justice services *	32
Office of the Public Advocate	3
Public Trust Office	12
Registry of Births, Deaths and Marriages	5
State funding Legal Aid Commission	17
Support services to other Government agencies	34
Total (millions \$)	541
Expenditure	
Employees	257
Supplies and services	102
Other expenses	61
Capital user charge	43
Grant subsidies	43
Depreciation	19
Accommodation	16
Total (millions \$)	541

* On 1 February 2006, the Government approved the transfer of the offender management functions from the Department of Justice to a newly created Department of Corrective Services, and renamed the Department of Justice as the Department of the Attorney General. Therefore, the activity costs for adult criminal justice services and juvenile criminal justice services relate to the period 1 July 2005 to 31 January 2006. For financial information relating to these functions after 31 January 2006, please refer to the Department of Corrective Services Annual Report 2005/2006.

Corporate Governance

This section describes the activities of the Department of the Attorney General and its associated functions in the former Department of Justice. Information relating to offender management functions and associated human resource and compliance issues appear in the Department of Corrective Services Annual Report 2005/2006.

Compliance reports

Enabling legislation

The Department of Justice was approved for administrative separation into the Department of the Attorney General and the Department of Corrective Services by State Government Executive Council on 5 January 2006, with effect from 1 February 2006.

Compliance with legislation

The Department of the Attorney General administers a broad range of legislation. A complete list of legislation is included in Appendix II.

Compliance with Public Sector Standards

The Department completed a review of the Public Sector Management (Breaches of Public Sector Standards) Regulations 2005, which came into effect in September 2005. As a result of the review, the Department:

- revised recruitment letters to incorporate prescribed timeframes and provide applicants information outlining how to claim a breach of standard
- implemented an internal conciliation process to allow the employer and applicant to attempt internal resolution of a claim before it proceeded to the Office of the Public Sector Standards Commissioner
- implemented new templates provided by the Office of Public Sector Standards Commissioner, including breach of standard claim forms, withdrawal forms and letters
- updated checklists and reporting documentation to reflect the new regulations.

[Corporate Governance]

Extent of compliance with Public Sector Standards

Recruitment, Selection and Appointment Standard

In 2005/2006, some 250 permanent and fixed-term vacancies of more than six months were advertised, including six appointment pools, which were covered by the Recruitment, Selection and Appointment Standard.

The Department maintained its record in limiting breaches against the Recruitment, Selection and Appointment Standard. Of the nine claims lodged with the Department during the year, one was withdrawn and six breach claims were referred to the Office of Public Sector Standards Commissioner.

Other standards

The Department received two claims against the grievance resolution standard. One claim was withdrawn and the other, which was referred to the Office of Public Sector Standards Commissioner, was dismissed.

Summary of breach of standards claims

Listed below is a summary of breach of standard claims for 2005/2006:

Total claims			
<i>(includes all claims lodged whether resolved internally or referred to Office of Public Sector Standards Commissioner)</i>			
	Recruitment, selection and appointment	Grievance resolution	All
Total claims lodged and handled in 2005/2006	9	2	11
Outcome of claims handled			
Withdrawn in agency	1	1	2
Resolved in agency	1	0	1
Still pending in agency	1	0	1
Referred to OPSSC	6	1	7
– Agreement reached OPSSC	0	0	0
– Dismissed at OPSSC	4	1	5
– Upheld at OPSSC	0	0	0
– Still pending at OPSSC	2	0	2
Total claims handled in 2005/2006	9	2	11

[Corporate Governance]

Compliance with public sector code of ethics

The public sector code of ethics can be accessed by all staff through various mediums including, but not limited to, the intranet, noticeboards and references in relevant policies and procedures.

Compliance with public sector code of conduct

The Department's code of conduct can be accessed by all staff through its intranet. It provides a range of information, resources and examples of acceptable behaviour standards in the workplace.



Colin Murphy

A/Director General

Department of the Attorney General

25 August 2006

[Corporate Governance]

Advertising and marketing expenditure

Listed below is a summary of the advertising and marketing expenditure for the Department of the Attorney General (includes all advertising and marketing expenditure of the former Department of Justice from 1 July 2005 to 31 January 2006):

Advertising and marketing expenditure	Amount (\$)
Advertising agencies	
Meerkats: The Brand Leadership Company P/L	34,637.79
Direct mail organisations	
Hermes Precisa P/L	2,297.71
Northside Logistics	82.50
Media advertising organisations	
Australian Association of Social Workers Ltd	90.91
Australian Homeland Security Research Centre	45.45
Cambridge Media	1,000.00
Community Newspapers	479.45
Community Press	495.00
Digital Marketing Australia	1,188.00
Echo Newspaper	204.00
Geraldton Guardian	256.00
Halls Creek Herald	117.00
Kimberley Echo	86.41
Kogan Holdings Pty Ltd	430.06
Marketforce Productions	294,048.67
Media Decisions WA	194,475.92
Millbank Publications P/L	440.00
Network Outdoor P/L	2,720.00
Public Relations Institute of Australia (WA)	136.60
Radiowest Broadcasters P/L	1,242.75
Rural Press Regional Media	21.77
State Law Publisher	7,119.07
Unity Publications	990.00
West Australian Newspapers Ltd	5,443.30
Western Australia Police Legacy	570.00
Westaff (Australia) P/L	4,237.50
Market research	
Nil	0
Polling organisations	
Nil	0
Total	552,855.86

[Corporate Governance]

Transparency and accountability

The Department is committed to open and transparent activities and management. It has a series of internal checks and balances, and is subject to scrutiny from external agencies. The Department seeks to provide as much information as possible to the community through its website, the media and other communications.

Ombudsman

In 2005/2006, the Ombudsman received 19 allegations against the Department of Justice, and 17 against the Department of the Attorney General – two more than in 2004/2005. This excludes statistics of allegations made against offender management functions of the former Department of Justice, which appear in the Corrective Services Annual Report 2005/2006. Further information is also available in the Ombudsman's Annual Report.

Corruption prevention

In line with Premier's Circular 2005/02, the Department drafted a Corruption Prevention Policy this year, and started developing a Strategic Implementation Plan that is scheduled for implementation in 2006/2007.

Public interest disclosure

To comply with the *Public Interest Disclosure Act 2003*, the Department has a dedicated officer to deal with its public interest disclosure enquiries and a formal claims handling system in place. A designated confidential telephone line is set up and detailed information, including lodgement forms is published on the Department's internet site. Information brochures are distributed at courts and other public areas around the State.

One public interest disclosure was lodged in 2005/2006. Investigations relating to this case will continue in 2006/2007.

Internal audit

The Department's Internal Audit branch helped maintain effective corporate governance within the Department by conducting comprehensive reviews.

Internal Audit contributed towards improved business practices within the organisation, including management accountability, risk management, compliance management and effectiveness of internal controls. Audits this year included a review of governance of the Mahoney Reform Program.

(See Report on Operations, Internal Audit for more information)

Compliance management

The Department upgraded its online compliance system, *JustComply*, in June 2006, to make it more user-friendly. *JustComply* sends email-based questionnaires to staff involved in legislative compliance. Responses are audited quarterly and used to manage annual reporting requirements and executive performance agreements.

The system has also been adapted to monitor specific operational requirements in a number of areas, such as the Magistrates Court, the Sheriff's Office and the Fines Enforcement Registry.

(See Our People for information about human resources accountability and compliance).

Mahoney Inquiry

The Inquiry into the Management of Offenders in Custody and the Community was established by the Premier in 2004/2005, under section 11 of the *Public Sector Management Act 1994*. The Inquiry continued to examine the performance of the Department of Justice's management of offenders in 2005/2006 and tabled its final report in Parliament on 23 November 2005.

The Department of Justice continued to give its full support to the proceedings in 2005/2006. Up to ten staff were dedicated to responding to almost 500 requests for information during the course of the Inquiry. Following the tabling of the report, a comprehensive strategy was developed to ensure a swift but coordinated implementation to address the Government's priorities.

(See Report on Operations, Mahoney Reform Program for more information)

[Corporate Governance]

Information management

Information statement

The *Freedom of Information Act 1992* requires the Department of the Attorney General to publish an information statement. The Department's information statement was published in its 2006 Handbook, which is available online at www.justice.wa.gov.au/ag.

Freedom of information

The Freedom of Information Unit (FOI) received 285 applications in 2005/2006. During this time, 248 applications were finalised.

Four FOI decisions were reviewed internally after requests from applicants. All original decisions were deemed correct. Three decisions were reviewed externally by the Information Commissioner. All applications were withdrawn by the complainant following conciliation.

The table below includes statistics recorded for the Department of Justice (DoJ) to 31 January 2006. Some 32 applications were transferred to the Department of Corrective Services at that time. Twelve new applications were received by the Department of the Attorney General (DotAG) from 1 February to 30 June 2006.

The Office of the Public Advocate, the Public Trust Office and the State Administrative Tribunal compile separate FOI statistics and include them in their annual reports to Parliament.

FOI applications	DoJ/DotAG
Personal information requests	248
Non-personal information requests	15
Amendment of personal information	0
Applications transferred in full	22
Total applications received	285
Applications completed	248
Applications withdrawn	22
Internal reviews completed	4
External reviews completed	3
Applications outstanding	36

* It is not possible to separate FOI statistics before 1 February 2006 between the Department of the Attorney General and Department of Corrective Service functions. Previous comparative data for the former Department of Justice can be accessed in the Department of Justice 2004/2005 Annual Report online at www.justice.wa.gov.au/ag.

[Corporate Governance]

Recordkeeping plans

Compliance with State Records Keeping Act 2000

The Department is committed to recordkeeping by dedicating a project team to implement the requirements of the *State Records Keeping Act 2000*.

The State Records Commission's minimum compliance requirement is that:

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.

Requirement 2 – *The organisation conducts a recordkeeping training program.*

Some 81 staff received records management system training in 2005/2006.

An online records training and awareness package was developed and piloted. The package will begin to be implemented across the Department in 2006/2007.

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 who undertake the online records awareness package and records 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 will become mandatory for all new staff in 2006/2007. It will address employee roles and responsibilities in regard to their compliance with the Recordkeeping Plan.

State Solicitor's Office Records Keeping Plan

In accordance with standards, the State Solicitor's Office (SSO) achieved the following in 2005/2006, towards the progressive implementation of its approved Records Keeping Plan:

- Launched a tailored online staff records management awareness training program in November 2005.
Some 140 (75.3%) staff based at head office in Westralia Square completed the course, and 14 (7.5%) partially completed it.
- Added information about the Records Keeping Plan to the induction process of new employees. All new employees were required to complete the records management awareness program.
- Recorded a positive result from a survey of internal records users on the effectiveness of recordkeeping systems and services provided by the SSO records branch.

[Corporate Governance]

Information sharing

The Common Party Layer, undertaken in 2005/2006, is the name given to a joint initiative between the Department of the Attorney General and the Department of Corrective Services. It helps identify people across the various systems of the two departments. It provides increased accuracy of identification and tracking of a person through the justice system. It will assist with resolution of duplicate records and ensure the data more accurately reflects the status and history of people in the criminal justice system.

Customer feedback

Customer feedback management system

In 2005/2006, a new Customer Feedback Management policy was developed for the Department in line with Premier's Circular 2004/4 and the Australian standard on complaints handling. A new customer feedback management system was also developed, but implementation was delayed because of the separation of the Department of Justice. The system and policy is consistent with the whole of Government Complaints Management Strategy and will be operational by December 2006.

Court Services

In 2005/2006, Court Services dealt with 42 complaints via the Department's website. It received two compliments. Most complaints were dealt with by personal or written contact within a few days of receipt. More complicated matters took up to a week or longer to resolve.

Registry of Births Deaths and Marriages

In 2005/2006, the Registry received eight formal complaints, four more than the previous year. Of these complaints:

- two were about fees
- two were about privacy associated with the delivery of certificates
- two related to quality of service
- one related to the accuracy of information in a death registration
- one customer expressed concern regarding advice about a birth registration.

Seven of the complaints were resolved within policy timelines.

Ten formal compliments were also received, three fewer than 2004/2005. Of these:

- four were about quality of service
- three were about the usefulness of Registry information on the Department's website
- three related to the promptness of issuing certificates.

District Court

The District Court registry includes an important interface with clients who use the registry to lodge and pay for court documents and make enquiries.

In monitoring service quality, the court conducts a customer feedback program.

Almost all feedback in 2005/2006 was complimentary.

"The service at District Court is always efficient and pleasant without having to wait. The staff are helpful whether at the counter or on the phone. It is a pleasure to go into District Court."

"Thank you for the clear and detailed information contained within the Department of the Attorney General website. It has been of great assistance to my wife and me in finding out how to obtain copies of our birth certificates. It is great to know there are people within the Government system who care about their fellow citizens."

[Corporate Governance]

Public Trust Office

A client feedback policy was introduced in January 2005. The form makes it easy for a client to record a compliment or complaint.

Of 36 matters in 2005/2006, six were compliments. Without exception, compliments related to the way individual staff members handled matters, not the outcome achieved. Clients were impressed by the thoughtful treatment, thorough explanations and conciliatory manner of staff.

Thirty complaints were received, and one related to the manner or tone adopted by a staff member. Twenty-nine of the complaints related to the outcome or a specific event. All of the complaints were finalised as at 30 June 2006.

Office of the Public Advocate

More than 400 individuals, carers or service providers who were customers of the office's guardianship and/or investigation services during the year, were surveyed in 2005/2006. Respondents rated access to staff and services, responsiveness to individual needs, confidentiality, the provision of information, professionalism, response to feedback and grievances. At 30 June 2006, in the guardianship area, 79 people and organisations had responded. On average¹:

- 82% were satisfied or very satisfied with the service
- 18% were unsatisfied or very unsatisfied with the service.

In the investigation area, 57 individuals responded. On average:

- 85% were satisfied or very satisfied
- 15% were unsatisfied or very unsatisfied with the service.

The overall satisfaction level was 84%. This compares with an overall satisfaction rate of 85.5% in 2004/2005.

The same customers were also surveyed on the quality of and accessibility of the information about the Public Advocate on the Department of the Attorney General website. There were 107 responses to this survey. The results showed:

- 90% of respondents accessed the internet
- 50% had accessed the Public Advocate pages
- 37% said they found the information easily
- 15% said the information answered their questions
- 60% expressed an interest in online training.

This information was designed to implement improvements to the Office of the Public Advocate information on the Department's website. Further improvements will be reviewed in 2006/2007.

The Public Advocate implemented a new complaints management system in 2005/2006 to achieve greater transparency and efficiency in responding to concerns.

Twenty complaints were recorded and resolved during the year.

¹ Measured as an average percentage of respondents who answered questions in nine survey fields

Court counselling

All services received a number of phone calls, cards and letters thanking staff for their understanding and support in difficult circumstances this year. The victim support staff recently received flowers in appreciation of the support given to a family who had experienced a homicide.

"...thank you so much once again for all your valuable support – we appreciate it enormously."

[Corporate Governance]

Integration and collaboration

The success of the justice system relies heavily on the collaboration of a large network of people, organisations and communities. Various divisions and business areas of the Department work in a coordinated way to provide cohesive, efficient and effective services.

In taking the lead in this integrated approach to services, the Department is committed to strengthening the collaboration between Government and non-government agencies, the judiciary and the community to deliver relevant and quality justice services – particularly in the regions.

Working in collaboration with the community

Community consultation underpins justice services and processes and is critical to successful service delivery. Community advisory groups are established to ensure 'grass roots' input to Department projects. Advisory groups are generally made up of local residents, local business people and representatives from agencies that bring a cross-section of community views to a project.

Projects undertaken in 2005/2006 included:

Aboriginal Justice Agreement

The Aboriginal Justice Agreement (AJA) 2004 is a partnership framework between the departments of the Attorney General, Corrective Services, Indigenous Affairs and Community Development and the WA Police, Aboriginal Legal Service of WA and Aboriginal representatives (formerly represented through ATSIC and ATSIS).

The agreement enables justice-related State Government agencies to work in partnership with Aboriginal people to ensure they experience the same justice outcomes as other Western Australians.

In 2005/2006, community engagement was undertaken on several projects under the AJA. Local reference groups were formed to develop and implement local justice plans under the agreement. At 30 June 2006, one AJA regional plan and three local plans had been completed, and substantial progress had been made on a further nine plans, working with the community.

Principles of community engagement consistent with the AJA were used to help establish Aboriginal reference groups for the Geraldton Aboriginal Family and Domestic Violence project. Effective engagement with these communities has allowed input from the Aboriginal community and will help develop culturally and locally appropriate services relevant to their region.

(See Report on Operations, Aboriginal Policy and Services for more information)

[Corporate Governance]

Elder abuse

The Public Advocate received \$25,000 from the Government's *Active Ageing Strategy* and \$13,000 from the Office for Seniors Interests and Volunteering to consult with people and organisations in culturally and linguistically diverse (CALD) communities, about elder abuse.

A reference group was established in June 2005, with representatives of key stakeholders to guide consultation, including:

- Office of Multicultural Interests
- Office for Seniors Interests and Volunteering
- Australian Asian Association of WA Inc
- Italo-Australian Welfare and Cultural Centre Inc
- Chung Wah Association
- Serbo-Australian Information and Welfare Centre Inc
- Umbrella Multicultural Community Care Services Inc.

A report of the project with 14 recommendations was completed and is to be considered by Government. It will be distributed widely among CALD communities and organisations in 2006/2007.

Remote court service

A multi-function police complex was opened at Warburton in February 2006. The complex has a police station and court room that can be used for community meetings and by circuiting magistrates. A Kalgoorlie magistrate now travels to the Warburton Aboriginal Community by air charter each month to conduct sittings. Assisting the magistrate, and also travelling on the plane, are two court staff, a police prosecutor, Department of Corrective Services' community justice officers, an Aboriginal Legal Service representative and a Legal Aid lawyer. Community elders and respected people provide interpreter services.

Albany justice complex

In October 2005, the new Albany Justice and Police Complex was opened. A community reference group, which had met regularly since July 2002 to raise issues and be informed on the complex's progress on behalf of the Albany community, concluded its activities at that time.

Members, who included a local member of Parliament, local residents and business people and representatives from the Department, the City of Albany and WA Police, were formally thanked for their efforts at a function in February 2006.

Family violence strategy

Advisory groups have been set up to oversee the implementation of family violence strategies with the ultimate aim of reducing Aboriginal imprisonment.

A steering committee and working group have been established to oversee the implementation of a judicial case-management service to deal with family and domestic violence in the metropolitan area.

[Corporate Governance]

Aboriginal sentencing court pilot

Major progress on recommendations made in a discussion paper on Aboriginal courts was made in 2005/2006. The paper proposed a court service to address equitable access to justice services for Aboriginal people and included options for court management and improved court structure for Aboriginal people.

A project team, including two magistrates, was established to work with the community and stakeholders to develop an Aboriginal court pilot in Kalgoorlie. The pilot, which will begin in 2006/2007, aims to deliver culturally inclusive court services, process and outcomes for Aboriginal people in the Kalgoorlie region.

Community court at Norseman

The Kalgoorlie Magistrates Court started a community sentencing court this year at Norseman that allows community members to be a part of the sentencing process.

(See Report on Operations, Court Services for more information)

Justice Advisory Group

The Justice Advisory Group was disbanded after the separation of the Department of Justice in February 2006. The development of a new group will be considered in 2006/2007.

Working in collaboration with Government

Close working relationships with State agencies continue to be fostered through various programs, committee and community networks. The Department also works with the judiciary in other jurisdictions and various Commonwealth agencies.

Human Services Directors General Group

The Director General was a member of the Human Services Directors General Group, which met bi-monthly in 2005/2006 to further the State Government's social policy agenda. The group was disbanded by the Department of Premier and Cabinet in June 2006 and will be replaced with specific taskforce arrangements.

Before being disbanded, the group accepted a proposal from the Public Advocate that Government develop a whole-of-Government approach to case management for people with complex needs, including decision-making disabilities. The project began in June 2006.

Standing Committee of Attorneys General

The Department provided support to the Standing Committee of Attorneys General – a committee of the Attorneys General of all Commonwealth states and territories.

Parliamentary Counsels' Committee

In 2005/2006, the Parliamentary Counsel attended five meetings of the Parliamentary Counsels' Committee, which includes heads of the drafting offices of the Commonwealth, Australian States and Territories and New Zealand. The committee is responsible for drafting uniform and complementary legislation for the Standing Committee of Attorneys General, the Council of Australian Governments and other national Ministerial councils.

[Corporate Governance]

The committee drafted uniform defamation legislation, which was passed by State Parliament in December 2005. It also drafted the Terrorism (Preventative Detention) Bill which was still before Parliament at the end of 2005/2006.

Cross-border justice initiative

The Department continues to cooperate with WA Police, Department of Corrective Services and justice and police counterparts in South Australia and the Northern Territory, to address the issues relating to justice services in common-border central desert lands. This year, the cross-border justice scheme continued to progress legislative reform so that Western Australian magistrates will be able to deal with offences committed in the other jurisdictions under the laws of that other jurisdiction (and vice versa).

The reforms will provide more efficient justice services in the remote cross-border area of central Australia and help address domestic violence, sexual abuse and substance misuse in the region.

Alliance against abuse

As members of the Alliance for the Prevention of Elder Abuse (Western Australia), the Public Advocate and the Public Trustee met with other Government agencies monthly during 2005/2006. The alliance developed a draft protocol to help raise awareness about how to recognise and respond to elder abuse by a family member, friend and/or a person of trust. It also launched a website and promoted World Elder Abuse Awareness Day in June 2006.

Australian Guardianship and Administration Committee

The Public Advocate, Public Trustee and members of the State Administrative Tribunal hosted a meeting in March 2006 of the Australian Guardianship and Administration Committee which had representatives from all Australian states and territories.

Declared place senior working group

The Public Advocate continued to work on an inter-departmental senior officers' group in 2005/2006 to develop a model for a declared place/declared service for mentally-impaired accused people who are unfit to stand trial or who have been found not guilty due to unsoundness of mind. The group is due to report in July 2006.

Other groups

The Director General also participated in the following committees that considered whole-of-Government issues:

- Strategic Management Council
- Client Management Council (Office of Shared Services)
- e-Government Sub-committee
- Community Safety and Crime Prevention Council
- Procurement Reform Sub-committee.

Our people

The Department offers a wide range of interesting and challenging employment opportunities for people of all levels of skill and experience. At 30 June 2006, the Department employed more than 1769 people.

Throughout the year, the Department worked to ensure the consistent application of employment conditions and the effective resolution of workplace issues at the local level. A key focus was supporting the growth of the organisation's ethical culture, in addition to maintaining a safe, flexible and rewarding work environment through various codes, policies and procedures.

At 31 January 2006, the Department of Justice employed 4754 people before it separated to form the Department of the Attorney General and the Department of Corrective Services.

Employee profile

The majority of employees in the Department in 2005/2006 were public servants. There was an increase of 84 public servants on the previous year.

The Department employed 105 Aboriginal employees at 30 June 2006, making up 5.9% of the Department's workforce.

Employee profile of Department of the Attorney General (headcount) at 30 June 2006

Employees by award /occupational grouping	2004/2005					2005/2006				
	Nos			%		Nos			%	
	F	M	TOTAL	F	M	F	M	TOTAL	F	M
Aboriginal Visitors Scheme staff	21	12	33	64%	36%	21	7	28	75%	25%
Catering employees and tea attendants	6	0	6	100%	0%	5	0	5	100%	0%
Child care workers	1	0	1	100%	0%	1	0	1	100%	0%
Cleaners and caretakers	42	8	50	84%	16%	22	2	24	92%	8%
Government officers (GOCAS/GOSGA Award)	52	71	123	42%	58%	55	67	122	45%	55%
Public service employees	929	547	1476	63%	37%	985	575	1560	63%	37%
Salaries and Allowances Tribunal staff	3	14	17	18%	82%	3	13	16	19%	81%
State Administrative Tribunal*	4	9	13	31%	69%	4	9	13	31%	69%
Total	1058	661	1719	62%	38%	1096	673	1769	62%	38%

* Senior and ordinary members only. State Administrative Tribunal public servants are counted under as Public Service employees. Sessional and judicial members are not included.

(See Report on Operations, Courts for more information about Courts Services people)

[Our people]

Senior employees

The number of level 7 positions within the Department of the Attorney General slightly decreased, when compared to 2004/2005. However, there was an increase in the number of level 8 positions. This is mainly due to the Department separation and the creation of temporary positions within Inquiry coordination and response teams to facilitate the change process, as well as staff to assist in the transition to the Office of Shared Services.

Senior employees (Level 7 and above – head count) in the Department of the Attorney General at 30 June 2006

Classification	*2004/2005					2005/2006				
	Nos			%		Nos			%	
	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%	0	1	1	0%	100%
Class 2	0	1	1	0%	100%	0	1	1	0%	100%
Class 1	2	1	3	67%	33%	1	1	2	50%	50%
Level 9	3	7	10	30%	70%	2	6	8	25%	75%
Level 8	6	25	31	19%	81%	12	29	41	29%	71%
Level 7	23	42	65	35%	65%	19	35	54	35%	65%
Total	34	78	112	30%	70%	34	72	106	32%	68%

* Excludes legal officers

Appointment pools

Appointment pools offer the opportunity to combine positions for advertising, saving on advertising costs and increasing applicant numbers. Appointment pools also provide a ready source of suitable applicants for positions as they arise in subsequent months.

The following table reflects the appointment pools conducted in 2005/2006. The majority were in Corporate Services, which was challenged in retaining experienced staff and attracting new employees.

[Our people]

Appointment pools for the Department of the Attorney General advertised between 1 July 2005 to 30 June 2006

Division and position	Level	Date advertised	Total number of suitable applicants
Corporate Services			
Personnel services officers	2	Nov 2005	19
HR and Finance pool	3	Nov 2005	21
Human resource officer	3	Jan 2006	24
Manager personnel services and employee welfare	3 - 7	Jan 2006	6
Finance/HR officer data processing	3 - 7	Feb 2006	2
HR and Finance positions	Various	Feb 2006	22
Manager/senior HR analyst	5	Mar 2006	17
Public Trust Office			
Trust officer	2	Feb 2006	37
Estate officer	2	March 2006	17

Volunteers

The Department has one of the largest volunteer workforces in the WA public sector with some 3600 people helping in a wide range of activities in 2005/2006. Volunteers made an important contribution to supporting justice services in Western Australia by providing a range of services. They included victim support volunteers, justices of the peace and community guardians.

Victim support

Volunteers assisted victims of crime and their families this year by helping them become familiar with, and supporting them through, court processes. Some 66 volunteers, including five in the Coroner's Office, contributed 10,955 hours to 1940 victims of crime. An award in memory of former volunteer Bert Harris, which recognises a volunteer's outstanding support to victims of crime, was presented to Joy Watt in May 2006.

(See Report on Operations, Court Services for more information)

[Our people]

Justices of the peace

About 3400 justices of the peace spent 5800 hours sitting in courts, 12,500 hours in signing centres and 5000 hours at the Family Court, Perth Watch House and other custody centres. Some 71 new justices of the peace were appointed this year.

(See Report on Operations, Court Services for more information)

Community guardians

Some 15 suitable community members were recruited and trained by the Office of the Public Advocate to act as guardians for people with decision-making disabilities as part of the Public Advocate's Community Guardianship Program. Guardians make personal, medical and lifestyle decisions in the best interests of people who have decision-making disabilities.

Improvements in volunteer management

Significant achievements were made in volunteer services, planning and management during the past year. These include:

- establishing a six-monthly volunteering report to provide an overview of volunteers in the Department
- improving governance frameworks and resolving volunteering issues from the volunteers standing committee and volunteers coordinators network
- training volunteers to maximise their contribution to business areas objectives.

(See Profile of the Department, Awards and Commendations for more information)

Awards and agreements

Public servants

The *Public Service General Agreement 2004* (PSGA 2004), which applies to public service officers at the Department of the Attorney General, expired on 25 February 2006. The Department of Consumer and Employment Protection has negotiated an 'in principle' agreement (the expected PSGA 2006), which is expected to be registered early in July 2006. Amendments will be made to the Public Service Award as part of the new PSGA.

Policies and guidelines

Commencement salary

A Commencement Salary Policy was developed and implemented in March 2006 to provide a framework and principles for determining the commencement salary of officers in accordance with relevant legislation, awards, agreements and Government policy.

Aboriginal visitors

The Department continued negotiations with the Civil Service Association for a new industrial agreement for employees of the Aboriginal Visitors Scheme.

Graduates

Twelve graduates from two intakes participated in the two-year graduate program this year. The program involves six-monthly rotations through business areas in the Department, and provides extensive training and professional development opportunities to participants.

The current program operates across the Department of the Attorney General and the Department of Corrective Services. A new graduate program is being developed for implementation in the Department of the Attorney General in 2006/2007.

[Our people]

Equal opportunity and diversity

An Equal Opportunity Policy and Harassment Policy, which complies with the *Equal Opportunity Act (WA) 1984*, was developed and implemented in September 2005.

Policies and processes associated with equity and diversity were reinvigorated. Main achievements included:

- finalising an Aboriginal employment strategy
- reviewing grievance policy and procedures
- revising workplace grievance management policy and procedures
- revising the equal opportunity and diversity policy
- improving statistical reporting to record staff from culturally and linguistically diverse backgrounds
- developing an ethical awareness special training package
- developing a workplace bullying training package
- selecting and training new grievance officers in November and December 2005
- appointing a dedicated project officer to help with the coordination of the grievance officer network across the Department.

Aboriginal employment

An Aboriginal employment strategy was completed in September 2005 to increase, retain and develop Aboriginal staff. Progress in 2005/2006 included:

- implementing an entry-level training program involving eight trainees
- developing guidelines for managers to attract, recruit and retain Aboriginal people
- creating a register of trained external and internal Aboriginal selection panel members
- establishing a recruitment pool of potential Aboriginal applicants
- developing an induction program for new Aboriginal employees
- implementing a cadetship program with four cadets.

Workplace grievance management

Policy and procedures to underpin the Department's commitment to maintaining an equitable and harmonious workplace were developed. All employees have the opportunity to express and resolve work-related grievances in a timely manner, and in accordance with the principles of natural justice.

[Our people]

Industrial issues

Industrial action

No industrial action was taken by Department employees during 2005/2006.

Unions

Department employees are covered by a range of unions including the Civil Service Association and the Australian Liquor, Hospitality and Miscellaneous Workers Union.

The Department has formal joint consultative committees within each division that met regularly during the year to discuss issues and concerns of staff. Various other consultative groups are established at workplace levels.

Employee welfare

Occupational safety and health

Occupational safety and health (OSH) continued to be a priority for the Department this year. Some 43 audits were conducted at workplaces across the State.

OSH education is critical in preventing workplace injuries and hazards. The Department conducted 35 employee awareness sessions on various topics including changes to legislation, bullying in the workplace, supervisor's responsibilities and manual handling. In addition, managers and supervisors received specific training in managing OSH issues.

Employee assistance

The Department continued to make available an employee assistance program to all employees and their immediate families. From 1 July 2005 to 30 June 2006, some 63 (3.6%) employees accessed the service, for an average of less than three confidential counselling sessions. The referral rate for employee assistance program counselling was consistent with that of previous years and with national rates.

Counselling assistance offered by the Department was widely promoted from November 2005, when the separation of the Department of Justice was announced, to ensure staff were aware of the service. Two briefing sessions for corporate staff directly affected by the separation were also held by the acting Director General.

The Department did not refer any critical incidents involving employees, for individual and/or group support this year. Specific coaching and support services were provided to various Departmental jurisdictions undergoing significant workplace change.

[Our people]

Workers compensation

Workers' compensation information, supplied by RiskCover, was not available at the time this report was compiled.

Substantive equality

The Department of the Attorney General 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 has:

- developed and endorsed the Departmental Substantive Equality Policy
- began implementing the policy in the case management service area at the Family Violence Court
- completed and endorsed the final draft of a five-year implementation plan from 2005 to 2009.

The Department also began an awareness-raising program of workshops with key staff and presentations at executive meetings. A steering group was also established to guide the implementation process.

Report on operations

Mahoney reform program

The Department's reform program is an outcome of the Inquiry into the Management of Offenders in Custody and in the Community undertaken in 2005. The Department of the Attorney General was created on 1 February 2006 as a direct result of a recommendation from the Inquiry to separate the Department of Justice.

Key achievements and challenges

Background

The Honourable Dennis Leslie Mahoney AO QC conducted the *Inquiry into the Management of Offenders in Custody and in the Community* between May and December 2005.

The Department of Justice gave its full support to the proceedings, with up to ten staff dedicated to responding to almost 500 requests for information. Staff from all parts of the Department made themselves available for interviews. Mr Mahoney's report contained 148 recommendations and was tabled in Parliament in November 2005.

In addition to the Mahoney Inquiry report, the Inspector of Custodial Services conducted a directed review under the *Inspector of Custodial Services Act 2003* section 17. This included an additional 162 recommendations.

An independent Justice Reform Implementation Secretariat was formed by the Government in November 2005 to oversee the implementation of recommendations from the Inquiry.

Key recommendations

Key recommendations from the Mahoney Inquiry related to the assessment and classification of prisoners, the processes and management of the Department's workforce, and the separation of the Department of Justice into two agencies: the Department of Corrective Services and the Department of the Attorney General.

Decisive action

The Department of Justice moved quickly to create two new agencies within two months following the Government's decision to separate the Department. A comprehensive governance framework was developed to ensure a swift but coordinated implementation. A high-level Department leaders group met daily to coordinate the separation and a response to the Inquiry's recommendations.

Three teams were established to govern the way forward for the new departments and coordinate communication with the Justice Reform Implementation Secretariat. They included:

- Legislation – to consider and progress the legislative reform required to implement key changes from the Inquiry, including the split of the Department

[Report on operations]

- Recommendations – to review all recommendations from the Inquiry and develop a strategy and proposal to address these, including detailed budget proposals
- New Departments – to coordinate activities required to prepare the Department of Justice for separation on 1 February 2006, then to review existing structures and services of corporate support areas to develop revised corporate support service models for the Department of the Attorney General and the Department of Corrective Services.

Daily business was largely unaffected and services continued throughout the planning and separation process on 1 February 2006.

The creation of the new departments was the first step in the reform process. Corporate support areas remained within the Department of the Attorney General on a temporary basis until these business areas could be reviewed, and the most appropriate service delivery models developed for the new departments.

A fourth team – Change Management – was formed in June 2006 to manage the transition of staff into new structures for the new departments. The transition process, which will occur in 2006/2007, will be guided by business rules developed by the team and adopted by both departments. The business rules are consistent with relevant legislation and Public Sector Standards to ensure best practice during the change management process.

Report scrutiny

All the recommendations in the Mahoney Inquiry report were subjected to rigorous prioritisation to reflect the impact the recommendation could have on community safety, operational services and staff safety. The process also considered how quickly and practically the recommendations could be implemented.

Twenty-two foundation projects relating to Mahoney recommendations were funded by the Government in 2005/2006, most relating directly to the new Department of Corrective Services.

The Department of the Attorney General received funding in 2006/2007 for:

- Aboriginal Justice Agreement
- Aboriginal court liaison officers
- reform of the Parole Board
- workforce planning
- creation of the new departments (including the Department of Corrective Services).

Corporate support review

The creation of the new departments required a substantial review of corporate support areas that provide services to both departments. These services remained shared as at 30 June 2006, so service levels could be maintained while areas were examined. A review of these areas began in February 2006 and will continue until October 2006. This has involved consultation with senior managers, their internal customers, unions and other stakeholders.

Communications



Throughout 2005/2006, stakeholders were kept informed about the Department's activities in response to the Mahoney Inquiry. During the Inquiry proceedings, staff were advised of progress through the electronic and printed news systems. Immediately following the tabling of the Inquiry report, in November 2005, a comprehensive communication strategy began. More than 100 communication activities were undertaken to February 2006 to ensure stakeholders were informed about the proposed changes and there was minimal disruption to service.

[Report on operations]

Court Services

The service

The Court Services division, together with the judiciary, provides civil and criminal court services to uphold the rights of the WA 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.

Key achievements and challenges

Courts people

Court Services employs some 870 public servants and 39 jury officers together with other miscellaneous workers. Court Services employs courts administrators, counsellors, policy officers, lawyers and jury officers.

It provides administrative services and support to more than 100 judicial staff and some 120 personal staff to the judiciary.

Attracting and retaining staff in towns such as Port Hedland, Broome, Derby, Roebourne, Karratha, and Kalgoorlie continues to be a challenge because of the high cost of housing, a labour shortage and competition for other industries.

In 2005/2006, Court Services placed emphasis on the training and development of staff with a range of initiatives, including:

Leadership development

The Court Services Leadership Development Framework has been derived from the Department of Justice strategic framework and training and development needs analysis. The framework incorporates the Court Services Leadership Development program. Five staff were trained in this area.

Shaping careers

Twenty-seven women from Court Services participated in the Access to Development, Versatility and Networking for Career Enrichment (ADVANCE) program this year. It provides mentoring, career planning and personal skills development for women in position levels 1 to 5.

Scholarships

Twenty students received a total of \$17,868 in scholarship funds this year to undertake a wide range of courses such as business, justice studies, law and psychology.

[Report on operations]

Training

In addition to a schedule of training events for all staff contained within the Courts Training Calendar, the following areas received particular emphasis:

- *Mediation* – thirteen registrars from the Supreme Court and District Court attended advanced mediation training throughout the year.
- *Self-represented litigants* – some 150 staff from the Supreme Court and the State Administrative Tribunal received specialised training this year to manage the needs of people who choose to represent themselves in court.
- *Security* – three staff received specialised security training such as protective security, physical security and security risk management during the year.
- *Audio-visual* – a training program for associates of District Court judges in the use of the audio-visual equipment installed at courts located in Central Law Courts and the May Holman building was completed in June 2006.
- *Integrated Courts Management System* – operational training and support was provided Statewide to staff operating the newly-implemented Integrated Courts Management System.
- *International Women's Day* – Court Services celebrated the economic, social, cultural and political achievements for women on International Women's Day in March 2006.

Legislative developments

New Prisoners Review Board

A Parole and Sentencing Legislation Amendment Bill to establish a new Prisoners Review Board – to replace the existing Parole Board and address recommendations of the Mahoney Inquiry – passed through the Legislative Assembly and was introduced into the Legislative Council in May 2006.

(See Parole Board in this section for more information)

Cross-border justice initiative

The cross-border justice initiative progressed with work on legislative reforms and consultation. The scheme is on track to start in early 2007. Police, courts, community corrections and prison services from Western Australia, the Northern Territory and South Australia will work collaboratively to provide justice services in the remote cross-border area of central Australia.

[Report on operations]

Review of new courts legislation

In December 2005, the Attorney General commissioned a review to identify opportunities for improvement in a range of legislation introduced over recent years and to secure the Parliamentary progression and implementation of amendments where appropriate.

The review extended to the:

- *Corruption and Crime Commission Act 2003*
- *Criminal Injuries Compensation Act 2003*
- *State Administrative Tribunal Act 2004*
- legislation that introduced reforms to the laws on sexual assault, domestic violence and restraining orders
- creation of a Court of Appeal as a separate division of the Supreme Court that became operative in May 2005.

The review will also include courts reform legislation, which became effective in May 2005 and reformed the State's lower court structure and procedures.

The Attorney General's Legislative Review is allied to an operational review of the Magistrates Court that has the full support of the Chief Magistrate, and to a separate project reviewing sexual assault and domestic violence legislation.

Family law changes

Court Services assisted with the preparation and progress through Parliament of the *Family Legislation Amendment Act 2006* (WA) this year. The legislation amended the *Family Court Act 1997* of Western Australia to bring it up to date with the *Family Law Act 1975* of the Commonwealth.

As a result of the WA legislation, people in a de facto relationship, and their ex-nuptial children, will be in the same position as their married counterparts and children of those marriages.

(See *Family Court* in this section for more information)

Changes to censorship

The *Censorship Amendment Bill 2005* was passed by Parliament in May 2006. It amends the *Censorship Act 1996* to maintain and improve Western Australia's participation in the National Cooperative Classification Scheme.

Major reforms to the Act included:

- changing the name of the *Censorship Act 1996* to the *Classification (Publications, Films and Computer Games) Enforcement Act 1996* to more accurately reflect its purpose
- inserting new combined classification categories for films and computer games, referred to in the Commonwealth legislation
- improving enforcement procedures, especially in relation to child pornography
- enabling police officers to give an extension of time for payment of an infringement notice and withdraw an infringement notice.

[Report on operations]

Care and protection

The *Children and Community Services Act 2004* was proclaimed in March 2006. This legislation changed the way that care and protection of children matters are dealt with by the Children's Court. Major changes included:

- the magistrate may refer a pre-trial conference to an external mediator
- Department for Community Development (DCD) field officers can make an application for a warrant to be issued by the court, in the first instance, to apprehend a child assessed in need of care and protection
- the court can direct an independent professional report (eg psychological report) be prepared in a care and protection matter
- the Children's Court can hear applications for extension of care orders
- all children be separately represented rather than just those considered capable of giving instructions
- appeals against case planning decisions will be dealt with by the State Administrative Tribunal.

This legislation was implemented with the cooperation of the Department for Community Development, lawyers and the Legal Aid Commission, which established a permanent presence at the Perth Children's Court in 2005/2006.

Law Reform Commission recommendations implemented

The number of WA Law Reform Commission recommendations actioned by either implementation or a decision to defer or not implement, increased from 342 to 368 this year. This included developing a management plan for self-represented people that endorsed the development of strategies for the Supreme, District, Magistrates and Children's courts, and the State Administrative Tribunal. The management plan offers a generic framework for 19 recommendations which will be considered by each jurisdiction for possible adoption into specific jurisdictional sub-plans. Court Services continued to monitor the development of the sub-plans in 2005/2006.

Report published

The *Self-Represented Persons in Western Australian Courts and Tribunals Management Plan* was published in May 2006. The report will form the basis from which more specific jurisdictional plans can be developed for the future.

Supreme Court

The Supreme Court is the highest court in the State. It has responsibility for criminal and civil matters and is the main appeal court of the State. The Supreme Court comprises two divisions – General and the Court of Appeal.

The General division deals with very serious criminal charges and civil cases where the amount involved is more than \$500,000.

The Court of Appeal division hears appeals from a single judge of the Supreme Court and from lower courts and tribunals, including criminal appeals against sentence and conviction.

[Report on operations]

Additional judge

An additional Supreme Court judge was appointed, allowing two Courts of Appeal to sit concurrently.

The appointment of the Hon Justice Buss in February 2006 provided the court an average of five extra sitting days per month, representing seven additional matters heard per month. It also reduced the workload of Court of Appeal judges, though the load remained intense and the complexity of matters increased.

Key statistics and data collection

Data collection for the calculation of criminal cases under way and criminal backlog was improved this year. An electronic reporting suite replaced a manual process to more accurately reflect the court's criminal workload. As a result, criminal indictments in the Supreme Court were reported more accurately, resulting in the backlog of cases increasing from 23 to 54 cases.

London hearing

Australia's biggest ever civil trial – the Bell Resources trial – continued to break new ground in 2005/2006. The trial, renowned for its use of an electronic trial book, held a hearing in London.

The e-trial process has saved millions of dollars, not only in court time and photocopying, but also by avoiding the purchase of licences for commercial software.

Part of the trial was heard in London in April and May 2006 to take evidence from a large number of overseas witnesses.

The trial remains a test case for electronic courtroom technology and facilities and will further expand the capabilities of all courts to deliver improved services, particularly in the area of appellate and civil justice. The Bell Resources trial began in July 2003 and is likely to continue until at least the end of 2006.

Improved access for people with disabilities

Several improvements were made to the 1903 Supreme Court building in 2005/2006 to improve access for people with disabilities. This included installing a lift, modifying the main entrance and installing audio induction loops.

(See Report on Government Policies, Disability Services for more information)

Aboriginal liaison officer

An Aboriginal community liaison officer reporting to the Chief Justice was appointed in October 2005. The officer implements strategies to improve access to, and participation in, the justice system by Aboriginal people. In 2005/2006, the position established networks and links with representatives from relevant agencies and groups throughout the State.

Chief Justice appointment

Chief Justice David Malcolm retired in February 2006 after more than 17 years in the role.

As Chief Justice, David Malcolm oversaw significant changes, including:

- introducing the expedited list and modernising traditional rules and procedures to reduce court delays
- introducing computer technology in the courts
- establishing Western Australia's Court of Appeal
- implementing more than 350 recommendations of the WA Law Reform Commission.

Perth barrister Wayne Martin QC was appointed as Western Australia's 13th Chief Justice in May 2006.

[Report on operations]

State Administrative Tribunal

The State Administrative Tribunal (SAT) is an independent body that makes and reviews a range of administrative decisions. Individuals, businesses, public officials and vocational boards can bring more than 830 types of applications before the tribunal, relating to civil, commercial and personal matters. The President of the Tribunal prepares a SAT Annual Report which can be accessed online at www.sat.justice.wa.gov.au.

Consolidation practice, procedure and rules

Case management procedures were refined in 2005/2006. The tribunal received 5232 applications. The average time from lodgment to completion for all applications was 15 weeks.

The tribunal's rules were amended twice to improve arrangements for the submission of documents, clarify who may represent an applicant in certain matters and improve the processes by which documents may be summonsed.

The number of enabling Acts for which the tribunal has jurisdiction increased to 140, with 830 enabling provisions.

Community engaged

In 2005/2006, some 33 community presentations and information forums were held, including forums in the regional centres of the Kimberley, Pilbara, Mid-West and Great Southern. The forums were both educative and informative and the community provided direct feedback on services.

Specific needs addressed

Application processes were adjusted to allow applicants to identify as Aboriginal or Torres Strait Islanders. This information will assist the tribunal to respond to specific needs of Aboriginal people and Torres Strait Islanders.

Family Court

The Family Court of Western Australia has State and federal jurisdiction in matters of family law. It deals with divorce, property, residence and contact and other matters relating to children, maintenance and adoptions. It also provides mediation and counselling for separating parents.

The registry is located in Perth and the court circuits to the seven major country locations throughout the State. This year 15,204 matters were received by the court. The average delay from lodgment to trial for matters that were defended was 12 months.

Appointments

In November 2005, the Governor appointed 11 new sessional members to the tribunal. Ms Jennifer Hawkins was appointed as a new full-time member in May 2006.

[Report on operations]

Family law overhaul

Changes under the *Family Law Amendment (Shared Parental Responsibility) Act 2006*, made in 2006, brought a raft of new and expanded law services for WA families.

The changes were the biggest to be made to family law for 30 years and ensure:

- children have a right to know both parents and be protected from harm
- parents take shared responsibility for their children after separation
- people take responsibility for resolving disputes themselves, outside the courtroom, where possible.

Western Australia has embraced federal family law reforms and implemented further changes to benefit families under the new Act.

Resource Centre

A resource centre with access to the Family Court website and other authoritative websites was opened in March 2006. The centre provides access for people who do not have computer facilities. Litigants are also able to view court files, documents produced under subpoena and electronic recordings, in a secure environment. Printing and photocopying facilities are also available.

Additional information kits, forms and brochures were published on the Family Court of WA website.

District Court

The District Court deals with serious criminal offences for which the maximum penalty is up to 20 years imprisonment. In civil law, the court deals with matters generally involving claims up to \$500,000 but has unlimited jurisdiction in claims for damages for personal injuries and exclusive jurisdiction in claims for damages for injuries sustained in motor accidents.

Registry review

A review of the structure and staffing of the District Court registry was completed in 2005/2006. Many of the review recommendations will be implemented in 2006/2007.

Criminal law

Key statistics

Waiting times for District Court criminal trials increased in 2005/2006. The median delay to criminal trial increased from 58 weeks in June 2005 to 61 weeks in June 2006. The average trial length was three days.

Circuit sittings continued to impact on judicial resources. Special sittings were conducted at Busselton in September 2005 to accommodate a long trial.

To respond to this issue, a Criminal Listings Project began in February 2006. Senior court staff examined the Victorian County Court and the District Court of New South Wales and reported their findings. The court has been developing a package of proposals to address criminal trial delay. An additional judge, due to be appointed in July 2006, will contribute to reducing the wait time to trial.

[Report on operations]

Criminal business committee

A Criminal Administration Committee was established in October 2005 to oversee the management of the court's criminal business in metropolitan and circuit sittings. Chaired by the Chief Judge, the committee focuses on identifying and implementing opportunities for the court to improve its operation in the criminal jurisdiction including the Criminal Listings Project.

Duty judge scheme

In November 2005, a duty judge scheme was introduced to allow the court to respond to emergencies outside business hours. The scheme complements a program that began in October 2005 where judges' associates are rostered on call to complete bail papers until 9pm weekdays and between 9am to noon on Saturdays. The program has enabled the release of nine accused people after hours and avoided unnecessary overnight detention.

Civil law

Commercial list

A commercial list was established in September 2005 to get commercial disputes to mediation or trial faster and at lower cost to the parties.

Early mediation scheme

This year, the court introduced a scheme where judicial officers can offer early mediation in specific cases. The scheme enables parties to resolve disputes before costs escalate and impede settlement.

Civil trial preparation project

A paper setting out recommendations to enhance civil trial preparation was released in June 2006, following extensive consultation with the legal profession and other stakeholders. The recommendations will be implemented in the first half of 2006/2007 and will reduce costs by ensuring parties prepare and file only those documents that are necessary.

Children's Court

The Children's Court of WA deals with juvenile offenders aged between 10 and 17 years. The court deals with all criminal matters including indictable offences as well as issues of care and protection of all children under the age of 18 years.

Care and protection

The *Children and Community Services Act 2004* was proclaimed in March 2006. This legislation changes the way that care and protection of children matters are dealt with by the Children's Court.

(See Legislative Developments at the beginning of this section for more information)

Appointment of additional magistrate

To meet the demands of the new legislation, a new magistrate was appointed to begin at the Perth Children's Court in July 2006. Magistrate Deen Potter will provide assistance to regional magistrates in care and protection matters.

[Report on operations]

Magistrates Court and Tribunals

The Magistrates Court of Western Australia began operating on 2 May 2005, amalgamating the former Court of Petty Sessions, Local Court and Small Claims Tribunal into a single court. Tribunals allow parties to settle disputes in a less formal and expensive way than court and generally relate to a specific jurisdiction.

Key statistics

The Magistrates Court has registries located around the State to deal with criminal and civil matters. It is the State's busiest court, registering 163,054 new cases in 2005/2006, of which 107,306 were criminal and 55,748 were civil.

Staff retention

The recruitment and retention of staff in regions proved to be a challenge this year because of a labour shortage and competition with other industries. Affected regions included the Goldfields, Murchison/Gascoyne, Pilbara and the Kimberley. The court successfully engaged quality staff in this competitive environment, but retaining them proved difficult.

Magistrate rostering

The retirement, secondment and illness of magistrates during 2005/2006 presented challenges for the Chief Magistrate and the court because of the requirement to provide magistrate relief to metropolitan and regional courts from the pool at the Central Law Courts. This placed strain on the Perth Court where the listing delay for a full day's hearing exceeded 20 weeks between August 2005 and April 2006. It reached a high of 36 weeks in November 2005. The delay as at 30 June 2006 was 20 weeks.

Magistrates Robert Burton, Frank Cullen and Ivan Brown retired during the year, while Magistrate Kieran Boothman extended his secondment to the Solomon Islands because of political unrest there. Magistrate Stephen Wilson began a 12-month secondment to the Solomon Islands in May 2006.

Road to reform

During the year, teams travelled throughout the State to train staff at more than 40 locations – including courts, police-operated courts and mining registries – following significant change under the *Magistrates Court Act 2004* and supporting legislation. Staff were briefed on new forms for various applications and the resultant orders made by the court.

Kalgoorlie development

Some \$20.79 million was allocated in the State Budget to redevelop Kalgoorlie-Boulder's historic Warden's Court. The new court complex will boast four courtrooms, remote witness facilities, a separate jury entrance and facilities, secure access for the movement of people in custody and more space for court officers. The development is expected to be completed in 2008/2009.

New position

A magistrate was appointed at Mandurah in January 2006 to service demand from a rapidly increasing population. This resulted in listing delays being reduced from 44 weeks, in October 2005, to 16 weeks in May 2006.

[Report on operations]

Aboriginal court pilot

In 2005/2006, a project manager was appointed to establish a pilot Aboriginal Court in Kalgoorlie to explore the use of traditional Aboriginal customary laws in the State's justice system. Aboriginal elders will assist magistrates to tailor sentences that will be more meaningful to an Aboriginal offender. The pilot will be set up in 2006/2007.

Norseman community court

A community sentencing court started in February 2006 at Norseman, following eight months of community consultation with Aboriginal groups, police, business representatives and the shire.

Elders and respected members of the community sit in the courtroom – which has a less traditional court setting – together with the magistrate, police prosecutor, community justice or juvenile justice officer, the accused and his/her solicitor and other people relevant to proceedings. This allows community members to be a part of the sentencing process.

Current arrangements have been customised for Aboriginal court hearings, but the court is also available for use by non-Aboriginal accused people.

Domestic violence strategy

Strategies to address family violence, with the ultimate aim of reducing Aboriginal imprisonment, were introduced in 2005/2006.

In the metropolitan area, a judicial case-management service was established to deal with family and domestic violence.

Some \$1.45 million was allocated for the service in 2006/2007, rising to \$3.38 million in 2008/2009. This includes a judicial component of up to 2.5 magistrates. Operations will begin in January 2007.

(See Report on Operations, Aboriginal Policy and Services for information about initiatives in Geraldton)

Drug Court seminar

The Magistrates Court hosted the inaugural Drug Court practice and advocacy seminar in Perth in February 2006. It was attended by 55 people, including solicitors, barristers, article clerks, law lecturers, librarians, students, magistrates and legal officers. The seminar was designed to provide an understanding of the Drug Court's operation.

Increased sittings

Courts at Fremantle and Rockingham accommodated increased sittings of the Supreme Court because of the custody centre upgrade at the Supreme Court in Perth. This presented a challenge for staff at the courts, where regular District Court sittings were already a major part of their daily work. Communication between the three jurisdictions and the Sheriff's Office helped manage the situation.

[Report on operations]

Fines collection

In January 2006, the Magistrates Court Perth Registry piloted arrangements for fine collection using Centrepay. Centrepay enables recipients of Centrelink benefits to pay bills directly from their entitlements before being deposited into their bank account. Although the pilot was restricted to a small number of Centrelink recipients, an evaluation identified considerable benefits in expanding the initiative to other registries. The Statewide expansion of Centrepay is scheduled to take place during July 2006.

Parole Board

Except for prisoners on short term 'CEO' parole and certain classes of indefinite sentences, the Parole Board decides when a prisoner serving a sentence with a parole term is released. The Board also reports to the Attorney General on prisoners who are serving life or indefinite sentences and makes recommendations concerning pre-release programs.

Key statistics

At 30 June 2006, the Parole Board had held 117 meetings during 2005/2006, 95 of which were scheduled and 22 of which were special meetings called for urgent or minor matters. At these meetings, 4931 decisions were made, including re-entry release orders. Decisions included:

- 1045 parole orders
- 204 denials
- 754 deferrals of release on parole.

In addition, 472 orders were either suspended or the suspensions were continued and 277 orders were cancelled. Some 62 re-entry release orders were granted and 221 were denied.

There were 174 personal appearances by prisoners. The remaining decisions related to pre-release programs, permits to leave the State, suspensions and reviews.

This represents a decision-making increase of 9.2% over the same period last year.

New Prisoners Review Board

Work progressed on a *Parole and Sentencing Legislation Amendment Bill* to establish a new Prisoners Review Board, to replace the existing Parole Board and address recommendations of the Mahoney Inquiry. The Bill passed through the Legislative Assembly and was introduced into the Legislative Council in May 2006.

Major reforms proposed under the new legislation include:

- making community safety paramount in decision-making
- appointing deputy chairpersons
- training and ongoing education for board members
- case management and earlier review of serious offenders
- establishing re-socialisation programs
- transferring authority for 'CEO' parole to the board
- ability to release decisions of the board to the public.

Victims' representative

This year, victims representative Ms Georgia Prideaux was appointed to the Parole Board and the Mentally Impaired Accused Review Board to ensure issues of concern to victims of crime were represented in decision-making processes.

[Report on operations]

The new chair of the Parole Board Judge Valerie French started in April 2006 and is supported by a newly-appointed management team. Judge French will continue as chair of the Prisoners Review Board.

Coroner's Court

The Coroner's Court of WA investigates cases where the death of a person arises from apparent non-natural causes or when the cause of death is unknown.

Key statistics

In 2005/2006, some 2500 deaths were reported to the Coroner, leading to 1478 post-mortems. Some 3% of the reported deaths resulted in an inquest being held because of either a statutory requirement or concerns about public health or safety, or the administration of justice. In 2005, the Coroner's Office dealt with 28% of 11,504 deaths in the State.

Australasian Coroners' Society Conference

The 15th Annual Australasian Coroners' Society Conference was held in Perth in November 2005. Some 103 local, interstate and overseas delegates took part. Important themes for discussion included the health issues confronted by young Aboriginal people and Aboriginal children and the responses required from coronial services to major disasters.

(See also Coroner's Court Counselling in this section for more information)

Chief Assessor Criminal Injuries Compensation

The Chief Assessor settles eligibility and amounts of compensation for victims of crime who suffer bodily harm, mental or nervous shock or pregnancy resulting from an offence, whether or not the offender has been identified, charged or convicted of the crime.

Key statistics

This year, 1810 applications were lodged with the Chief Assessor. The total compensation awarded in 2005/2006 was \$19,381,180. This is marginally down from \$19,387,363 in 2004/05. Decisions are available on the Australasian Legal Information Institute's website at www.austlii.edu.au.

Greater use of legal action in recovering State debt and additional staff were employed this year. Recoveries collected a record amount in 2005/2006. Some \$1,404,769 was collected in 2005/2006 up from \$1,040,000 in 2004/05.

Gender Reassignment Board

The Gender Reassignment Board considers applications from people who have undergone gender change procedures and want to have their new gender legally recognised.

Four applications were lodged in 2005/2006. Three were approved and one was refused.

[Report on operations]

Sheriff's Office

The Sheriff's Office delivers a range of services to the courts and the community, including civil enforcements, the Fines Enforcement Registry and jury services. It was also responsible for the branch that manages the appointment of justices of the peace.

Key statistics  

Fines collections reached record levels in 2005/2006. Some \$44.55 million was collected this year, up \$6.04 million from 2004/2005. Automatic voice-prompted phone payments and payments received via website links, helped increase payments from \$4.75 million in 2004/2005 to \$6.32 million in 2005/2006. Centrelink recipients who had regular deductions made from their benefits to cover fines paid \$1.8 million in 2005/2006, through Centrepay.

Time to Pay Up strategy   

A special team established exclusively to deal with 'hard-end' fine defaulters who have, or were about to have, warrants of commitment issued leading to imprisonment, continued their work in 2005/2006.

As at 30 June 2006, some 2757 offenders were on the team's database, and 2458 offenders had been engaged.

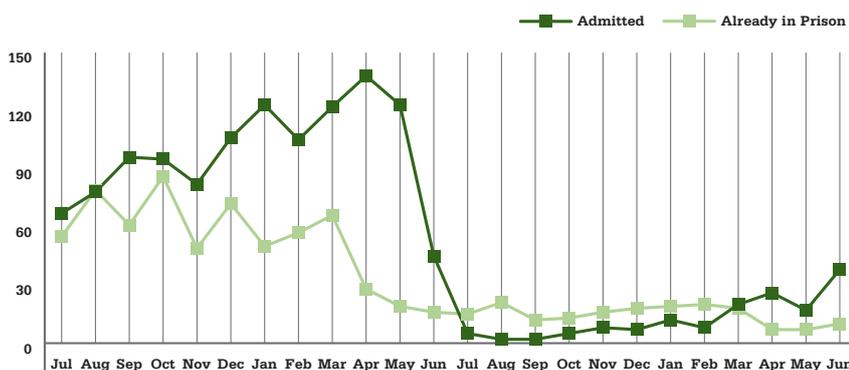
Of these, 1855 had:

- entered into payment arrangements (53%)
- paid in full (2.5%)
- performed work and development orders (2%)
- served default imprisonment (27%).

About 15% of matters had been listed to be written off, as the offender had died, left the country, or the debt was uneconomical to enforce because of the value of the fines combined with the offender's remote location.

At year end, only 33 people, or 0.9% of those in prison for fine default were incarcerated for fine default. Before the initiative, up to 100 people were in prison at any given time. This represents a potential saving of 36,703 days of default that offenders could have served had they not entered these arrangements.

Offenders imprisoned for default of fine from July 2004 to June 2006



New responsibility 

Ministerial responsibility for fines and victims was transferred to the Attorney General Jim McGinty in May 2006. Previously, responsibility for the *Victims of Crime Act 1994* and the *Fines Penalties and Infringement Notices Enforcement Act 1994* resided with the Minister for Justice.

[Report on operations]

To complement the strategy, an advertising campaign was launched to publicise drivers' licences under suspension for fine default in September 2005. The Department also launched a new driver's licence feature on its website to allow people and organisations to check up to 30 driver's licence numbers at once via an online search. The second phase of the advertising campaign in April 2006 included radio, train and bus shelter advertisements.

Jury management

During the past year, some 45,303 summonses were issued to prospective jurors resulting in 12,105 people participating in jury duty. Of these, 6863 were empanelled as jurors on 513 Supreme and District Court criminal trials.

People attending for jury duty submitted 3566 applications for reimbursement of income. These applications resulted in \$1,523,302 being paid to those jurors who lost income, ensuring no one was financially disadvantaged while performing jury duty.

The practice of sequestering juries also increased this year with jury members sequestered overnight on 29 occasions.

Regional response

Four sheriff/community development officer positions were established in remote areas of the State to help Aboriginal people manage outstanding fines and to educate the communities about justice issues. Positions were created in Central and Western Desert (Lands), Pilbara, Kimberley and Mid-West (Geraldton). These positions also undertake duties on behalf of the Department of Corrective Services.

Civil enforcement management

An assurance framework was implemented during the year to monitor and manage the performance of 120 bailiffs across the State, in accordance with the Sheriff's statutory responsibility and bailiffs' contractual obligations. Quality assurance audits were conducted in accordance with the framework and schedule.

Oaths, Affidavits and Statutory Declarations Act 2005

The position of commissioner for declarations was removed in January 2006.

Statutory declarations may now be witnessed before an authorised person from 44 occupational groups under the *Oaths, Affidavits and Statutory Declarations Act 2005*.

The new system will be more efficient and provide an equally valuable service to the public in the long term.

Justices of the peace

About 3400 justices of the peace spent 5800 hours sitting in courts, 12500 hours in signing centres and 5000 hours at the Family Court, Perth Watch House and other custody centres. Some 71 new justices of the peace were appointed this year.

[Report on operations]

Victim Services and Court Counselling

Court Counselling ensures victims of crime are provided access to quality services and afforded a stronger voice in the justice process. This has been achieved by establishing and expanding a range of services and through the provision of ongoing victim awareness training to Government and non-government agencies.

Coroner's Court Counselling

A counselling team was set up in June 2005 with the Department of Corrective Services to undertake the counselling component of the multi-jurisdictional disaster victim identification model. The team participated in training in October 2005 and May 2006.

The Coroner's Court Counselling Service also continued to provide family and friends of deceased people and the coronial inquiry process with information and support on a range of coronial issues in 2006/2006.

Coronial counsellors also provided briefing sessions on the role of the counselling service to the Department of Veterans Affairs, Notre Dame University, the Cerebral Palsy Association and the Australian Funeral Directors Association, during the year.

Victim Support Service

The Victim Support Service offers confidential counselling and support services to victims of crime. These services are provided by professional counsellors and trained volunteers.

Key statistics

Changes made to sexual assault legislation in January 2005 to grant automatic special witness status to victims of serious sexual assault led to a 517% increase in the number of adult special witnesses being referred to the Victim Support Service, from 17 referrals in 2004/2005 to 119 in 2005/2006.

Child Witness Service

The Child Witness Service provides non-evidentiary court preparation for children and includes practical and emotional support for child victims and witnesses (and their parents) required to give evidence leading up to and through the trial.

Key statistics

Referrals to the Child Witness Service increased 53% from 476 in 2004/2005 to 730 in 2005/2006.

An educational resource book for children giving evidence in court was published in 2005/2006. The book acts as an aid to children preparing to be a witness. The service also collaborated with the WA Police Child Investigation Unit and the Department for Community Development to introduce visually-recorded interviews in the District Court.

[Report on operations]

Family Violence Service

This Family Violence Service provides support services to victims of family violence attending court seeking a violence restraining order. The Family Violence Service provides safety assessments, information and referral services to victims. It also supports the case management process for perpetrators coming before the Joondalup Family Violence Court.

Key statistics

Demand for services at the Central Law Courts and Joondalup Court grew significantly this year with the number of cases increasing from 1084 in 2004/2005 to 2092 in 2005/2006, representing a 93% increase.

Family Court Mediation and Counselling Service

Family Court counsellors provide a range of services to assist parents to make post-separation arrangements for the children. This includes counselling, assessment and the preparation of family reports.

A new model for the management of children's cases was developed in 2005/2006 in preparation for full implementation from July 2006. Counsellors will work in teams with magistrates and judges and individually assess and manage each case from the beginning to its conclusion. This will result in less adversarial proceedings, improved assessment, increased continuity and better outcomes for children.

Training and awareness

Victim awareness training was provided to new Office of Director of Public Prosecutions paralegal staff in February 2006. The training focussed on the needs of victims and child witnesses and the services provided by victim support and child witness services. Ongoing victim awareness training was provided to a wide range of stakeholder groups, including about 250 internal and inter-departmental staff and 200 members of various community groups.

Staff challenge

Human resource difficulties in regional areas have resulted in uncertainty in the provision of consistent victims services. A continual challenge for the service is providing services relevant to Aboriginal people.

The increasing number of referrals for victim support and child witness services has placed pressure on existing staff in the metropolitan and regional areas.

Staff were unavailable in Port Hedland for four months, Kununurra for four months, Carnarvon for three months and Derby for four months.

[Report on operations]

Court technology

The 2005/2006 year heralded the development of several new technology systems across courts.

Integrated Courts Management System

The Integrated Courts Management System (ICMS) is a single information technology system to support court operations throughout WA, enabling quicker and more efficient business processes across the justice system. Features of ICMS include web access, e-commerce functions and secure access. Since early 2001, ICMS has been progressively phased into Supreme, District and Magistrates Courts and the State Administrative Tribunal. Eventually, ICMS will replace 14 old systems with one that is more cost effective to maintain.

During the year, a new financial component was added to ICMS to provide point of sale, financial and trust management functionality and integration with the Department's financial system.

Other achievements included:

- continued to develop and expand the civil e-Business capabilities of the ICMS through eLodgment in District Court and online forms in the Magistrates Court
- continued to roll out the civil functionality of ICMS to all Magistrates Court country locations. The implementation of ICMS civil functionality at the Carnarvon Courthouse in December 2005 completed the successful implementation of ICMS in all major civil jurisdictions.

Electronic intelligence

An electronic process to deliver Magistrates Court outcomes to WA Police began in October 2005. It allows police to update criminal record information. Police receive all Magistrates Court court decisions, except for care and protection orders for juveniles. This was the second phase of a project which initially allowed police to electronically lodge prosecution notices and statements to the Magistrates Court and Children's Court.

Online forms

An online forms project was implemented in January 2006. Access is available via the internet or kiosks at various court locations. Applicants complete a range of documents online and then print and physically lodge them. Phase two, which allows the applicant to lodge and pay online, was delayed until the Department's payment gateway is upgraded.

[Report on operations]

Website upgrades

Improvements were made to courts information on the Department of the Attorney General website to provide easier access to information and improve the efficiency of those involved in court processes.

The independent judicial court websites were also enhanced in 2005/2006 as follows:

- *Coroner's Court* – a new website went live in January 2006, providing information about the role of the Coroner's Court and the investigation of sudden and unexpected deaths, as well as information about inquest hearings and coronial findings.
- *Supreme Court* – upgraded to include judgments, processes and fees, new forms and court listings.
- *State Administrative Tribunal* – developed to include publications applications, tribunal procedure and processes.
- *Magistrates Court* – updated to provide online forms and court kiosks to help self-represented litigants better access applications and information.

eLodgment system

Facilities to electronically submit documents to the District Court were launched in May 2006. The new system allows law firm staff to lodge 20 different civil documents and receive service copies without leaving their desks. Registered users can also perform online searches of selected information from civil files and use an electronic mailbox for court documents.

Court security

Security and safety in courts and tribunals is delivered through strategic planning and operational tasks associated with the perimeter of the courts, safety of court users and the judiciary. Court security and court custody service providers – which include the Department of Corrective Services, WA Police and contractors appointed under the Court Security and Custodial Services Act 1999 – are also continually inspected by court security staff to ensure the safest possible environment.

** In accordance with the Court Security and Custodial Services Act 1999, a separate annual report on the contract will be provided to Parliament.*

Operational security

Security inspections and operational reviews were completed in all major metropolitan and regional courts, using a three-tier operational review methodology.

Based on a security risk assessment, more than 20 high-risk matters were supported by planned security management operations this year. These involved court security staff, police and contract security staff and included strategic threat assessment and risk management, incident management; ongoing consultation and liaison with WA Police and other agencies to progress emergency management and contingency arrangements.

Weapons detection

In 2006, procurement of improved weapons detection and access control arrangements began in major Western Australian courts. New systems include biometric access control and integrated and intelligent surveillance systems.

[Report on operations]

Supreme Court security

The Supreme Court custody centre and sally port were renovated to improve accommodation and security facilities in September 2005. A temporary facility was constructed while the custody centre was out of action. During this period, careful attention to the procedures involved in managing prisoners in custody was required and no escapes or major incidents were recorded. Trials relocated to Fremantle and Rockingham were also without incident.

The custody centre has the necessary capacity for proper segregation, interviews with legal officers and improved closed circuit video supervision. The sally port refit included a new vehicle entry to allow the secure transfer of people in custody into the court custody centre.

Family Court upgrade

Airport-style security screening and weapons detection equipment was installed into the Family Court of WA in June 2006.

Accommodation

Modern court buildings and infrastructure are key to secure and efficient integrated justice services that meet community expectations. The Department's long-term program to improve and replace ageing and inadequate facilities in regional and metropolitan WA made significant progress during 2005/2006.

CBD Courts Project

The CBD Courts Project is the most significant courts development to be undertaken in Western Australia and the State's first public-private partnership under the Partnerships for Growth policy.

The new District Court building will house the District Court and Supreme Court criminal jury trials and include the State's first permanent high-security court.

Construction and planning of the new \$195 million District Court building progressed this year with:

- workshops, mock-ups, extensive stakeholder consultation and service provider input in the design process, resulting in design improvements, most without additional cost
- planning to maximise best use of floor space
- construction and ongoing structural works undertaken, such as construction of the tunnel under Hay Street (linking the District Court to the Central law Courts) and the main structure of the high-rise wing. The basement levels and the ground slab also neared completion.

The \$35 million refurbishment of the Central Law Courts is part of the CBD Courts Project, but not part of the public-private partnership.

Design work to ensure the refurbished building operates harmoniously with the new District Court building was completed, and the works for the \$35 million refurbishment began in August 2005. Stage one will continue until mid 2007. It involves upgrading the building's exterior and progressive refurbishment of the internal judicial and public lifts. The full refurbishment is due for completion in 2009.

[Report on operations]

Albany Justice Complex opens

The Albany Justice Complex officially opened in October 2005 and was fully occupied in February 2006. Issues with the contractor saw the completion of the complex delayed by two months. The Department of Housing and Works completed the contract. Logistical problems in scheduling sittings of the Supreme, District and Magistrates courts were overcome during the delay.

Courts planning

Planning has also been undertaken regarding major projects in Kalgoorlie, Carnarvon and the Supreme Court.

[Report on operations]

Office of the 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 ensures people with decision-making disabilities are protected by:

- providing information, advice and training on how to protect their rights
- investigating concerns about their well being
- investigating specified applications made to the State Administrative Tribunal to assist it in determining whether a guardian or administrator is required
- providing guardianship services for personal, medical and lifestyle-related decisions when no one else is suitable or willing to act as a guardian for the person with the decision-making disability.

Key achievements and challenges

Key statistics

In 2005/2006, the Office of the Public Advocate undertook personal, lifestyle and medical decision-making as guardian for 325 people. Of these, 93 were new appointments in 2005/2006, an increase of 9.4% on the previous year.

Of the new appointments:

- 42% per cent were for people diagnosed with dementia
- 26% were for people with an intellectual disability
- abuse of the person with the decision-making disability was a factor in 20% of all new appointments
- 19% were for people living outside the metropolitan area.

The Public Advocate undertook 611 new or ongoing investigations in 2005/2006 into the personal or financial welfare of people with decision-making disabilities. The majority of 595 new investigations were requested by the State Administrative Tribunal to determine whether a guardian or administrator should be appointed; 87 new matters were referred by individuals or organisations in the community.

Some 67 guardian of last resort cases were closed, including the revocation of 46 cases by the State Administrative Tribunal.

The Public Advocate responded to 4239 public requests for information through its Telephone Advisory Service and to an additional 114 urgent queries outside business hours.

Guardians and investigators conducted 19 public presentations and training sessions with surveys at each session returning an overall satisfaction rate of 97%. Of these presentations, eight (or 42%) were held in regional Western Australia, either by videoconference or staff visits.

Remote reach



Videoconferencing extended community education, investigation and guardianship services to regional Western Australia. Twelve videoconferences, including two multi-site community education sessions, were held. Twenty-seven providers of services to Aboriginal communities attended the education sessions to remote areas in the Pilbara and Kimberley.

[Report on operations]

Increased demand

New guardianship orders increased by 9.4% in 2005/2006, significantly more than the 5.9% forecast in an independent study completed for the Public Advocate in 2004.

Demand rose in line with forecasts of an ageing population and an increase in the number of people with decision-making disabilities, particularly those with dementia. The number of individuals who have multiple and complex needs also increased.

About 17,000 Western Australian people have been diagnosed with dementia. This is expected to double in 10 years, and to increase to 79,000 by 2050. People with dementia dominate the total number of new guardianship appointments – 42% in 2005/2006, compared with 38% in 2004/2005.

Of the 595 new investigations conducted in 2005/2006, some 189 (32%) involved allegations of abuse of people with decision-making disabilities, an increase over 2004/2005 (21%). In 33% of cases where abuse was reported, the victim of the alleged abuse was aged over 65. Financial abuse was the most common form of reported abuse (55%).

Legislative change

The Public Advocate prepared a submission in July 2005 with 11 recommendations, in response to the Attorney General's discussion paper on medical treatment for the dying. Legislation was introduced into Parliament in June 2006 to provide for advanced health directives and an enduring power of guardianship to allow people aged 18 years and over to appoint a substitute decision-maker with the authority to consent to medical treatment and other personal decisions on their behalf should they lose the capacity to do so themselves. If passed, this would bring WA in line with most other States.

Collaborative responses to elder abuse

The Public Advocate's *Investigation into the Mistreatment of Older People in Aboriginal Communities* was released in November 2005. The report contained 15 recommended strategies, which are being implemented by the Office for Seniors Interests and Volunteering.

Research into elder abuse in culturally and linguistically diverse (CALD) communities was conducted between July and December 2005. The project involved consultation with more than 200 CALD seniors and 30 service providers. A report with 14 recommendations was prepared for consideration by Government.

(See Corporate Governance, Working with an Integrated Approach for more information)

A campaign to promote care and respect for older people in Aboriginal communities was also implemented. This included advertising on Indigenous broadcasting stations and the distribution of campaign posters and brochures to Aboriginal communities and organisations throughout the State.

In 2005/2006, more than 85 people attended seven community education sessions specifically for service providers working with vulnerable Aboriginal adults in Perth, Geraldton, Kalgoorlie-Boulder, Albany and Bunbury, and via videoconference to Pilbara and Kimberley remote communities.

[Report on operations]

Community guardians

A Community Guardianship Program was established to promote community responsibility for people with decision-making disabilities.

More than 60 people responded to a recruitment drive in November and December 2005. Fifteen volunteers participated in two training sessions in January 2006, and the process of matching each with a person in need of guardianship began.

The suitable volunteers will become community guardians for people with decision-making disabilities in their local area, and will make lifestyle decisions about accommodation and services, and consent to minor medical or dental treatment.

Improvements to case management

Planning to introduce a new electronic system to provide for improved case management for clients began in 2005/2006. The new system will also replace the existing data base system, Office of the Public Advocate Statistical Collection Access System (OSCAS).

Review of the Guardianship and Administration Act

A major review of the *Guardianship and Administration Act 1990* in 2004/2005 resulted in 75 recommendations for changes to the legislation to ensure it is contemporary and reflects developments in Australia and overseas.

A working group, chaired by the President of the State Administrative Tribunal (SAT), with representatives of the Public Advocate, the Public Trustee, SAT, and the State Solicitor's Office was established in February 2006 to consider proposals to amend the Act for consideration by Government.

People with complex needs

The challenge of responding effectively to the needs of people with multiple and complex problems, who often require a high intensity of involvement of the Public Advocate and considerable support from other agencies, remains significant.

A proposal to undertake a project to address multiple and complex needs of individuals, incorporating a whole-of-Government approach to coordinating case management of these people, was accepted by the Human Services Directors General Group and progressed.

Declared place/services

The Office of the Public Advocate was a member of a senior officers' group to establish an improved service model for people who may have a decision-making disability and are found to be unfit to stand trial or not guilty of a criminal offence due to unsoundness of mind. The work of this group will be presented to Government in 2006/2007.

[Report on operations]

Parliamentary Counsel's Office

The service

The Parliamentary Counsel's Office provides a range of services, which include:

- drafting of bills for Ministers
- drafting of subsidiary legislation for Ministers and Government agencies
- coordinating the annual publication of the legislative information tables
- completing and consolidating texts of Acts and subsidiary legislation
- maintaining the SWANS database of WA legislation.

Key achievements and challenges

Legislation

In 2005/2006, the Parliamentary Counsel's Office completed a number of significant drafting tasks. These included:

Electricity Corporations Bill 2005

This Bill established three corporations to replace Western Power Corporation to supply electricity to the South-West of the State, and a fourth corporation to supply electricity beyond the South-West region. The Minister for Energy (now Premier) praised the efforts of the office generally and the particular drafter, in relation to the drafting of the *Bill*.

Health Practitioners Legislation

Legislation to implement significant reforms for a number of WA health practitioner organisations was introduced in 2005. Separate Bills were introduced to repeal existing legislation and regulate:

- chiropractors
- dentists, dental hygienists, dental prosthetists and dental therapists
- medical radiation technologists
- nurses and midwives
- occupational therapists
- optometrists
- osteopaths
- physiotherapists
- podiatrists
- psychologists.

[Report on operations]

Defamation Bill 2005

This Bill enacts provisions to promote uniform laws of defamation in Australia. It ensures defamation law does not place unreasonable limits on freedom of expression, particularly the publication and discussion of matters of public interest and importance. It provides effective and fair remedies for people whose reputations are harmed by the publication of defamatory matter. It also promotes speedy and non-litigious methods for resolving disputes about published defamatory material.

Planning and Development Bill 2005

This Bill required a complete rewrite and consolidation of the State's planning laws, some which dated back almost 80 years.

Criminal and Found Property Disposal Bill 2005

This Bill provides for the disposal of property seized during certain criminal investigations. It sets out procedures for disposing of unclaimed property possessed by police and certain Government agencies.

Criminal Investigation Bill 2005

This Bill sets out the powers for the investigation of offences and related matters. It covers areas such as entering and searching premises and vehicles, obtaining business records and gaining access to data controlled by suspects. It also contains provisions relating to searches and forensic procedures on people.

Other achievements

Legislative information tables

This year, expanded legislative information was made available to the public especially with regard to historical State legislation. The office also provided electronic access to its database of repealed legislation.

Reprinted legislation

The legislation reprints program was focussed in 2005/2006 on heavily amended legislation to provide timely, authorised and consolidated legislation publications to the public.

[Report on operations]

Public Trust Office

The service

The Public Trust Office provides professional and independent trustee and management services to the State. It offers:

- *Trust management* — a range of financial and asset management services for people who, through age or disability, are unable to manage their financial affairs.
- *Estate administration* — administers the estates of deceased people in the absence of an executor of a will, when an executor is unwilling to act, or when actually named as executor. The Public Trust Office may also administer the estates of people who die intestate (without making a will).
- *Will drawing* — offers professional advice to people seeking to make a will or enduring power of attorney by appointing the Public Trustee as their executor or donee respectively.
- *Private administrator support* — assists to examine the accounts of private administrators appointed by the State Administrative Tribunal.

Key achievements and challenges

Legislation consultation

An independent Functional Review Committee, commissioned by the Government to review functions of Government agencies, recommended in December 2002 that the Public Trust Office become self-funding, and supported legislative changes necessary to achieve that.

In 2005/2006, stakeholder consultation to gain support for proposed changes to the *Trustee Act 1941* was a major focus. The Public Trustee consulted extensively with the WA Law Society, State Administrative Tribunal, Department of Community Development, Disability Services Commission, major community support agencies and the Office of the Public Advocate.

Consultation explored the need for legislative changes to fully meet the needs of clients without placing financial burden on the community, by implementing a new sustainable business model to fund the Public Trust Office's community service obligations.

Changes to legislation would provide for, among other things:

- multiple common funds
- the prudent person rule to apply for investments in the common funds
- flexibility in the structure and quantum of changes in fees
- an executor support service and estate planning services.

The *Acts Amendment (Public Trustee and Trustee Companies) Bill 2000* was prepared for consideration by Government.

[Report on operations]

Staff restructure

In January 2006, approval was given to reclassify 84 positions within the Public Trust Office. This was the result of a formal review that considered changes to responsibilities in key areas. Positions were advertised and filled under open-merit selection. This process began in February 2006 and was 90% complete at 30 June 2006. The remaining positions are expected to be finalised in August 2006.

Review of Information Technology systems

A consultant was engaged in May 2006 to provide strategic advice regarding the future direction of the Public Trust Office's primary IT system, the Management, Accounting and Trust Environment (MATE). The review examined:

- enhancement and replacement options
- the identification of gaps between current and future business needs
- options for maintenance and support
- high-level business requirements.

The report will be completed in August 2006. This is the first review of MATE since it was implemented in December 2001.

Forensic accounting services

Specific funding was secured in 2005/2006 to establish a forensic accounting team. In August 2005, the team was appointed to investigate allegations of financial abuse or financial mismanagement in relation to the estate of a represented person, prior to the appointment of the Public Trustee as administrator. In cases where such behaviour has occurred, it is vital that the tracking and subsequent recovery of assets is actioned in a timely way. Specialist forensic accountants are needed to accommodate and meet the increased demand for these types of trustee services.

[Report on operations]

Registry of Births, Deaths & 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.

Key achievements and challenges

Increased demand

The Registry was able to maintain a high standard of service delivery to customers despite a 7% increase in birth, death, marriage and change-of-name registrations this year. Two new full-time staff were employed to handle the increase.

High demand, particularly for birth and marriage certificates, attributed to world-wide tightening of security functions, continued during 2005/2006.

There was an increase of 2% in the number of standard certificates issued this year. The number of Registry marriages increased by 5% from 833 to 878. Last year's demand growth for commemorative birth certificates continued this year, with a 12% increase from 20,117 to 22,584 – largely due to the increase in birth registrations and the introduction of new designs.

Certificate validation service

In September 2005, the Registry linked to an online service that allows approved Government agencies and commercial organisations to validate Registry certificates. Several other State Registries were already participating in this national service which was initiated by the New South Wales Registry.

The certificate validation service reduces identification fraud, protects the integrity of records and maintains user confidence in the authenticity of certificates. Subscribers can only confirm details of certificates presented to them.

No fraudulent Western Australian certificates have been detected since its introduction in the State. Twenty-five organisations currently subscribe to the service nationally, and in Western Australia an average of 4100 accesses per month were recorded.

Funeral directors online project

A project to provide funeral directors with a facility to electronically submit death registration forms to the Registry began in November 2005. Currently, funeral directors fill in a paper form that is signed and mailed. In 2005/2006, 12,027 deaths were registered this way. The online system will encourage newer technologies in the industry and introduce operational efficiencies for the Registry and funeral directors. The Registry is working in co-operation with funeral directors to ensure smooth implementation in 2006/2007.

[Report on operations]

National conference

The Registry hosted the annual national Conference of Australasian Registrars of Birth Death and Marriage in Perth from 8-10 November 2005. The conference was opened by the AV Director General Colin Murphy. It focused on uniformity of practice, security of data and fraud minimisation. WA Registrar Alan Andersson co-chaired the conference.

Courts connect to registry

The Kalgoorlie, Geraldton, Mandurah and Rockingham courts were connected to the Registry's database during the year, allowing them to immediately issue post 1974 birth certificates and post 1984 death and marriage certificates to customers.

Since this project was initiated in October 2003, five metropolitan and five regional courts have been connected to provide this service. Applications for certificates that are not available online are faxed to the Perth Registry for processing.

During 2005/2006 these 10 courts produced 10,749 certificates out of a total of 96,887 or 11%.

Historic birth death and marriage indexes online

The range of historic birth, death and marriage indexes available to the public was extended. This free-access service was introduced in December 2004, when the birth, death and marriage indexes from 1841 to 1905 became available. Two staff were employed to convert post 1905 hardcopy birth indexes to an electronic format. 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.

During 2005/2006 there were 462,213 website 'hits' on this service.

Online conversion of historical records

A planned project to convert historic paper-based records to an electronic format was not undertaken in 2005/2006, after an evaluation of tenders concluded that value for money could not be achieved.

The Registry has about two million paper-based records dating back to 1841. The conversion process is critical to preserve and protect these records, make them available for fraud prevention initiatives and improve customer service. It has been identified that if the project does not proceed, the Registry would be less advanced than other Australian Registries. A tender for the project will be re-advertised early in 2006/2007.

Birth records since 1974 and death and marriage records since 1984, have been computerised.

Improvements in office security

In April 2006, the registry installed video surveillance and duress alarm equipment at counters. It also installed security key access facilities at administration reception and staff entry points.

Recording defacto information

This year, the Registry began recording and printing defacto partners names on death certificates. Only the name of the defacto partner with whom the deceased was living at the time of their death is recorded. This change met Government policy, which recognised the equality of married and defacto partners. There were 200 registrations containing defacto information in 2005/2006.

[Report on operations]

State Solicitor's Office

The service

The State Solicitor's Office is highly regarded as a leading legal service provider offering a broad range of legal services to the Government and its departments, instrumentalities and statutory corporations. These services include the provision of legal advice, the preparation of legal documents, the conduct of litigation and representation as counsel in courts and tribunals.

Key achievements and challenges

Legal cases

Examples of significant legal cases dealt with by the State Solicitor's Office (SSO) during 2005/2006 included:

Tipperary Developments Pty Ltd

This matter involved a claim by Tipperary Developments against the State for loss arising from \$50 million deposited with Rothwells in 1988. The matter went to trial in the Supreme Court in July and August 2005. The court was expected to hand down its decision in July 2006.

Coral Coast Marina Developments Pty Ltd

This matter involved litigation brought by Coral Coast Developments Pty Ltd against the State after being refused environmental approval for a resort proposed for Maud's Landing at Coral Bay. Substantial documentation was, and will continue to be, prepared in anticipation of a Supreme Court trial.

Mt Lawley Pty Ltd

Mt Lawley Pty Ltd versus the Western Australian Planning Commission (WAPC) involved land near Ellenbrook reserved for parks and recreation for environmental reasons. The WAPC is attempting to purchase the land from the landowner. A Supreme Court trial to determine the value of the land was heard as a re-trial in February and March 2006 following a Full Court appeal by Mt Lawley.

The WAPC was successful at the re-trial. The court assessed the value of the land at \$4 million (as proposed by the WAPC) plus interest of about \$2.5 million. Had the decision gone against the WAPC, the amount could have been as much as \$14 million, plus costs and about \$7 million in interest and costs. Mt Lawley Pty Ltd has lodged an appeal against the judgment.

Van Stokkum and others

This matter involved a claim for losses of \$130 million against the Finance Brokers Supervisory Board by some 2000 investors who allege they lost money after investing in mortgages or schemes organised by various finance brokers. In 2005/2006, lengthy interlocutory steps were undertaken which will continue into 2006/2007.

[Report on operations]

Commercial matters

The State Solicitor's Office managed a diverse range of commercial matters during 2005/2006, including:

Electricity reform

Ongoing legal advice was provided to the Office of Energy in relation to the Government's electricity industry reforms. The State Solicitor's Office was also made a member of various steering committees.

A key aspect of the reforms was the disaggregation of Western Power Corporation into four corporations:

- *Electricity Generation Corporation* – responsible for the generation of electricity
- *Electricity Networks Corporation* – responsible for the transmission and distribution of electricity
- *Electricity Retail Corporation* – responsible for the sale of electricity
- *Regional Power Corporation* – responsible for the interests of regional consumers.

Native title claims

The State Solicitor's Office continued to represent the State in 136 native title claims lodged in the Federal Court. 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.

Advice was also provided to a range of Government departments and instrumentalities on the implications of native title, heritage matters and environmental matters and in processing, 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.

The State Solicitor's Office developed a strong relationship with its major client in this area – the Department of Treasury and Finance's Office of Native Title. In particular, the State Solicitor's Office provided legal and research advice to the Office of Native Title on connection material provided by native title claimants in support of their claims.

Significant cases managed during the year included:

Single Noongar Claim

This claim covered a significant portion of the Perth metropolitan area. Court hearings were held at many venues in the claim area, including Kings Park and Eden Hill. The hearing concluded in June 2006, and the decision was reserved.

Rubibi

In April 2006, hearings were completed on the issue of extinguishment of native title and the court made a determination that native title existed on various areas in and around Broome. The State lodged an appeal in June 2006, which will be heard later in 2006.

[Report on operations]**Injibandi (Daniel) Appeal**

The appeal in this matter was heard in May 2006. The decision has been reserved. It was the first time the Federal Court allowed all the documents required to be considered by the Full Court to be scanned and presented to the court in electronic format.

Bardi Jawi

The decision in this matter was handed down in June 2006. An appeal from the applicants is expected next year.

[Report on operations]

Corporate support services

The following areas provide corporate support services to both the Department of the Attorney General and the Department of Corrective Services during a review and transition period, following the separation of the Department of Justice.

Aboriginal Policy and Services

The service

Aboriginal Policy and Services provides strategic policy analysis and advice, as well as coordinating and facilitating consultation with the Aboriginal community for the Department. The directorate also works with other divisions to assist in developing culturally relevant policy, programs and services for Aboriginal people. It is also responsible for administering the Aboriginal Alternative Dispute Resolution Service and Aboriginal Visitors Scheme.

Key achievements and challenges

Aboriginal Justice Agreement

Funding of \$10.8 million was secured this year for the ongoing development and implementation of the Aboriginal Justice Agreement (AJA) for the next four years. While the AJA has been operational since March 2004, the initiative received funding in response to Mahoney Inquiry recommendations.

In 2005/2006, one AJA regional plan (Ngaanyatjarra) and three AJA local plans (Kalumburu, Warakurna and Warburton) were completed. Nine local justice plans were nearing completion.

The directorate established a State AJA Interim Steering Committee to guide the development of appropriate regional and state representative structures for Aboriginal people consistent with Mahoney Inquiry recommendations.

The directorate held three Statewide workshops to progress the development of the State Justice Plan under the AJA.

Community engagement

The directorate advised the Department of Corrective Services on Aboriginal community engagement processes for proposed juvenile remand centres in Kalgoorlie and Geraldton. The engagement process included convening the initial meetings of local Aboriginal people through the Aboriginal Justice Agreement's regional and local reference groups. This process is consistent with the principles of the AJA.

[Report on operations]

Aboriginal protocols

Guidelines were developed to provide direction and assistance to Department staff on cultural matters. Aboriginal Protocol Guidelines outline principles to engage Aboriginal people to participate in the opening of events and facilities. The guidelines were endorsed in December 2005, and have since been updated to reflect the separate departments.

Customer service review

A review of customer services to Aboriginal and Torres Strait Islander clients across five business areas and a cross-cultural awareness study was completed in October 2005. A report was forwarded to the Department's Research Applications and Review Committee (RARC).

Aboriginal clients were surveyed at the Registry of Births, Deaths and Marriages, Central Law Courts, Children's Court, Fines Enforcement Registry and the Public Trustee. These areas were chosen because of their adequate clientele and accessibility. The study also examined Department literature and pamphlets to ascertain suitability, clarity and accessibility to Aboriginal clients. Recommendations of the study included:

- more Aboriginal staff on counters to serve, handle complaints, and provide guidance
- mandatory cross-cultural awareness training
- improve pamphlet content and positioning
- improve signage for complaints.

An electronic survey of Department staff was completed. This survey explored the way in which staff deliver services to Aboriginal people, including any challenges they encountered and how they worked to overcome those challenges.

Aboriginal Visitors Scheme

The Aboriginal Visitors Scheme (AVS) provides support and counselling for Aboriginal detainees and prisoners in prisons, juvenile detention centres and police lockups throughout Western Australia. Visitors are Aboriginal people committed to assisting and supporting detainees and prisoners in their local areas.

AVS continues to provide services and promote the need for protocols for the delivery of services to prisons, police lockups and juvenile detention centres.

Key achievements in 2005/2006 included:

- greater collaboration with police through revision of processes and procedures
- initiating a review of AVS core functions including service delivery
- improving efficiency by automating visitors salary and allowances processes
- developing a comprehensive package to promote the service among key stakeholders.

Domestic violence project

The Geraldton Aboriginal Family and Domestic Violence Project is one of eight projects of the Reducing Aboriginal Imprisonment Strategy funded to 2010. The directorate led the development of a process to establish a more culturally appropriate and localised model, including the development of a local Aboriginal reference group to ensure community engagement and input into developing the model.

[Report on operations]

Overall, visit numbers to metropolitan prisons were slightly higher than in 2004/2005. The main increase was at Casuarina Prison, which rose from 1334 in 2004/2005 to 1569 in 2005/2006. However, visits to regional prisons were generally down, except at Broome Regional Prison.

Visits to juvenile centres increased overall, despite a fall in the detainee population. At Rangeview Remand Centre the numbers rose from 792 in 2004/2005 to 957 in 2005/2006. At Banksia Hill Detention Centre they increased by 120 visits to 774 in 2005/2006.

Perth Watch House visit numbers remained virtually unchanged at 310.

Aboriginal Alternative Dispute Resolution Service

The Aboriginal Alternative Dispute Resolution Service (AADRS) aims to reduce the incidence of Aboriginal people's involvement with the criminal justice system by providing an effective and culturally appropriate form of dispute resolution.

Achievements in 2005/2006 included:

- delivered educational awareness sessions to secondary and primary schools
- provided mediation to WA Aboriginal and Torres Strait Islanders communities
- evaluated the effectiveness of training delivered in alternative dispute resolution by TAFE in Broome and the Dampier Peninsular
- developed and evaluated a customer satisfaction survey
- increased promotion of the service through the courts.

Staff training

Recruiting suitable staff across the directorate remained a challenge in 2005/2006, particularly into Section 50D positions where Aboriginality is a requirement under Equal Employment Opportunity legislation. This activity is of special relevance considering the increased staffing requirements for the implementation of the AJA.

Multi-functional policing facilities

A plan scheduled to take place in 2005/2006 to monitor the impact of the multi-functional policing facilities on the communities and the justice system was reassessed. Monitoring will focus on the engagement process between Government and communities within the context of the Aboriginal Justice Agreement.

Performance proposal

The directorate assisted in the development of a proposal for consideration under a research agreement with the Curtin University Graduate School of Business. A draft synopsis of the research project was produced by the Department's Organisational Performance directorate, which will be reviewed in 2006/2007.

[Report on operations]

Corporate Services

The service

Corporate Services assists in the developing of overall strategic direction for the Department and manages human, financial, information and physical resources. It also provides a corporate service to associated independent offices such as the Office of the Director of Public Prosecutions, Equal Opportunity Commission, Law Reform Commission, the Office of the Information Commissioner and the Parliamentary Inspector of the Corruption and Crime Commission. It also provides services to the Department of Corrective Services during the transitional period following the separation of the Department of Justice.

Key achievements and challenges

New departments

The separation of the Department of Justice in February 2006, required new financial management, human resources and information technology arrangements to be established within two months.

The following changes were made with minimal disruption to service delivery to the new departments:

- established and transferred budgets for the new Department of Corrective Services
- created new bank accounts and financial reporting arrangements
- transferred staff records and separated payrolls into two departments
- created new positions required to support the creation of the Department of Corrective Services
- established separate recordkeeping arrangements.

Shared services

The Department's scheduled transition to the Office of Shared Services to share corporate services among Government departments was postponed from October 2006 to April 2007.

The Department continued work on transition preparation in 2005/2006 by:

- establishing four teams to undertake gap analysis, process reviews and develop strategies to help staff make the transition
- compiling and reviewing a comprehensive staff and risk register
- implementing a communication plan to keep stakeholders informed of progress
- refining migration strategies and project plans to reflect the new environment after the separation of the Department of Justice
- establishing regular negotiation and discussion of issues with the Office of Shared Services
- initiating a joint steering group to manage the transition to shared services for the departments of the Attorney General and Corrective Services.

[Report on operations]

Leasing strategy

The Department continued a strategic review of office accommodation in the Perth central business district. The review began in 2003.

The Department occupies leased space in 52 buildings across the State, 13 of which are in the Perth central business district.

The review aims to:

- provide the basis for a long-term accommodation strategy
- achieve operational efficiencies by grouping related functions together
- explore opportunities arising from the expiry of current leases and forecast completion of the new CBD courts complex in 2008.

This year, the project focused on finalising floor space requirements, and applying space planning standards to buildings selected for lease.

A detailed review of accommodation was conducted in February and March 2006 following the separation of the Department of Justice.

Lease negotiations have proceeded to secure accommodation for the next 13 years at International House and Westralia Square. Fit-out consultants were appointed for International House in March 2006 and for Westralia Square in May 2006.

Occupancy of International House will begin in the second quarter of 2007. Westralia Square will be refitted by mid 2008. The project is being integrated with the whole-of-Government CBD accommodation strategy being managed by the Department of Housing and Works.

Budget double

Significant work was undertaken in 2005/2006 to prepare budget submissions for both the Department of the Attorney General and the Department of Corrective Services. This included preparing the Mahoney Inquiry budget submission, which involved extensive liaison with key stakeholders. Budget statements and budget briefing notes for both departments were also prepared in April and May 2006.

Contractual processes cleared

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. The separation of the contracts process as a result of the separation of the Department of Justice did not compromise the Department's compliance with procurement processes.

(See Appendix I for more information)

Electronic procurement

In 2005/2006, purchase orders were streamlined and issued directly via email from the procurement system to suppliers, reducing the volume of printed and faxed purchase orders.

JP connect

A Justice of the Peace Information Line was set up in March 2006 to allow people to call from anywhere in the State at the price of a local phone call. It is part of the Government's WA – A Connected Community: State Communications Policy initiative. The telephone number is 1300 657 788.

[Report on operations]

Performance and financial planning system

The Department's corporate performance and financial planning system was reviewed and modified to optimise speed and performance, particularly over low bandwidth telecommunication connections for regional users. New templates for budget submissions were also developed, and will be used for the 2007/2008 State Budget process.

IT standards

The latest Microsoft operating system was rolled out to more than 4500 computers across the Department of the Attorney General and the Department of Corrective Services to ensure the departments kept aligned with the latest technology.

Online development

More than 20 online communities that service internal and external clients were developed during the year. An extensive evaluation project was undertaken, which led to a more user-friendly intranet for staff. An online portal governance structure was also implemented to help business areas extract more from online services.

Publisher deals

Contracts were re-negotiated with three major legal publishers for 2005/2006 and 2006/2007. These contracts provide legal information in electronic format to courts and tribunals, legal programs, the Corruption and Crime Commission, the Public Trust Office and the Legal Aid Commission.

Electronic library training was provided to magistrates, the State Solicitor's Office, the Parliamentary Counsel's Office and the Office of the Director of Public Prosecutions.

Remote network support

The Department gave financial support to provide enhanced telecommunications services to the communities within WA's regional Ngaanyatjarra Lands area in 2005/2006.

The Department, in conjunction with other departments and the local shire, support the project via an anchor tenancy arrangement that will procure telecommunication services for five years. The Department will fund the purchase of transmission services for its offices at Warburton and Warakurna.

Framework endorsed

The Justice System Framework – based on the Government's Outcome Based Management Framework – was endorsed by Government's Outcome Structure Review Group in April 2005, for implementation in 2005/2006. This has resulted in a more streamlined reporting approach including a more appropriate set of key performance indicators for the organisation. The new indicators make it easier to see what services the Department provides to the community.

[Report on operations]

Workforce strategy and performance

Work began on the implementation of Mahoney Inquiry Recommendation 59, which relates to workforce planning and management and occupational health and safety.

The Department's position on the use of Sections 50 and 51 of the *Equal Opportunity Act 1984* was also developed.

Other achievements included:

- implemented a new workplace grievance management policy and procedures
- appointed an additional 30 grievance resolution officers
- completed a report on the Equal Employment Opportunity and Diversity Plan outcomes for the Department
- customised the Office of Equal Employment Opportunity Insights resource package
- conducted a managers workshop on recruitment, retention and career development of Aboriginal employees
- developed a corporate workforce development strategy to identify and meet core learning outcomes for the 'justice employee'.

Employee welfare

A preventative bullying in the workplace training package was developed for staff.

Guidelines were developed for the management of non-work related disability and long term sick leave.

Occupational health and safety audits of Department worksites were conducted.

Employee relations

A new certified agreement for prison nurses was implemented. It aligned their pay and conditions with nurses in the private sector.

Workforce management

Public Sector Management (Breaches of Public Sector Standards) Regulations 2005 were implemented.

Ethical awareness

An ethical conduct compliance program was developed, followed by three ethical conduct sessions – two as train-the-trainer sessions with business area HR/training staff, and one with vocational support officers as part of their essential training program. The package was refined after feedback from these groups. It is available online.

Library review

A Libraries and Information Services Branch review was initiated in December 2005. A report and recommendations on a revised organisational structure for the delivery of legal library and information services was completed.

[Report on operations]

Public Affairs

The service

Public Affairs reports directly to the Director General and supports the Department's business areas with strategic communications advice and services to help develop community, stakeholder and staff awareness of its operations and achievements. The branch ensures communication about the Department's plans and programs is inherent to its operations.

Key achievements

Issues management and communication strategies

This year, about 30 formal communication and consultation strategies were developed for a range of projects to ensure a strategic and coordinated approach to the Department's internal and external communications.

Among these was a comprehensive strategy to advise internal and external stakeholders about the Mahoney Inquiry, as it progressed, and its findings. A strategy was also developed for the separation of the Department of Justice, which involved implementing more than 100 communication activities over 33 working days. In June 2006, the strategy was shortlisted for a Public Relations Institute of Australia national award for excellence.

Community consultation and briefings

Public Affairs coordinated or assisted with community consultation for key projects this year to gain stakeholder input into project developments and key decisions. These included:

- regional juvenile remand centres in Kalgoorlie and Geraldton
- Albany Justice Complex
- Kimberley Custodial Plan
- Geraldton family and domestic violence project.

Advertising

Several State-wide advertising campaigns were coordinated in 2005/2006, including:

- *Time to Pay Up* – to encourage people to pay their fines and to check if their driver's licence had been suspended. This resulted in 40,000 licence checks on an online database, plus a spike in access to fines enforcement information on the website.
- *Juvenile custodial officer recruitment campaign* – to recruit more officers to work with juvenile offenders on remand and in detention. The campaign attracted 112 potential applicants.
- *Victim-offender mediation program expansion* – to promote and encourage people to access a new mediation option in selected courts, as the program was introduced.
- *Creation of the new departments* – more than 20 advertisements were run in newspapers around the State to advise the public about the split of the Department of Justice and to minimise public confusion about the change.

[Report on operations]

Publication and video production

Some 40 publications, posters or videos were produced in 2005/2006. These ranged from a justice of the peace handbook and a jury service video, to brochures and posters promoting prisoner work camps and a handbook of the two departments' services.

Internet and intranet site management

Two websites were created for the launch of the new departments in February 2006.

An online application to allow people to check if their driver's licence had been suspended for the non-payment of fines and infringements was developed in September 2005, as part of the Time to Pay Up fines campaign.

More than 20 portal communities were developed in 2005/2006, in collaboration with Corporate Services, to give staff easier access to information and help them collaborate and share data.

From February 2006 to June 2006, on average, people made 1939 distinct visits per day to the Department of the Attorney General website and 445 distinct visits to the Department of Corrective Services website.

Staff communication

Some 39 staff publications were produced for the year. This included 16 editions of *JustUs* (for the former Department of Justice), 12 copies of *Inside Out* (for the Department of Corrective Services) plus two special brief editions relating to funding, and 11 editions of *In Session* (for Courts staff).

Launches and event coordination

To communicate and acknowledge the Department's achievements and initiatives, the following launches and events were organised:

- re-signing of memorandum of understanding with CALM at the fourth anniversary of the Millstream work camp in July 2005
- opening the Albany Justice Complex in October 2005
- launching the Mt Morgans work camp in October 2005
- re-signing the lease for Bungarun (Derby) work camp in October 2005
- Prisons' National Medals event in November 2005

The branch also coordinated displays and participation in the Government's Community Safety Month parade in October 2005, and the 'WA On Show' exhibition in August 2005, which won a best stand award.

Media liaison

This year, about 1500 media queries were responded to for both departments, and more than 100 media releases prepared.

Media training was held for 10 approved metropolitan and regional staff, and familiarisation tours of several prisons were provided to journalists.

In January 2006, a proactive media strategy was initiated to raise public awareness of corrective services in WA, in response to a recommendation of the Mahoney Inquiry. A monthly talkback radio segment was organised on 6PR and five special media features about the corrections system were also coordinated.

[Report on operations]

Corporate identity management

Two new corporate identities were developed for the new departments in February 2006, in keeping with State Government guidelines. This included developing and implementing new stationery templates, letterheads, business cards, corporate colours and the gradual re-branding of publications.

Signs at more than 66 locations throughout the State also started being re-branded to identify the new departments. This process will continue in 2006/2007.

Preparation of award submissions

Of the seven award submissions prepared this year, all were acknowledged as finalists or winners. These included:

- three Premier's Awards for Excellence – two winners and one finalist
- Commonwealth Association of Public Administration and Management international innovation award – finalist, with final judging in 2006/2007
- StateWest Achievement Award for outstanding community service – finalist
- Public Relations Institute of Australia (PRIA) WA Award for Excellence 2005 in community communication – winner.
- PRIA Award for Excellence 2006 in issues management – finalist, with final judging in 2006/2007.

[Report on operations]

Internal Audit

The service

The Internal Audit Branch provides advice and conducts audits as outlined in the annual audit plan for the Department of the Attorney General and to the Department of Corrective Services. The branch works in cooperation with the Risk Management and Audit Committees of both Departments. The Committees consist of senior Department management and representatives from the Office of the Auditor General. The Internal Audit branch reports directly to the Director General. The branch conducts comprehensive reviews that help maintain effective corporate governance. Services provided by the branch help improve business practices within both departments, including management accountability, compliance management and effectiveness of internal control processes.

Key achievements and challenges

Audits

Internal Audit undertook 31 audits across both departments during the year.

Of these:

- 12 were planned
- 14 were undertaken in response to specific requests
- four were completed as part of Internal Audit's role in providing assurance in relation to managing recommendations from external reviewers (including Office of the Inspector of Custodial Services, Coroner's and Ombudsman)
- one was undertaken in relation to a public interest disclosure for the Department of the Attorney General.

Mahoney reform governance audit

Internal Audit provide timely independent feedback on governance of the Mahoney Reform Program. In completing the audit, many strengths associated with the reform program governance structure and its projects were noted. These strengths were especially pertinent given the tight timeframes imposed on the Department to respond to the Mahoney Report, consolidate priorities, draft implementation costs and progress with the separation of the Department.

Internal Audit provided recommendations to enhance the transparency of the Department's Reform Governance framework – particularly after 31 January 2006 – and to improve supporting processes and procedures relating to the implementation and overall management of the reform program.

[Report on operations]

Risk management partnership

Internal Audit partnered with the Organisation Performance directorate to raise awareness of risk management with the Department. It supported the development and deployment of an enterprise-wide risk management framework. A new progress reporting and monitoring system called JustRisk was implemented to assist in the follow up of audit recommendations.

Recommendations progressed

Internal Audit's role in monitoring and reporting on the Department's management of Office of the Inspector of Custodial Services recommendations has contributed to the significant reduction in the number of outstanding recommendations from 27% to 15%.

Customer survey

Internal Audit received customer satisfaction ratings averaging more than 4/5 from all respondents in quarterly surveys undertaken with clients during the year.

[Report on operations]

Ministerial Liaison Unit

The service

The Ministerial Liaison Unit manages ministerial correspondence; ensures the timely and accurate response to ministerial enquiries, and is responsible for tracking the progress of these responses.

Key achievements and challenges

Managing ministerial requests

In 2005/2006, the unit managed 3973 ministerial requests, up slightly from the previous year. More than 58% of requests related to minister draft replies, and the remaining 42% related to briefing notes, comment and advice, speech notes and parliamentary questions.

Ministerial tracking system

The unit progressed with the implementation and development of a tracking system for ministerial enquiries. Phase two was implemented in October 2005. At year end, 277 staff members were registered users of the system.

Phase two improvements included:

- document-version history
- improved search functions
- electronic approval functions.

Training

Training staff on the use of the ministerial tracking system continued to be a priority in 2005/2006. Training sessions were delivered to new and existing users throughout the year across the Department of the Attorney General and the Department of Corrective Services.

New Minister

A new Minister for Corrective Services, formerly known as the Minister for Justice, was appointed in May 2006. The unit developed new stationery templates for Corrective Services in June 2006, and advised staff of new protocols and practices of the new Minister.

Report on Government policies

Disability services

The Department is committed to ensuring professional and appropriate services are provided to meet the needs of customers with physical, intellectual, sensory or cognitive disabilities, their carers and families.

A Disability Access and Inclusion Plan 2005-2008 (DAIP) was developed in 2005 to comply with the *Disability Services Act 1993*. Through the Department's website, the public was invited to make submissions for the plan between June and August 2005, as required by the new *Disability Services Regulations 2004*. Feedback was sought from external stakeholders. Two organisations provided feedback, which was positive.

The Department uses a variety of measures to facilitate access by people with disabilities. These are reported against the key standards outlined in the *Disability Services Act 1993* and the Department's DAIP.

Key issues progressed in 2005/2006 were:

Standard one

People with disabilities have the same opportunities as other people to access the services of, and any events organised by, the Department.

The Public Trust Office continued to operate its successful Wills on Wheels service that enables people with disabilities to have a will prepared in their own home, nursing home or hospital. In the 2005/2006, some 352 people were assisted through the service.

The Public Advocate conducted two training sessions in 2006 for providers of services to people with decision-making disabilities in the aged care, disability services and mental health areas.

Standard two

People with disabilities have the same opportunities as other people to access the buildings and facilities of the Department.

A lift connecting all three levels of the Supreme Court building was completed in May 2006. The lift provides full public and disabled access to the upstairs galleries of courts 1, 2 and 3 as well as better staff access to the records management vaults.

In February 2006, the main entrance to the Supreme Court was modified to establish permanent disabled access ramps.

[Report on Government policies]

Standard three

People with disabilities receive information from the Department in a format that will enable them to access the information as readily as other people are able to access it.

Audio induction loops were installed in courts 10 and 11 at the Supreme Court, to help people with limited hearing follow court proceedings through a system that converts in-court audio into vibrations.

Revisions were made to the guardianship, administration and advocacy section of the Department's website to incorporate an explanation and examples of marksman and readover clauses, for use by people with a physical disability completing an enduring power of attorney.

New publications, including brochures about elder abuse and a revised enduring power of attorney kit, and updated information sheets produced by the Public Advocate were made available in alternative formats to people with disabilities .

Standard four

People with disabilities receive the same level and quality of service from Department staff as other people receive.

The Public Trustee began developing 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.

Recognition of the needs of patients with a decision-making disability was enhanced by a program conducted in consultation with general practitioners in Perth. Patient files are now marked to ensure medical treatment staff are alerted that the Public Advocate is guardian for the patient and must be contacted for consent when medical treatment is required.

Standard five

People with disabilities have the same opportunities as other people to make complaints to the Department.

The Department completed a new Customer Feedback Management Policy and Practices in 2005/2006, which acknowledges the needs of people with disabilities by ensuring information about making a complaint is provided in a wide range of formats.

Standard six

People with disabilities have the same opportunities as other people to participate in any public consultation by the Department.

The process of establishing a Joint Consultative Committee on disability access and inclusion began and draft terms of reference for the committee were developed.

[Report on Government policies]

Cultural diversity and language services

The Department provides a diverse range of services, many of which require the use of interpreters, to address customer needs. Services are required for courts, marriage celebrations, registration and changing birth certificates, applications for a name change, guardianship and administration and enduring power of attorney issues, and State Administrative Tribunal hearings.

The Department's *Language Services Policy and Practical Guidelines* provide a guide for improving services to our customers so their level of English is not a barrier to accessing Government services and communicating with agency officers. A review of the *Language Services Policy and Practical Guidelines* is planned for 2006/2007 in line with the outcomes of the review of the State Language Services Policy.

In 2005/2006, interpreter services continued to be provided at courts throughout the State. Some 551 interpreter bookings were made in the Perth Magistrates Court. Vietnamese was the most requested language. The Family Court recorded 211 interpreter bookings with Thai and Vietnamese the most popular languages, while the District Court had 615 interpreter bookings with Arabic and Vietnamese the most popular. The State Administrative Tribunal received a total of 86 bookings (Italian was the most requested) and the Supreme Court received a total of 20 interpreter bookings (Spanish was most requested).

The Office of the Public Advocate conducted consultation between July and December 2005, with service providers and older people in culturally and linguistically diverse (CALD) communities, with the assistance of interpreters. The forums for older people were mostly conducted in the participants' own language, using facilitators identified by host community organisations. Community education material to raise awareness of elder abuse was also printed and translated into Vietnamese, Chinese, Italian, Dutch, Greek, Polish, Serbian and Croatian. The information was circulated widely between July and November 2005.

Provision of interpreting or translating services to customers of the Public Advocate's guardianship, advocacy and investigation areas was also undertaken on request.

Young people

The Department is committed to achieving the outcomes identified in the State Government's Plan for Youth.

The Child Witness Service provides emotional support and practical preparation for children aged 18 and less, who are required to give evidence to a court. Adequate preparation helps minimise emotional stress experienced by children throughout this process and enables them to participate more fully in the judicial process. In 2005/2006, some 731 children were referred to the Child Witness Service, which represents a 53% increase on 2004/2005.

Tours of courts for school children are an important way for courts to connect with the local community. The Francis Burt Law Education Centre provides legal education to primary school, high school, tertiary students and community groups. In 2005/2006, education officers from the centre were permitted to use the Perth Supreme Court and Fremantle courtrooms with groups to participate in various activities.

[Report on Government policies]

The Department also sponsored an inter-school mock trial competition organised by the Law Society of Western Australia. In 2006, more than 700 students from 43 schools made up 71 teams. Trials were held at Mandurah, Rockingham, Fremantle and Central Law Courts.

Regional development

Providing WA's regional and remote communities with access to quality justice services is a continuing challenge for the Department. During the year, a number of new initiatives were achieved independently and in collaboration with other agencies and with the regional communities themselves.

Community consultation took place as part of the Aboriginal Justice Agreement (AJA) initiative. An AJA team engaged local people to collaboratively develop and implement local justice plans. The AJA process was also used to engage with the Aboriginal communities of Kalgoorlie and Geraldton on a number of projects.

Court Services also continued to develop regional initiatives and projects in 2005/2006, including:

- a community sentencing court at Norseman that allows community members to be a part of the sentencing process
- opening the Albany Justice Complex in October 2005 to provide improved justice services to the local community
- developing the cross-border justice initiative to allow Western Australian magistrates deal with offences committed in the other jurisdictions, within the remote central region of Australia, under the laws of that other jurisdiction (and vice versa)
- providing community presentations and information forums about the State Administrative Tribunal in the regional centres of the Kimberley, Pilbara, Mid-West and Great Southern.

The Public Advocate expanded its community education to individuals and organisations providing services to Aboriginal people, particularly to regional and remote communities in 2005/2006, by holding nine workshops.

Information sessions, which outlined the guardianship and administration system and ways of protecting vulnerable Aboriginal people, were conducted in Geraldton, Albany, Bunbury and Kalgoorlie-Boulder. Videoconference training sessions to service providers in remote communities of the Pilbara and Kimberley were also offered in 2005/2006. In addition, guardians and investigators used videoconferencing to consult more frequently with customers and service providers in regional areas.

Government acknowledged the need to expand guardianship and community education services to regional and remote Western Australia by allocating \$2 million over the next four years to the Office of the Public Advocate.

Government also launched the Public Advocate's report into the *Mistreatment of Older People in Aboriginal Communities* in November 2005. The report focused on regional Aboriginal people and was widely circulated in Government and among Aboriginal organisations. The recommended strategies will be implemented by the Office for Seniors Interests and Volunteering.

Recycling

During the year, the Department of the Attorney General and the Department of Corrective Services continued to use the Government's common use contract for recycling paper. Almost 1000 bins were recycled for paper shredding and destruction of confidential material across both departments' offices in the metropolitan area.

The contract for collecting inkjet and toner cartridges continues to be used successfully, with 2395 cartridges collected from both departments during the year.

[Report on Government policies]

Environment programs

Energy Smart Government 🌱💰🌱

The Department fell marginally short of the Energy Smart policy milestone of a 10% reduction in energy consumption by 30 June 2006. The Department recorded a 7.24% reduction.

In 2005/2006, the Department did the following to reduce energy consumption:

A Department energy management team coordinated quarterly data entry and monitored progress.

Non-repayable facilitation grants were used to conduct two energy audits during the year. It is anticipated that recommendations from the audits will result in further energy reductions during 2006/2007.

The Department also received in-principle approval for repayable capital advance funding to implement a variety of energy saving capital projects at six courthouses and two justice complexes. Energy-saving works should result in energy reductions that would enable the Department to repay the advance over seven years.

To raise awareness of Energy Smart issues, communication was undertaken with staff via the intranet and internal newsletters. Energy-saving messages on stickers and posters were distributed to courts and offices.

Energy Smart Government Program	Baseline (FY 2001/2002)	2005/2006	Variation %
Energy Consumption (MJ)	51,051,000	47,355,000	-7.24
Energy Cost (\$)	1,928,859	1,889,232	2.06
Greenhouse (tonnes)	12,410	11,361	-8.45
Performance Indicators			
MJ/sqm	947	825	-
MJ/FTE	13,877	11,149	-

[Report on Government policies]**Sustainability** 

The Department continued to use the Government's Sustainability Action Plan as a framework, providing practical guidelines on applying sustainability principles in its operational activities by:

- internally providing training, such as cross-cultural awareness for all staff
- externally implementing activities, such as the North West Communities visit program undertaken by the State Administrative Tribunal to promote the tribunal's services and its flexibility in conducting hearings.

Acknowledging its effort in this area, the Department was awarded an achievement certificate and an energy champion trophy by the Sustainable Energy Development Office in December 2005.

Financial statements

Statement of certification

The accompanying financial statements of the Department of the Attorney General have been prepared in compliance with the provision of the *Financial Administration and Audit Act 1985* from proper accounts and records to present fairly the financial transactions for the financial year ending 30 June 2006 and the financial position as at 30 June 2006.

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



Graeme Doyle

Executive Director Corporate Services
Chief Finance Officer
28 July 2006



Colin Murphy

Accountable Officer
28 July 2006



AUDITOR GENERAL

INDEPENDENT AUDIT OPINION

To the Parliament of Western Australia

DEPARTMENT OF THE ATTORNEY GENERAL FINANCIAL STATEMENTS AND PERFORMANCE INDICATORS FOR THE YEAR ENDED 30 JUNE 2006

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 2006 and its financial performance and cash flows for the year ended on that date. They are in accordance with applicable Accounting Standards and other mandatory professional reporting requirements in Australia and the Treasurer's Instructions;
- (ii) the controls exercised by the Department provide reasonable assurance that the receipt and expenditure of moneys, the acquisition and disposal of property, and the incurring of liabilities have been in accordance with legislative provisions; and
- (iii) the key effectiveness and efficiency 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 2006.

Scope

The Director General is responsible for keeping proper accounts and maintaining adequate systems of internal control, for preparing the financial statements and performance indicators, and complying with the Financial Administration and Audit Act 1985 (the Act) and other relevant written law.

The financial statements consist of the Income Statement, Balance Sheet, Statement of Changes in Equity, Cash Flow Statement, Schedule of Income and Expenses by Service, Summary of Consolidated Fund Appropriations and Income Estimates, and the Notes to the Financial Statements.

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

Summary of my Role

As required by the Act, I have independently audited the accounts, financial statements and performance indicators to express an opinion on the financial statements, controls and performance indicators. This was done by testing selected samples of the evidence. 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 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 performance indicators.

D D R PEARSON
AUDITOR GENERAL
21 September 2006

4th Floor Dumas House 2 Havelock Street West Perth 6005 Western Australia Tel: 08 9222 7500 Fax: 08 9322 5664

[Financial statements]

Income statement

For the year ended 30 June 2006

	NOTE	\$'000
COST OF SERVICES		
Expenses		
Employee benefits expenses	6	256,844
Supplies and services	7	102,703
Depreciation and amortisation	8	18,680
Finance costs	9	1,372
Accommodation expenses	10	16,290
Grants and subsidies	11	43,382
Capital user charge	12	42,707
Other expenses	14	59,151
Loss on disposal of non current assets	13	139
Total cost of services		541,268
Income		
User charges and fees	15	49,577
Commonwealth grants and contributions	16	12,781
Other revenues	17	15,238
Total income other than income from State Government		77,596
NET COST OF SERVICES		463,672
INCOME FROM STATE GOVERNMENT		
	18	
Service appropriations		462,069
Liabilities assumed by the Treasurer		6,622
Resources received free of charge		7,739
Total income from State Government		476,430
SURPLUS/(DEFICIT) FOR THE PERIOD		12,758

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

[Financial statements]

Balance sheet

As at 30 June 2006

	NOTE	\$'000
ASSETS		
Current assets		
Cash and cash equivalents	29	10,078
Receivables	20	5,319
Amounts receivable for services	21	7,966
Total current assets		23,363
Non-current assets		
Restricted cash and cash equivalents	19	416
Amounts receivable for services	21	26,216
Property, plant, equipment and vehicles	22	250,480
Intangible assets	23	3,882
Total non-current assets		280,994
TOTAL ASSETS		304,357
LIABILITIES		
Current liabilities		
Payables	24	4,329
Other borrowings	25	211
Provisions	26	28,053
Other current liabilities	27	1,727
Total current liabilities		34,320
Non-current liabilities		
Other borrowings	25	12,598
Provisions	26	10,695
Total non-current liabilities		23,293
TOTAL LIABILITIES		57,613
NET ASSETS		246,744
Equity	28	
Contributed equity		–
Reserves		189,091
Accumulated surplus/(Deficiency)		57,653
Total equity		246,744
TOTAL LIABILITIES AND EQUITY		304,357

The balance sheet should be read in conjunction with the accompanying notes.

[Financial statements]

Cash flow statement

For the year ended 30 June 2006

	NOTE	\$'000
CASH FLOWS TO / FROM STATE GOVERNMENT		
Service appropriations		436,496
Capital contributions		26,101
Holding account drawdowns		17,351
Distribution to owner		(14,500)
Net cash provided by State Government		465,448
Utilised as follows:		
CASH FLOWS FROM OPERATING ACTIVITIES		
Payments		
Payments to employees		(223,198)
Payments to suppliers		(234,788)
Accommodation costs		(16,290)
Finance costs		(1,374)
Capital user charge		(39,730)
GST payments on purchases		(19,638)
GST payments to taxation authority		(1,274)
Receipts		
Receipts from services		65,060
Commonwealth Grants and Contributions		12,505
GST receipts on sales		1,221
GST receipts from taxation authorities		21,362
Net cash used in operating activities	29 (c)	(436,144)
CASH FLOWS FROM INVESTING ACTIVITIES		
Proceeds from sale of non-current physical assets		35
Purchase of non-current physical assets		(32,623)
Net cash used in investing activities		(32,588)
CASH FLOWS FROM FINANCING ACTIVITIES		
Finance lease payments		(190)
Net cash used in financing activities		(190)
Net (decrease)/increase in cash and cash equivalents		(3,474)
Cash and cash equivalents at the beginning of period		13,968
Cash transferred from other sources		-
CASH AT THE END OF PERIOD	29 (a)	10,494

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

[Financial statements]

Statement of changes in equity

For the year ended 30 June 2006

	NOTE	\$'000
Balance of equity at start of period		701,899
CONTRIBUTED EQUITY		
Balance at start of period	28	37,875
Capital contribution		26,101
Distribution to owners		(517,206)
Transfer to accumulated surplus/(deficiency)		(453,230)
Balance at end of period		-
RESERVES		
Asset Revaluation Reserve		
Balance at start of period	28	562,422
Transfer to accumulated surplus/(deficiency)		(396,523)
Gains/(losses) from asset revaluation		23,192
Balance at end of period		189,091
ACCUMULATED SURPLUS/(DEFICIENCY)		
Balance at start of period	28	101,602
Transfer from contributed equity		(453,230)
Transfer from asset revaluation reserve		396,523
Surplus/(deficit) for the period		12,758
Balance at end of period		57,653
Balance of equity at end of period		246,744
Total income and expense for the period*		35,950

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

* The aggregate net amount attributable to each category of equity is: surplus \$12,758,000 plus gains \$23,192,000

Notes to the financial statements

For the year ended 30 June 2006

1 Department of the Attorney General mission and funding

On 1 February 2006, the Government approved the transfer of the offender management functions from the Department of Justice to a newly created Department of Corrective Services, and renamed the Department of Justice as Department of the Attorney General. Details of assets and liabilities transferred to the Department of Corrective Services are shown in note 28. The Department of the Attorney General 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
- Managing adult and juvenile offenders in custody and in the community
- 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 information and support to the Parole 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 First time adoption of Australian equivalents to International Financial Reporting Standards

This is the Department's first published financial statements prepared under Australian equivalents to international financial reporting standards (AEIFRS). AASB 1 'First-time adoption of Australian Equivalents to International Financial Reporting Standards' has been applied in preparing these financial statements. The financial statements of the Department of Justice until 30 June 2005 had been prepared under the previous Australian Generally Accepted Accounting Principles (AGAAP).

The Australian Accounting Standards Board (AASB) adopted the standards of the International Accounting Standards Board (IASB) for application to reporting periods beginning on or after 1 January 2005 by issuing AIFRS which comprise a framework for the preparation and presentation of financial statements, Australian accounting standards and the Urgent Issues Group (UIG) interpretations.

In accordance with the option provided by AASB 1 paragraph 36A and exercised by Treasurer's Instruction (TI) 1101 'Application of Australian Accounting Standards and Other Pronouncements', financial instrument information prepared under AASB 132 and AASB 139 will apply from 1 July 2005 and consequently comparative information for financial instruments is presented on the previous AGAAP basis. All other comparative information has been prepared under the AIFRS basis.

Notes to the financial statements

For the year ended 30 June 2006

Early adoption of standards

The Department cannot early adopt an Australian accounting standard or UIG interpretation unless specifically permitted by TI 1101 'Application of Australian Accounting Standards and Other Pronouncements'. This TI requires the early adoption of revised AASB 119 'Employee Benefits' as issued in December 2004, AASB 2004-3 'Amendments to Australian Accounting Standards' and 2005-3 'Amendments to Australian Accounting Standards [AASB 119]'; AASB 2005-4 'Amendments to Australian Accounting Standard [AASB 139, AASB 132, AASB 1, AASB 1023 & AASB 1038]' and AASB 2005-6 'Amendments to Australian Accounting Standards [AASB 3]' to the annual reporting period beginning 1 July 2005. AASB 2005-4 amends AASB 139 'Financial Instruments: Recognition and Measurement' so that the ability to designate financial assets and financial liabilities at fair value is restricted. AASB 2005-6 excludes business combinations involving common control from the scope of AASB 3 'Business Combinations'.

Reconciliations explaining the transition to AIFRS as at 30 June 2005 are provided at Note 44.

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, statements of accounting concepts and other authoritative pronouncements of the Australian Accounting Standards Board, and Urgent Issues Group (UIG) Consensus Views 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 Administration and Audit Act* and the Treasurer's Instructions are legislative provisions governing the preparation of financial statements and take precedence over Australian accounting standards, statements of accounting concepts and other authoritative pronouncements of the Accounting Standards Board, and UIG consensus views. The modifications are intended to fulfil the requirements of general application to the public sector, together with the need for greater disclosure and also to satisfy accountability requirements.

If any such modification has a material or significant financial effect upon the reported results, details of that modification and where practicable, the resulting financial effect, are disclosed in individual notes to these financial statements.

Due to the split of the Department of Justice into the Department of the Attorney General and the Department of Corrective Services, there is no comparative information for the 2004/2005 year in the financial statements.

(b) Basis of accounting

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.

Notes to the financial statements

For the year ended 30 June 2006

(c) Administered transactions

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 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 1033 'Presentation and Disclosure of Financial Instruments', 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.

Outstanding fines and costs include:

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

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

Services appropriations are recognised as revenues 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.

Notes to the financial statements

For the year ended 30 June 2006

(e) Contributed equity

Under UIG 38, 'Contributions by Owners Made to Wholly-Owned Public Sector Entities', transfers in the nature of equity contributions must be designated by the Government (owners) as contributions by owners (at the time of, or prior to transfer) before such transfers can be recognised as equity contributions in the financial statements. Capital contributions (appropriations) have been designated as contributions by owners and have been credited directly to contributed equity in the Balance Sheet. Capital appropriations which are repayable to the Treasurer are recognised as liabilities.

(f) Net appropriation determination

Pursuant to section 23A of the *Financial Administration and Audit 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, sale of personal prisoner services, sale of prison produce surplus to requirements, proceeds from Public Trustee fees, Public Trust common fund interest revenues, legal services, workers compensation recoups, criminal injuries awards and other miscellaneous revenues.

In accordance with the determination, the Department retained \$78.85 million in 2006. Retained revenues may only be applied to the services specified in the 2005/2006 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 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.

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 2006 were \$9.18 million.

[Financial statements]

Notes to the financial statements

For the year ended 30 June 2006

(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 two 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. Expected 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 116.35. The annual revaluations are undertaken by the Department of Land Information and movements are recognised in the financial statements. See Note 22.

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 the Department of Land Information (Valuation Services).

(k) Impairment of assets

Property, plant and equipment, infrastructure and intangible assets are tested for any indication 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 or where the replacement cost is falling. Each relevant class of assets is reviewed annually to verify that the accumulated depreciation/amortisation reflects the level of consumption or expiration of the 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.

[Financial statements]

Notes to the financial statements

For the year ended 30 June 2006

(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 'Statement of Financial Performance' 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. 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 purposes of the Cash Flow Statement, cash 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 10 financial years to largely meet the additional cash outflow in each eleventh year when 27 pays occur in that year 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 2005/2006 was 29 June, therefore an accrual of one day was necessary in this financial year.

[Financial statements]

Notes to the financial statements

For the year ended 30 June 2006

(q) Receivables

Receivables are recognised at the amounts receivable as they are due for settlement no more than 30 days from the date of recognition.

Collectability of receivables are reviewed on an ongoing basis. Debts which are known to be uncollectible are written off. A provision for doubtful debts is raised where some doubt as to collection exists.

(r) 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

Web site costs – Costs in relation to web sites controlled by the Department are charged as expenses in the period in which they are incurred.

(s) Payables

Payables, including accruals not yet billed, are recognised 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.

(t) 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 oncosts

Employment oncosts, 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 not included as part of the Department's employee benefits expense and the related liability is included in employment on-cost provision.

(u) 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).

[Financial statements]

Notes to the financial statements

For the year ended 30 June 2006

The superannuation expense is comprised of the following elements:

- (i) change in the unfunded employer's liability in respect of current employees who are members of the *Superannuation and Family Benefits Act* Scheme and current employees who accrued a benefit on transfer from that Scheme to the Gold State Superannuation Scheme; and
- (ii) employer contributions paid to the Gold State superannuation scheme and West State Superannuation Scheme.

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 Revenues from Government in the Statement of Financial Performance 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 were paid to the GESB in respect of the Gold State superannuation scheme and the West State superannuation scheme. 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 Gold State superannuation Scheme and the West State superannuation scheme 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'.

(v) Judges' pensions

All judges' pension benefits are met by the Treasurer. Judges are entitled to pensions of 60% of their final salary after 10 years service and proportionate pensions for lesser service. Spouses of judges are entitled to pensions of five-eighths of the judge's pension entitlement on the judge's death. The liability for Judges' pensions as at 30 June 2005 was calculated by Price Waterhouse Coopers Actuaries.

The Government Employees Superannuation Board (GESB) have responsibility for the administration of the Judges' Pension scheme. GESB initially incur the cost of the pensions and then recoup 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.

(w) Resources received free of charge or for nominal value

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

(x) Comparative figures

Comparative figures are, where appropriate, reclassified so as to be comparable with the figures presented in the current financial year. Comparatives for 2004/2005 are not shown due to the transfer of functions during 2005/2006. Refer to note 1.

(y) Rounding of amounts

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

Notes to the financial statements

For the year ended 30 June 2006

4 Services of the Department

Information about the Department's services is set out in the schedule of Expenses and Revenues by Service. Information about the Department's administered expenses, revenues, assets and liabilities is set out in notes 40 and 41.

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 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.

(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

To provide services for 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.

[Financial statements]

Notes to the financial statements

For the year ended 30 June 2006

(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 UIG interpretation unless specifically permitted by TI 1101 'Application of Australian Accounting Standards and Other Pronouncements'. As referred to in Note 2, TI 1101 has only mandated the early adoption of revised AASB 119, AASB 2004-3, AASB 2005-3, AASB 2005-4 and AASB 2005-6. Consequently, the Department has not applied the following Australian accounting standards and UIG interpretations.

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 required to be applied to annual reporting periods beginning on or after 1 January 2007. The Standard is considered to result in increased disclosures of an entity's risks, enhanced disclosure about components of financial position and performance, and changes to the way of presenting financial statements, but otherwise there is no financial impact.
2. AASB 2005-9 'Amendments to Australian Accounting Standards [AASB 4, AASB 1023, AASB 139 & AASB 132]' (Financial guarantee contracts). The amendment deals with the treatment of financial guarantee contracts, credit insurance contracts, letters of credit or credit derivative default contracts as either an "insurance contract" under AASB 4 'Insurance Contracts' or as a "financial guarantee contract" under AASB 139 'Financial Instruments: Recognition and Measurement'. The Department does not undertake these types of transactions resulting in no 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 2006.
3. UIG interpretation 4 'Determining whether an Arrangement Contains a Lease'. This interpretation deals with arrangements that comprise a transaction or a series of linked transactions that may not involve a legal form of a lease but by their nature are deemed to be leases for the purposes of applying AASB 117 'Leases'. At reporting date, the Department has not entered into any arrangements as specified in the interpretation 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 2006.

[Financial statements]

Notes to the financial statements

For the year ended 30 June 2006

\$'000

6 Employee benefits expense

Wages and salaries	202,792
Superannuation	19,818
Long service leave	8,019
Annual leave	20,628
Judges' pensions - liability assumed by the Treasurer	5,587
	256,844

7 Supplies and services

Services and contracts	74,615
Resources free of charge	7,739
Goods and supplies purchased	20,349
	102,703

8 Depreciation and amortisation

Depreciation

Buildings	12,291
Plant, equipment and vehicles	1,740
Total depreciation	14,031

Amortisation

IT systems	3,609
Leased buildings	215
Leasehold improvements	825
Total amortisation	4,649
	18,680

9 Finance costs

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

10 Accommodation expenses

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

[Financial statements]

Notes to the financial statements

For the year ended 30 June 2006

\$'000

11 Grants and subsidies

Criminal user charge expense for the year	19,675
Offenders gratuities	2,563
Government organisations	17,793
Other grants and subsidies	3,351
	43,382

12 Capital user charge

Capital user charge expense for the year	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. Payments are made to the Department of Treasury and Finance on a quarterly basis.

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

Proceeds from disposal of non-current assets	
Gross proceeds on disposal	25
Costs of disposal of non-current assets	
Plant, equipment and vehicles	(164)
Buildings	-
Net gain/(loss)	(139)

[Financial statements]

Notes to the financial statements

For the year ended 30 June 2006

\$'000

14 Other expenses

Building repairs and maintenance	9,645
Electricity and water	3,801
Communication expenses	6,769
Plant, equipment and vehicle operating lease expenses	3,421
Plant, equipment and vehicle repairs and maintenance	2,322
Vehicle hire, fuel, registration and management fees	2,805
Insurance	1,624
Other staff costs	9,994
Other expenses	18,770
	59,151

15 User charges and fees

Legal services State Solicitor's Office	2,882
Public Trust Office fees	7,838
Births, deaths and marriage fees	5,871
Licenses	138
Court fees	32,627
Miscellaneous fees and charges	221
	49,577

16 Commonwealth grants and contributions

Recurrent

Commonwealth recoup for Family Court and court fees	12,308
Commonwealth recoup other	473
	12,781

The Department received contributions from various sources for specific purposes. As at 30 June 2006, contributions of \$1.09 million recognised as revenues in the operating statement have yet to be spent in the manner specified by the contributor.

[Financial statements]

Notes to the financial statements

For the year ended 30 June 2006

\$'000

17 Other revenues

Sale of produce and goods	1,271
Canteen sales	2,627
Public Trust Office common fund surplus	903
Recoup of salaries and workers compensation	3,866
Residential recoveries	1,366
Recoup of telephones, postage and other reimbursements	919
Criminal injuries recoups	1,382
Other miscellaneous revenue	2,904
	15,238

18 Income from State Government

Appropriation revenue received during the year:	
Service appropriations (1)	462,069
	462,069
Liabilities assumed by the Treasurer during the financial year (2):	
Superannuation – employees	1,035
Judges pensions	5,587
	6,622
Resources received free of charge (3)	
Determined on the basis of the following estimates provided by agencies:	
Treasury / Housing and Works (Commercial Property branch)	
- notional management fee	131
Department of Land Information	
- services for valuation services, land registration and information	41
Department of Treasury and Finance	
- provision of integrated procurement services	253
Department of the Attorney General	
- provision of the Court Security and Custodial Services contract	7,314
	7,739

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Notes to the financial statements

For the year ended 30 June 2006

\$'000

18 Income from State Government (continued)

- (1) Service appropriations are accrual amounts reflecting the full 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.

19 Restricted cash and cash equivalents

Non-current

Accrued salaries suspense account	416
	416

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	3,327
GST receivable	1,773
Prepayments	219
	5,319

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

[Financial statements]

Notes to the financial statements

For the year ended 30 June 2006

\$'000

21 Amounts receivable for services

Current	7,966
Non-current	26,216
	34,182

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.

22 Property, plant, equipment

Land

At fair value (1)	49,447
	49,447

Buildings

At fair value (1)	242,178
Accumulated depreciation	(91,495)
	150,683

Leased buildings

At cost	10,739
Accumulated depreciation	(1,082)
	9,657

Leasehold improvements

At cost	8,279
Accumulated depreciation	(6,351)
	1,928

Plant and equipment

At cost	12,831
Accumulated depreciation	(8,637)
	4,194

Work in progress

Buildings	25,772
IT systems	8,799
	34,571

Total property, plant and equipment

	250,480
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[Financial statements]

Notes to the financial statements

For the year ended 30 June 2006

\$'000

22 Property, plant, equipment (continued)

- (1) The revaluation of land and buildings was performed during the year ended 30 June 2006 in accordance with an independent valuation by the Department of Land Information. Fair value of land has been determined on the basis of current market buying values. The fair value of buildings has been determined by reference to the current replacement cost as the buildings are specialised and no market evidence is available. The valuations were made in accordance with a regular policy of annual revaluation.

Reconciliations

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

Land

Carrying amount at beginning of year	97,831
Additions	6,668
Disposals	(300)
Distribution to owner	(56,278)
Revaluation increments	1,526
Carrying amount at end of year	49,447

Buildings

Carrying amount at beginning of year	570,380
Additions	9,944
Disposals	(161)
Distribution to owner	(438,855)
Revaluation increments	21,666
Depreciation	(12,291)
Carrying amount at end of year	150,683

Leased buildings

Carrying amount at beginning of year	9,872
Additions	-
Depreciation	(215)
Carrying amount at end of year	9,657

[Financial statements]

Notes to the financial statements

For the year ended 30 June 2006

\$'000

22 Property, plant, equipment (continued)

Leasehold improvements	
Carrying amount at beginning of year	4,511
Additions	336
Distribution to owner	(2,094)
Depreciation	(825)
Carrying amount at end of year	1,928
Plant and equipment	
Carrying amount at beginning of year	9,818
Additions	1,405
Disposals	(207)
Distribution to owner	(5,082)
Depreciation	(1,740)
Carrying amount at end of year	4,194
Work in progress	
Carrying amount at beginning of year	34,871
Additions	26,074
Distribution to owner	(14,579)
Transfers to non current assets	(11,795)
Carrying amount at end of year	34,571

[Financial statements]

Notes to the financial statements

For the year ended 30 June 2006

\$'000

23 Intangible assets

Computer software

At cost	23,001
Accumulated amortisation	(19,119)
	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	7,689
Additions	-
Disposals	-
Distribution to owner	(198)
Amortisation	(3,609)
Carrying amount at end of year	3,882

24 Payables

Current

Trade and other creditors	4,329
---------------------------	-------

25 Other borrowings

Finance lease liabilities

Current	211
Non current	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.

[Financial statements]

Notes to the financial statements

For the year ended 30 June 2006

\$'000

26 Provisions

Current

Employee benefits provision

Annual leave	8,096
Long service leave	17,307
Superannuation on-cost	2,302
	27,705

Other provisions

Employee on-costs	
Carrying amount at start of year	-
Additional provisions recognised	348
Carrying amount at end of year	348

28,053

Non-current

Employee benefits provision

Long service leave	9,484
Superannuation on-cost	1,020
	10,504

Other provisions

Employee on-costs	
Carrying amount at start of year	-
Additional provisions recognised	191
Carrying amount at end of year	191

10,695

[Financial statements]

Notes to the financial statements

For the year ended 30 June 2006

\$'000

27 Other current liabilities

Current

Accrued salaries and wages	1,620
Accrued interest	107
	1,727

The last pay day of the 2005/2006 financial year was on 29 June 2006. A salary accrual of 1 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. As part of the Public Service General Agreement, a 4.5% salary increase for all PSGA employees was effective from the first pay period commencing 26 February 2006. As none of this remuneration had been paid as at 30 June 2006, a salary accrual was taken up.

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.

Distribution to Government

The following former Department of Justice assets and liabilities were distributed to Government for transfer to the Department of Corrective Services during the 2005/2006 financial year. Refer to note 1.

Assets

Cash transfer	14,500
Prepayments	10
Amount receivable for services – current	14,106
Land	56,278
Building	438,855
Leasehold improvement	2,094
Motor vehicles	1,183
Plant and equipment	3,899
Intangibles	198
Work in progress	14,579
Amount receivable for services – non-current	18,230
	563,932

[Financial statements]

Notes to the financial statements

For the year ended 30 June 2006

\$'000

28 Equity (continued)

Liabilities	
Capital user charge	2,977
Annual leave	15,067
Long service leave – current	20,624
Long service leave – non-current	8,519
	47,187
Net distribution to Government	516,745
Contributed equity	
Opening balance	37,875
Capital contributions	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	–
Distributions to owner also represents non reciprocal transfers of land assets to other Government agencies.	
Reserves	
Asset revaluation reserve	
Land	
Opening balance	94,796
Transfer to accumulated surplus/(deficiency)	(54,906)
Net revaluation increment	1,526
Closing balance	41,416
Buildings	
Opening balance	467,626
Transfer to accumulated surplus/(deficiency)	(341,617)
Net revaluation increment	21,666
Closing balance	147,675
Total asset revaluation reserve	189,091

[Financial statements]

Notes to the financial statements

For the year ended 30 June 2006

\$'000

28 Equity (continued)

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).

Transfer to accumulated surplus/(deficiency) represents amounts transferred from the asset revaluation reserve to accumulated surplus/(deficiency) account in accordance with Australian Accounting Standards Board (AASB) 116 (41). The reserves relate to the revaluations of assets which were transferred from the Department of the Attorney General to the Department of Corrective Services on 1 February 2006.

Accumulated surplus/(deficiency)

Opening balance	101,602
Transfer from contributed equity	(453,230)
Transfer from asset revaluation	396,523
Operating (deficit) / surplus	12,758
Closing balance	57,653
Total equity	246,744

[Financial statements]

Notes to the financial statements

For the year ended 30 June 2006

\$'000

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	9,693
Cash and cash equivalents – permanent and temporary advances	385
	10,078
Restricted cash and cash equivalents (Note 19)	416
	10,494

(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, the 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.

[Financial statements]

Notes to the financial statements

For the year ended 30 June 2006

\$'000

29 Notes to the cash flow statement (continued)

(c) Reconciliation of net cost of services to net cash flows used in operating activities	
Net cost of services (income statement)	(463,672)
Non-cash items:	
Depreciation and amortisation expense	18,680
Superannuation and judges' pensions expense	6,622
Resources received free of charge	7,739
Written down value of property, plant and equipment disposals	129
Distribution to owner	(3,284)
(Increase)/decrease in assets:	
Receivables	(59)
Other current assets	1,917
Increase/(decrease) in liabilities:	
Payables	(17,556)
Provisions	7,074
Other liabilities	4,595
Change in GST in receivables/payables	1,671
Net cash used in operating activities	(436,144)
(d) At the reporting date, the Department had fully drawn on all financing facilities, details of which are disclosed in the financial statements.	

[Financial statements]

Notes to the financial statements

For the year ended 30 June 2006

\$'000

30 Resources provided free of charge

During the year the following resources were provided to other agencies free of charge for functions outside the normal operations of the Department.

Corporate support provided by the Department to:

Department of Corrective Services	12,790
Law Reform Commission	71
Office of the Director of Public Prosecutions	922
Equal Opportunity Commissioner	105
Office of the Information Commissioner	39
Legal Costs Committee	4
Parliamentary Inspector CCC	21

Legal services provided by the State Solicitor's Office to:

Other Government agencies	20,014
	33,966

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 1 year	32,679
Later than 1 year and not later than 5 years	129,682
	162,361

The capital commitments include amounts for:

Land and buildings	115,960
Other	46,401
	162,361

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, 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.

[Financial statements]

Notes to the financial statements

For the year ended 30 June 2006

\$'000

31 Commitments for expenditure (continued)

(b) Lease commitments

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

Within 1 year	18,462
Later than 1 year and not later than 5 years	57,626
Later than 5 years	22,641
	98,729
Representing:	
Operating leases	68,285
Finance leases	30,444
	98,729
(i) Finance leases	
The former Department of Justice, in March 2001, entered into a 25 year lease agreement for the procurement of the Fremantle Justice Complex. Under this arrangement, ownership of the facility will transfer to the State at the conclusion of the lease term, for payment of a nominal consideration. At the reporting date the Department had the following obligations for the financial lease.	
Within 1 year	1,561
Later than 1 year and not later than 5 years	6,245
Later than 5 years	22,638
Minimum finance lease payments	30,444
Less future finance charges	17,635
Finance lease liability	12,809
Included in the financial statements as:	
Current	211
Non-current	12,598
	12,809

[Financial statements]

Notes to the financial statements

For the year ended 30 June 2006

\$'000

31 Commitments for expenditure (continued)

(ii) Non cancellable operating leases

The Department leases certain premises, motor vehicles and items of plant and office equipment. The lease expenditure is expensed as it is incurred. At the reporting date the Department had the following obligations under operating leases.

Within 1 year	16,901
Later than 1 year and not later than 5 years	51,381
Later than 5 years	3
	68,285

(c) Other expenditure commitments

Contracted for at the reporting date but not recognised as liabilities are as follows:

Within 1 year	17,462
Later than 1 year and not later than 5 years	48,014
Later than 5 years	61,143
	126,619

Other expenditure commitments include the CSC contract and building rental costs.

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 public and offenders.	50
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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	9,184
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Notes to the financial statements

For the year ended 30 June 2006

2006

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:

\$ 100,001 - \$ 110,000	1
\$ 110,001 - \$ 120,000	1
\$ 120,001 - \$ 130,000	1
\$ 140,001 - \$ 150,000	1
\$ 150,001 - \$ 160,000	1
\$ 160,001 - \$ 170,000	1
\$ 220,001 - \$ 230,000	1
\$ 400,001 - \$ 410,000	1
\$ 410,001 - \$ 420,000	1
\$ 670,001 - \$ 680,000	1*
	10
The total remuneration of senior officers is:	\$2,531 k

*includes termination payment of \$452k and current year salary of replacement.

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 2006 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 Administration and Audit Act*.

[Financial statements]

Notes to the financial statements

For the year ended 30 June 2006

\$'000

36 Supplementary financial information

Write-offs

Revenue and debts to the State written off in accordance with Section 45 of the *Financial Administration and Audit Act* by the:

Accountable Officer

12,584

Minister

-

Total losses and write-offs

12,584

Losses through theft, defaults and other causes

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

1

37 Remuneration of Auditor

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

Auditing the financial statements and performance indicators

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[Financial statements]

Notes to the financial statements

For the year ended 30 June 2006

38 Financial Instruments

(a) 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:

2006	Weighted average interest rate %	Floating interest rate \$'000	Fixed interest rate maturities			Non interest bearing \$'000	Total \$'000
			1 year or less \$'000	2 to 5 years \$'000	Over 5 years \$'000		
Financial assets							
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
Liabilities							
Payables						4,329	4,329
Finance lease liabilities	10.6		211	1,104	11,494		12,809
Total financial liabilities			-	211	1,104	4,329	17,138
Net financial asset/(liabilities)			-	(211)	(1,104)	45,666	32,857

(b) Credit risk exposure

All financial assets are unsecured.

Amounts owing by other government agencies are guaranteed and therefore no credit risk exists in respect of those amounts. In respect of other financial assets the carrying amounts represents the Department's maximum exposure to credit risk in relation to those assets.

(c) Net fair values

The carrying amount of financial assets and financial liabilities recorded in the financial statements are not materially different from their net fair values, determined in accordance with the accounting policies disclosed in note 2 to the financial statements.

[Financial statements]

Notes to the financial statements

For the year ended 30 June 2006

2006 - \$'000

39 Administered expenses and revenues

Expenses

Payments to Consolidated Fund	21,307
Transfer payments – other Government agencies	65,832
Other	10,349
DPP Criminal Property Confiscations – Grants	573
DPP Criminal Property Confiscations – Supplies and Services	1,760
Total administered expenses	99,821

Revenues

Judicial fines and penalties	39,438
Infringement penalties	641
Revenue for transfer – other Government agencies	65,832
Other	214
DPP Criminal Property Confiscations	1,928
Total administered revenues	108,053

The operations 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 revenue and expense in accordance with the administrative responsibility for the *Criminal Property Confiscations Act 2000*.

[Financial statements]

Notes to the financial statements

For the year ended 30 June 2006

2006 - \$'000

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	4
- Departmental receipts in suspense	846
- Family Court	(3,026)
- Judicial fines & penalties	1,580
- DPP Criminal Property Confiscations	2,214
	1,618

Receivables

- Petty Sessions – fines and costs	10,392
- Supreme and District Court fines & forfeitures	3,071
- Fines Enforcement Registry	82,212
- Children's Court	238
- DPP Criminal Property Confiscations	67
	95,980

Less: provision for doubtful debts

- Unrecoverable fees & fines - Note 2 (c)	(46,146)
	49,834

Total administered current assets	51,452
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Current liabilities

- Payables	3
- Amounts due to the Treasurer (Appeals Cost Board)	1,000
	1,003

Net administered assets	50,449
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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 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.

[Financial statements]

Notes to the financial statements

For the year ended 30 June 2006

\$'000

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.

a) Details of authorisation to expend in advance of appropriation

To meet initiatives approved during the financial year and other unavoidable costs, supplementary appropriation requests were approved.

Delivery of services

13,361

Capital contribution

(52,727)

(39,366)

Delivery of services appropriation limits were increased for:

Depreciation adjustment based upon final capital position

2,999

PathWest transfer of funds from Department of Health

2,320

Demand growth associated with criminal injuries compensation payments

1,500

Mahoney Recommendation 73 – departmental split

1,500

Legal Aid expensive cases – LAC

840

State Administrative Tribunal – additional funding

800

Adjustment to reflect actual position

623

Capital user charge final position based upon department split and final capital position

611

Defendant's costs

600

Reflows to existing program – expensed capital

585

Coroner's Court

500

Implement the Children and Community Services Act 2004

262

Salaries and Allowances Tribunal Determination 4.1% increase. Adjustment for 1.1% as 3% already in forward estimates

252

Mental Health Law Centre outwards appropriation transfer

230

Court of Appeal – support staff

204

Act of grace and ex-gartia payments

194

[Financial statements]

Notes to the financial statements

For the year ended 30 June 2006

\$'000

41 Explanatory statement (continued)

Legal Aid Commission – legal representation to implement the Children and Community Services Act 2004		190
Fines enforcement strategy		160
Reflows to existing program – depreciation		160
Early Release Boards – victim's representation and victim's submissions		88
Legal Aid – CLC funding indexation		1
These increases were offset by:		
Expensed capital final adjustment		(988)
Public Trust Office demand pressure		(270)
Increase in net amount appropriated to deliver outputs		13,361
b) Significant variations between actual expenditure and budget estimates for 2005/2006		
Service 1 – Judiciary and judicial support	Saving	5,012
Decrease in expenditure is mainly due to \$6.1million decrease for Judicial Pensions.		
Service 2 – Civil justice services	Excess	3,641
Increase in expenditure is mainly due to increased staffing (including an additional judge) for the Court of Appeal resulting in increased activities. In addition the Bell Group trial was additional unfunded expenditure.		
Service 3 – Family Court services	Saving	608
Decrease in expenditure is mainly due to the refitting of all court rooms with digital recording equipment. These works were a current commitment which was made in 2005/2006 but will not be progressed until 2006/2007.		
Service 5 – Juvenile criminal justice services	Saving	3,221
Decrease in Community and Juvenile Justice at 31 January 2006 was mainly due to slower than expected spend on initiatives for Repay WA and reducing Aboriginal imprisonment. In addition there were general underspends in salaries and on prevention and diversionary programs to January 2006.		
Service 8 – Births, deaths and marriages	Saving	1,984
Decrease in expenditure mainly due to the delay in placing a contract to convert the Registry's paper based records to an electronic format. A new tender is being progressed as previous tender offers were declined because it was considered that they did not provide value for money.		

[Financial statements]

Notes to the financial statements

For the year ended 30 June 2006

\$'000

41 Explanatory statement (continued)

Service 9 – Services to Government	Excess	2,307
Increase in expenditure is mainly due to ex-gratia payments, additional initiatives for Aboriginal Services, and additional legal services provided by the State Solicitor.		
Service 10 – Legal Aid assistance	Excess	1,262
Increase in expenditure for Children and Community Services Act 2004 and expensive cases.		
Retained revenue	Excess	6,373
A variety of reasons account for the additional revenue in 2005/2006. These include:		
(a) Public Trust Fees were above budget by 20% due to increased activity.		
(b) Court Fees were 24% above the original budget due to court fee increases and increased activity.		
(d) Family Court Grants from the Commonwealth were 8% higher than budget reflecting activity and cost increases.		
(e) Registry of Births, Deaths & Marriages fees were above budget by 13% due to increased activity.		
(f) Recoups of salaries & wages, workers compensation, criminal injury, legal costs and residential recovery were above budget settings.		
Adjustments	Saving	15,606
Adjustments exceeded budget mainly due to the split of the Department of Justice into the Department of the Attorney General and the Department of Corrective Services.		
CAPITAL	Saving	81,657
The 2005/2006 capital works program budget of \$119.45 million, for the former Department of Justice, was to be financed from:		
Appropriation for services		17,081
Drawdowns from holding account		23,314
Capital contribution		78,828
Internal funds and balances		225
		119,448

[Financial statements]

Notes to the financial statements

For the year ended 30 June 2006

\$'000

41 Explanatory statement (continued)

Reduction in capital contribution		
<p>There was a reduction in the capital contribution for 2005/06 of \$52,727,000 mainly due to: Reclassification of the CBD Courts Project from equity funded to public private partnership (PPP); reflow of the capital works program to outyears due to the delay in the commencement of certain capital works projects until 2006/2007; and the transfer of numerous projects to the Department of Corrective Services when the Department of Justice was split on 1 February 2006.</p>		
<p>The 2005/2006 capital works program for the Department of the Attorney General was financed from:</p>		
Appropriation for services		10,009
Drawdowns form the holding account		17,351
Capital contribution		26,101
Internal funds and balances		(15,670)
		37,791
<p>Details of significant variances in capital expenditure from budget were as follows (not including projects transferred to the Department of Corrective Services)</p>		
CBD courts construction	Saving	37,798
<p>A large proportion of the budget was returned to Treasury as the project was converted to a PPP scheme.</p>		
Albany justice complex	Saving	1,249
<p>The Department of Housing and Works has completed construction of the project, however the builder went into administration and funds were required for defects liability.</p>		
Legislative drafting system	Saving	1,126
<p>The acquitting of the over-expenditure is to be subject of a review with respect to the treatment of the different categories of work, including work on the Office of Shared Services and the split of the Department of Justice.</p>		
Corporate information management systems	Saving	1,032
<p>A significant proportion of the saving is due to under spend on the Electronic Document and Records Management System (EDRMS) project. The spend will take place in 2006/2007.</p>		
Replacement office equipment	Saving	992
<p>The ongoing fit out work is to be scheduled in the 2006/2007 financial year.</p>		

[Financial statements]

Notes to the financial statements

For the year ended 30 June 2006

\$'000

41 Explanatory statement (continued)

Court security upgrade program statewide Remaining funds to be spent in 2006/2007.	Saving	853
Central Law Courts refurbishment Project was originally part of the CBD Courts project, but was later allocated its own revised budget.	Excess	5,048
Supreme Court - upgrade of building services & fitout A large proportion of the variance is attributable to the Court of Appeal upgrade which was approved but unfunded.	Excess	1,343
Human Resources Management Information System Over spend due to work on Office of Shared Services related issues, and the split of the Department of Justice into the Department of the Attorney General and the Department of Corrective Services.	Excess	469
ADMINISTERED REVENUES		
Judicial fines and penalties - under budget revenue reflects the current performance levels in fines enforcement.	Excess	22,784
c) Significant variations between actual services for the financial year and services for the immediately preceding financial year		
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.		

[Financial statements]

Notes to the financial statements

For the year ended 30 June 2006

42 Trust and Treasurer's Advance Accounts

Account	Opening Balance \$'000's	2005-2006		Closing Balance \$'000's
		Receipts \$'000's	Payments \$'000's	
1 Civil Court Judgement – Government Account	113	1,342	1,355	100
2 Land Acquisition Account	3,204	81,221	81,373	3,052
3 Suitor's Fund Account	13	9	18	4
4 Clerk of Courts Trust Account	2,776	37,470	33,073	7,173
5 Departmental Receipts in Suspense*	997	66,038	66,189	846
6 Sheriff's and District Court Bailiff's Trust Account*	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
9 Department of Justice – Settlement Payments Account	2	-	-	2
10 Family Court – Commonwealth Advance Account	45	12,308	12,308	45
11 Appeal Costs Board – Treasurer's Advance Account*	1,000	-	-	1,000

* Balances included in the Department's controlled cash and cash equivalents balance

1 Civil Court Judgements – Government Account

To hold moneys arising from Civil Court Judgements 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.

Notes to the financial statements

For the year ended 30 June 2006

42 Trust and Treasurer's Advance Accounts (continued)

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 Judgement 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.

[Financial statements]

Notes to the financial statements

For the year ended 30 June 2006

\$'000

43 Commonwealth Grant – Christmas and Cocos Island

Opening Balance	157,536
Income	
Commonwealth reimbursements	140,000
Court fees	2,781
Total receipts	142,781
Expenses	
Operating costs	198,654
Additional services for prisoner costs	
Total payments	198,654
Closing Balance	101,663

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: Operating Expenses include \$47,014 that was incurred by what is now the Department of Corrective Services. This expense relates to the period from 1 February 2006 to 30 June 2006, since the former Department of Justice split into the Department of the Attorney General and Department of Corrective Services.

[Financial statements]

Schedule of income and expenses by Service

For the year ended 30 June 2006

	Service 1 Judiciary & Judicial Support \$'000's	Service 2 Civil Justice Services \$'000's	Service 3 Family Court Services \$'000's
COST OF SERVICES			
Expenses			
Employee benefits expense	49,908	14,359	4,252
Depreciation and amortisation expense	2,141	1,381	354
Finance cost	-	411	-
Capital user charge	6,311	3,747	986
Other expenses	5,317	21,344	4,507
Corporate overheads reallocated to outputs	177	5,333	1,709
Total cost of services	63,854	46,575	11,808
Income			
Sales	257	28,324	14,193
Corporate overheads reallocated to outputs	1	168	38
Total income other than income from State Government	258	28,492	14,231
NET COST OF SERVICES	63,596	18,083	(2,423)
INCOME FROM STATE GOVERNMENT			
Service appropriations	48,086	36,700	9,358
Liabilities assumed by the Treasurer	5,633	27	7
Resources received free of charge	91	54	14
Corporate overheads reallocated to outputs	(2)	(252)	(57)
Total income from State Government	53,808	36,529	9,322
Surplus/deficit for period	(9,788)	18,446	11,745

The Schedule of income and expenses by Service should be read in conjunction with the accompanying notes.

[Financial statements]

Schedule of income and expenses by Service

For the year ended 30 June 2006

	Service 4 Adult Criminal Justice Services	Service 5 Juvenile Criminal Justice Services	Service 6 Advocacy Guardianship and Administration services
	\$'000's	\$'000's	\$'000's
COST OF SERVICES			
Expenses			
Employee benefits expense	115,478	18,115	1,773
Depreciation and amortisation expense	11,946	595	5
Finance cost	959	-	-
Capital user charge	28,376	1,138	2
Other expenses	127,527	6,954	347
Corporate overheads reallocated to outputs	31,653	4,911	531
Total cost of services	315,939	31,713	2,658
Income			
Sales	13,385	501	28
Corporate overheads reallocated to outputs	568	106	14
Total income other than income from State Government	13,953	607	42
NET COST OF SERVICES	301,986	31,106	2,616
INCOME FROM STATE GOVERNMENT			
Service appropriations	282,215	37,138	2,759
Liabilities assumed by the Treasurer	418	82	3
Resources received free of charge	8,687	173	4
Corporate overheads reallocated to outputs	(729)	(141)	(18)
Total income from State Government	290,591	37,252	2,748
Surplus/deficit for period	(11,395)	6,146	132

The Schedule of income and expenses by Service should be read in conjunction with the accompanying notes.

[Financial statements]

Schedule of income and expenses by Service

For the year ended 30 June 2006

	Service 7 Trustee Services \$'000's	Service 8 Births Deaths and Marriages \$'000's	Service 9 Services to Government \$'000's
COST OF SERVICES			
Expenses			
Employee benefits expense	8,309	2,231	23,321
Depreciation and amortisation expense	253	308	108
Finance cost	-	-	-
Capital user charge	23	11	147
Other expenses	2,253	1,320	8,798
Corporate overheads reallocated to outputs	1,184	771	2,005
Total cost of services	12,022	4,641	34,379
Income			
Sales	8,889	5,873	5,155
Corporate overheads reallocated to outputs	23	21	52
Total income other than income from State Government	8,912	5,894	5,207
NET COST OF SERVICES	3,110	(1,253)	29,172
INCOME FROM STATE GOVERNMENT			
Service appropriations	3,509	1,425	25,302
Liabilities assumed by the Treasurer	372	4	36
Resources received free of charge	9	9	42
Corporate overheads reallocated to outputs	(33)	(19)	(53)
Total income from State Government	3,857	1,419	25,327
Surplus/deficit for period	747	2,672	(3,845)

The Schedule of income and expenses by Service should be read in conjunction with the accompanying notes.

[Financial statements]

Schedule of income and expenses by Service

For the year ended 30 June 2006

	Service 10 Trustee Services \$'000's	Overheads Corporate Overheads \$'000's	Total \$'000's
COST OF SERVICES			
Expenses			
Employee benefits expense	-	19,098	256,844
Depreciation and amortisation expense	-	1,589	18,680
Finance cost	-	2	1,372
Capital user charge	-	1,966	42,707
Other expenses	17,679	25,619	221,665
Corporate overheads reallocated to outputs	-	(48,274)	-
Total cost of services	17,679	-	541,268
Income			
Sales	-	991	77,596
Corporate overheads reallocated to outputs	-	(991)	-
Total income other than income from State Government	-	-	77,596
NET COST OF SERVICES	17,679	-	463,672
INCOME FROM STATE GOVERNMENT			
Service appropriations	15,577	-	462,069
Liabilities assumed by the Treasurer	-	40	6,622
Resources received free of charge	-	(1,344)	7,739
Corporate overheads reallocated to outputs	-	1,304	-
Total income from State Government	15,577	-	476,430
Surplus/deficit for period	(2,102)	-	12,758

The Schedule of income and expenses by Service should be read in conjunction with the accompanying notes.

[Financial statements]

Summary of consolidated fund appropriations and income estimates

For the year ended 30 June 2006

	2006 Estimate \$'000	2006 Actual \$'000	Variation \$'000
DELIVERY OF SERVICES			
Item 111 Net amount appropriated to deliver services	545,570	406,680	(138,890)
Amount Authorised by Other Statutes			
<i>Salaries and Allowances Act 1975</i>	17,937	17,391	(546)
<i>Children's Court of Western Australia Act 1988</i>	292	306	14
<i>Criminal Injuries Compensation Act 1985</i>	17,105	19,796	2,691
<i>District Court of Western Australia Act 1969</i>	7,077	7,629	552
<i>Judge's Salaries and Pensions Act 1950</i>	6,584	7,270	686
<i>Solicitor General Act 1969</i>	307	267	(40)
<i>Suitors Fund Act 1964</i>	30	9	(21)
<i>State Administrative Tribunal Act 2004</i>	-	2,273	2,273
<i>Town Planning and Development Act 1928</i>	835	448	(387)
	595,737	462,069	(133,668)
Section 25 transfer of service appropriation	147,029	-	(147,029)
Total appropriations provided to deliver services	448,708	462,069	13,361
CAPITAL			
Item 177 Capital Contribution	78,828	26,101	(52,727)
GRAND TOTAL	527,536	488,170	(39,366)
Details of Expenses by Service			
Service 1 – Judiciary and Judicial Support	68,866	63,854	(5,012)
Service 2 – Civil Justice Services	42,934	46,575	3,641
Service 3 – Family Court Services	12,416	11,808	(608)
Service 4 – Adult Criminal Justice Services	308,112	315,939	7,827
Service 5 – Juvenile Criminal Justice Services	34,934	31,713	(3,221)
Service 6 – Advocacy, Guardianship and Administration Services	2,712	2,658	(54)
Service 7 – Trustee Services	12,052	12,022	(30)
Service 8 – Births, Deaths and Marriages	6,625	4,641	(1,984)

[Financial statements]

Summary of consolidated fund appropriations and income estimates

For the year ended 30 June 2006

	2006 Estimate \$'000	2006 Actual \$'000	Variation \$'000
Service 9 – Services to Government	32,072	34,379	2,307
Service 10 – Legal Aid Assistance	16,417	17,679	1,262
Total cost of services	537,140	541,268	4,128
Less total income	(71,223)	(77,596)	(6,373)
Net cost of services	465,917	463,672	(2,245)
<i>Adjustments</i>	<i>(17,209)</i>	<i>(1,603)</i>	<i>15,606</i>
Total appropriations provided to deliver services	448,708	462,069	13,361
Capital Expenditure			
Purchase of non-current physical assets	102,142	32,623	(69,519)
Adjustment for other funding sources	23,314	6,522	16,792
Capital Contribution (appropriation)	78,828	26,101	52,727
DETAILS OF INCOME ESTIMATES			
Income disclosed as Administered Income	54,649	108,053	53,404

The 2006 Estimate for Service 4, Adult Criminal Justice Services and Service 5, Juvenile Criminal Justice Services, have been adjusted for the S25 transfer of service appropriation from the Department of Justice to the Department of Corrective Services, in order to make them comparable to actual.

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

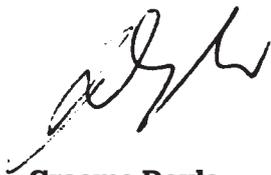
2006 Administered Income estimate excludes Family Law Court funding received from Commonwealth as it is controlled funding.

The summary of consolidated fund appropriations, variance to budget and actual should be read in conjunction with the accompanying notes.

Key performance indicators

Certification of performance indicators

We hereby certify that the performance indicators are based on proper records, are relevant and appropriate for assisting users to assess the performance of the Department of the Attorney General and fairly represent the performance of the Department of the Attorney General for the financial year ended 30 June 2006.



Graeme Doyle

Chief Finance Officer
4 August 2006



Colin Murphy

A/Director General
14 August 2006

[Key Performance Indicators]

Change in reporting

There has been a major change in the way the Department reports on its performance. After reviewing its output-based management structure and key performance indicators (KPIs) in 2004, the Department consolidated the number of services from 14 to 10, and the number of key performance indicators was refined to 55 from 125.

The revised suite of KPIs, consistent with the Government’s Outcome Based Management Framework was adopted. This approach, referred to as the Justice System Framework (JSF), recognises cross-divisional and interagency influences. It also provides for a high-level view of the justice system and streamlines the Department’s reporting responsibilities.

The effectiveness and efficiency indicators are consistent with justice services across Australia as outlined in the Report on Government Services, produced by the Productivity Commission. The new approach also streamlines and focuses internal management processes within the agency while ensuring a consistent reporting regime is adopted, not only internally, but also externally, particularly with the Budget Statements and the Report on Government Services.

Relationship 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, which ultimately contribute to meeting the higher-level Government goals. The following table illustrates the relationship between agency level desired outcomes and the most appropriate Government goal.

Government goal	Agency-desired outcome	Services
People and Communities: To enhance the quality of life and well being of all people throughout Western Australia.	The right to justice and safety for all people in Western Australia is preserved and enhanced.	<ol style="list-style-type: none"> 1. Judiciary and judicial support 2. Civil justice services 3. Family court services 4. Adult criminal justice services 5. Juvenile criminal justice services 6. Advocacy, guardianship and administration services 7. Trustee services 8. Births, deaths and marriages 9. Services to Government 10. Legal aid assistance

[Key Performance Indicators]

Court Services

Court Services plays 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
- 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 Services division that provides the courts with administrative services, support and infrastructure.

Court 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
- Equality, equity and integrity – due process must be followed and be consistent with established laws and procedures.

A new set of key performance indicators (KPIs) was trialled in 2004/2005 and have been used for the first time this year. The new KPIs are related to a justice system framework which, for the Court Services division, comprises the key services of:

- Judiciary and judicial support
- Civil Justice
- Family Court
- Adult Criminal Justice
- Juvenile Criminal Justice.

[Key Performance Indicators]

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 \$63,854,229 actual in 2005/2006 (\$73,272,313 in 2004/2005).

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
- 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: Figures provided for actual 2004/2005 were derived from the trial period for the justice system framework KPIs and have not previously been subject to audit. In cases where there is doubt about accuracy the value is marked as N/A.

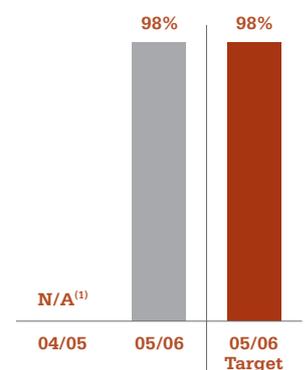
2.1 Clearance index

The clearance index for the civil 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 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).

(1) This indicator was implemented in 2005/2006 and comparable data is unavailable for prior years.

2.1 Clearance Index



[Key Performance Indicators]

2.2 Backlog of court cases - Civil

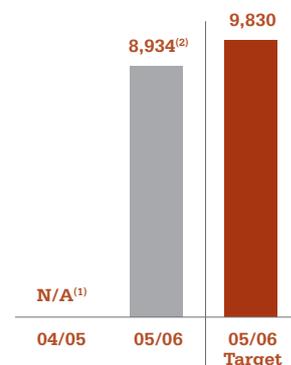
Each court has set a timeframe as a standard within which a matter should be completed. Backlog is a count of the number of cases still to be finalised at year end that have not been finalised within the relevant standard. Backlog is a key indicator because it provides the community with an indication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

(1) This indicator was implemented in 2005/2006 and comparable data is unavailable for prior years.

(2) The 2005/2006 backlog is lower than the 2005/2006 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.

2.2 Backlog of court cases – Civil



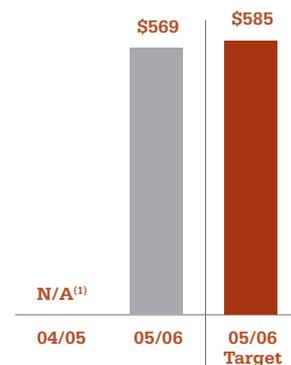
2.3 Average cost per case finalised

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.

(1) This indicator was implemented in 2005/2006 so comparable data is unavailable for previous years. Lack of comparability is principally due to the establishment of the State Administrative Tribunal in 2004/2005, which involved a large number of new matters being included from boards and tribunals that were previously outside Government and for which the data is unavailable.

2.3 Average cost of 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
- a consistent process that provides parties with appropriate and enforceable remedies.

Note: Figures provided for actual 2004/2005 were derived from the trial period for the justice system framework KPIs and have not previously been subject to audit.

Unlike other jurisdictions, the Family Court is part federally funded.

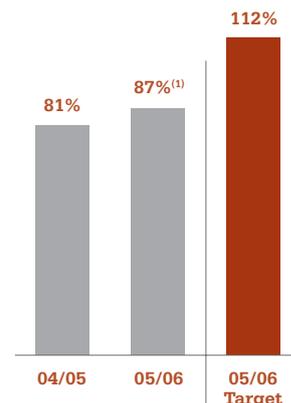
3.1 Clearance index

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).

(1) The target of 112% is an error and should have been set at 93%. The target was not reached due to a reduction in the number of finalisations resulting from a significant loss of judicial days through a combination of ill health and leave. The improvement of the 2004/2005 actual of 87% is due to increased effort into closure of case management of inactive files (eg. applications for final and interim orders).

3.1 Clearance Index



[Key Performance Indicators]

3.2 Backlog of court cases

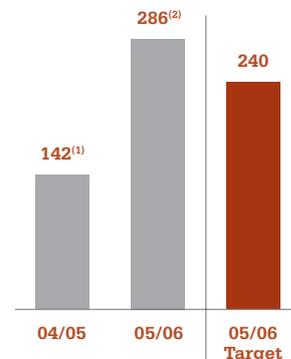
The Family Court has set a timeframe of 44 weeks as a standard within which a matter should be completed. Backlog is a count of the number of cases still to be finalised at year end that have not been finalised within the relevant standard. Backlog is a key indicator because it provides the community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

(1) The relatively low figure for 2004/2005 is due to the one-off removal from the backlog list of cases which had been finalised by agreement (known as finalised consent orders) of the parties prior to allocation of a trial date.

(2) The changes made, as required by new legislation to the management of child-related matters, causes them to take longer during the mediation phase. This, along with an increase in lodgements, caused backlog to exceed the target.

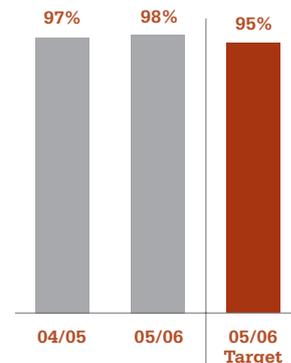
3.2 Backlog of court cases – Family Court



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.

3.3 Cases finalised before trial



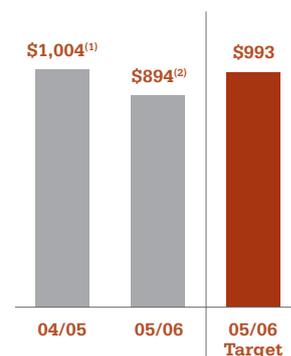
3.4 Average cost per case finalised

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) Actual for 2004/2005 is artificially high due to a decrease in finalisations in 2004/2005.

(2) Increased finalisations within existing funding levels resulted in a reduced cost per case.

3.4 Cost per case



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
- 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.

Note: Figures provided for actual 2004/2005 were derived from the trial period for the justice system framework KPIs and have not previously been subject to audit.

[Key Performance Indicators]

4.1 Clearance index

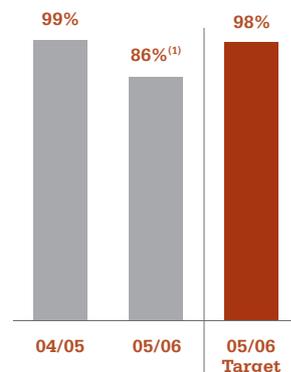
The clearance index for adult criminal justice services is a measure of the capacity of the various courts to effectively deal with as many matters as they receive. It is important because of its relevance to the capacity of courts to provide timely resolution of criminal matters.

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).

(1) The Clearance index is largely determined by lodgements and finalisations in the Magistrates Court. While Magistrates Courts finalised slightly more cases this year compared to the previous year, lodgements increased by about 15% which has caused the 2005/2006 clearance index to fall well below both 2004/2005 figure and 2005/2006 target.

4.1 Clearance index



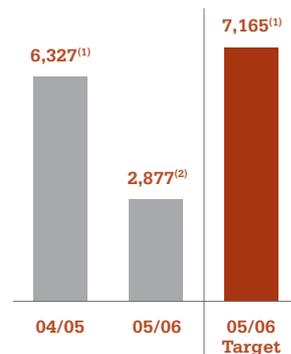
4.2 Backlog of court cases – Adult Criminal

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.

The adult criminal justice services backlog is calculated by totalling the number of cases in backlog for the above courts.

(1) The adult criminal backlog is largely determined by Magistrates Courts backlog. As identified in previous annual reports, there existed a cumulative error in the calculation methodology of backlog numbers for Magistrates Court data. This error has now been corrected. The recalculated number for the backlog for Actual 2004/2005, using the new methodology, is 3345 and the recalculated number for the target 2005/2006 is 3445.

4.2 Backlog of court cases – Adult Criminal



(2) Backlog is largely dependent on the number of cases which are listed for trial. The backlog for Magistrates Courts in 2005/2006 is lower than the recalculated figure for 2004/2005 and the recalculated target for 2005/2006, primarily because of a significant reduction in the number of cases finalised by trial (19% in 2004/2005 compared to 9% in 2005/2006).

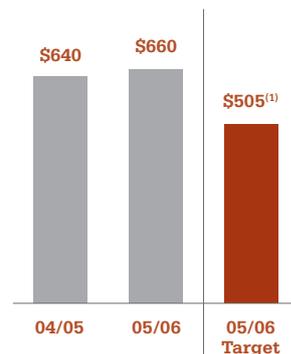
4.3 Cost per case finalised

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.

(1) The 2005/2006 target did not include provision for the cost of the court security function. If these expenses were included, the target would have been \$679.

4.3 Cost per case finalised



[Key Performance Indicators]

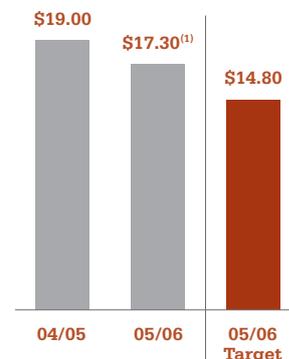
4.4 Average cost per order (Fines Enforcement Registry)

This indicator measures the average cost per order enforced.

The indicator is derived by dividing total expenditure by the number of finalisations at the Fines Enforcement Registry (FER).

(1) The increased unit cost above the target is largely due to increased expenditure by Government within this function, related to the 'Time to Pay' initiative which provides customers with the option of paying via direct debit from Centrelink benefits, or paying off fines gradually. The initiative utilised a public advertising campaign to encourage fine defaulters to pay their fines and more staff engaged to follow-up on these matters.

4.4 Average cost per order (FER)

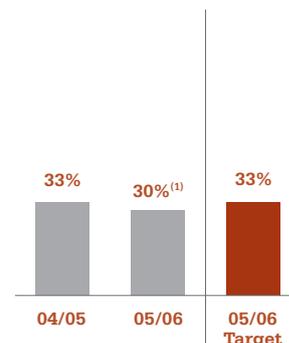


4.5 Percentage of fines and costs satisfied by FER within time standard

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) This year's result has decreased marginally below target due to the effect of an increased emphasis on the use of the 'Time To Pay' initiative, which provides customers with the option of paying via direct debit from Centrelink benefits, or paying off fines gradually.

4.5 Fines and costs satisfied by FER within time atandard

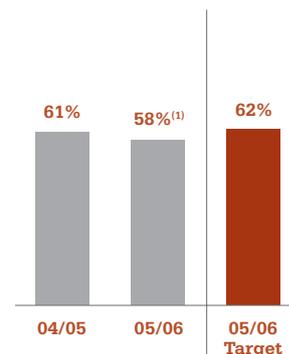


4.6 Percentage of infringements satisfied by FER within time standard

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.

(1) This year's number has fallen a little below target due to the effect of an increased emphasis on the use of the 'Time To Pay' initiative, which provides customers with the option of paying via direct debit from Centrelink benefits, or paying off infringements gradually.

4.6 Infringements satisfied by FER within time standard



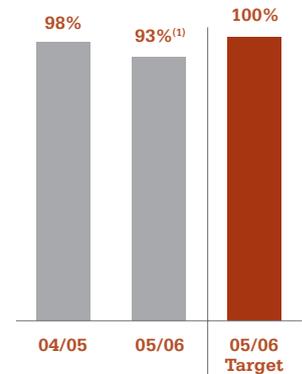
[Key Performance Indicators]

4.7 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.

(1) The target percentage response rate was revised and increased in view of the previous year's figure. The response rate for 2005/2006 is lower than the target as there have been difficulties recruiting and retaining workers in some regional areas.

4.7 Victims of crime responded to within 72 hours

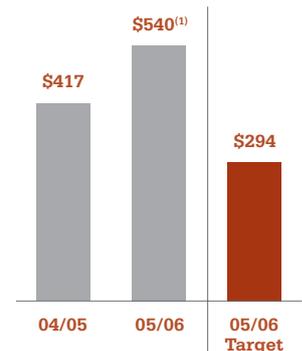


4.8 Cost per case victim support matter

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.

(1) The 2005/2006 target did not include expenses from a number of cost areas. The increased cost from 2004/2005 relates almost exclusively to a lower than expected number of matters being dealt with.

4.8 Cost per case victim support



Service 5 : Juvenile Criminal Justice Service

Service description:

An accessible and equitable juvenile justice system that:

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

Note: Figures provided for actual 2004/2005 are derived from the trial period for the justice system framework KPIs and have not previously been subject to audit.

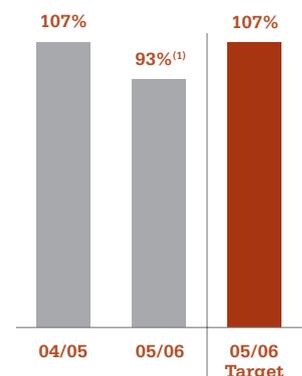
5.1 Clearance Index

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.

(1) The clearance index has dropped below the expectation for both last year and this year. Although the court finalised about 5% more cases in 2005/2006 compared to 2004/2005, this improvement was more than offset by an approximate 20% increase in lodgements (outside the control of the court).

5.1 Clearance index



[Key Performance Indicators]

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.

(1) The proportion of cases finalised by trial dropped from 14% in 2004/2005 to 7% in 2005/2006. This has been achieved by a greater emphasis being placed by Aboriginal Legal Service and Legal Aid on a mediated outcome. However, this process takes considerable time, leading to an increase in backlog.

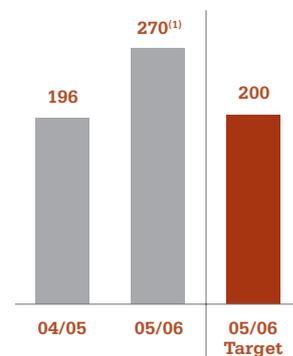
5.3 Cost per case finalised (Children's Court)

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.

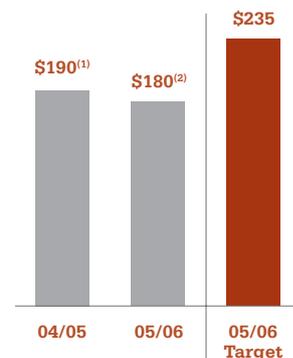
(1) The 2004/2005 actual of \$190 differs from the published figure of \$248 as it has been recalculated for comparative purposes, following the implementation of the Justice System Framework.

(2) Reduction in the associated cost of delivering this service was principally due to lower than expected corporate overhead expenses.

5.2 Backlog of court cases – Children's court



5.3 Cost per case finalised (Children's Court)



[Key Performance Indicators]

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.

As a result of the implementation of the Justice System Framework, the output Advocacy and Guardianship Services was changed to Advocacy, Guardianship and Administration Services for 2005/2006 onwards. Three KPI for the Office of the Public Advocate were also removed as they were no longer relevant nor aligned to the agency level outcome statement. One new KPI was added to reflect OPA's community education role.

The KPIs removed were:

- extent to which recommendations were accepted by the State Administration Tribunal (SAT). (Dependant on SAT decisions — outside of OPA's control)
- extent to which the problem precipitating the need for the Public Advocate to be appointed as GLR has been resolved. (Self-assessed KPI, therefore subjective)
- percentage of advocacy cases completed within eight weeks. (Using SAT benchmark — outside of OPA's control)

The KPI added was:

Percentage of customers surveyed satisfied with information and advice provided by OPA.

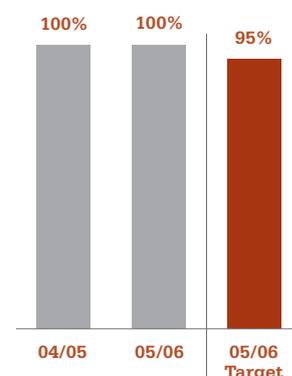
Service 6 : Advocacy, Guardianship and Administration Services

Output description:

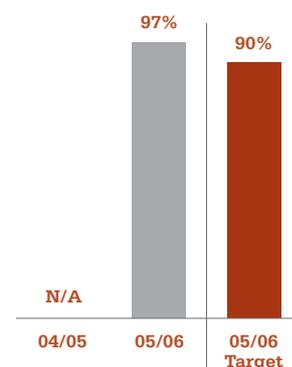
To advocate for the best interests of people with decision-making disabilities, both at hearings of the State Administrative Tribunal (SAT) — to decide the need for a guardian and/or administrator, and in the community — to investigate complaints of allegations of abuse, exploitation or neglect; and 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. However, the OPA is not satisfied that the OSCAS database is completely reliable. Further efforts will be made in 2006/2007 to improve reliability.

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



6.2 Percentage of customers surveyed satisfied with information and advice provided by OPA



[Key Performance Indicators]

Effectiveness indicators:

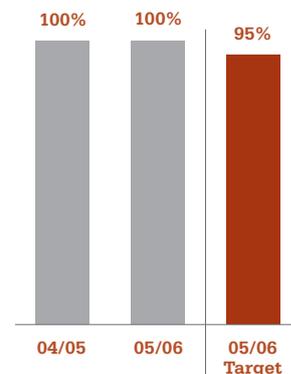
6.1 Proportion of customers provided with advocacy relative to the number of referrals

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.

The favourable result recorded this year, compared to the budgeted target, is due to a reduction in the number of referrals received from the SAT.

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



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.

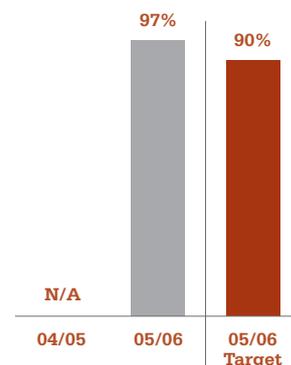
This indicator measures the satisfaction level of clients in respect to the information and advice received at training sessions. Feedback questionnaires are distributed to the target group at the conclusion of every training course. It is measured by collating the ranking level (1 = high satisfaction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

There were 529 attendees at community education sessions held by the Public Advocate in 2005/06. All attendees were surveyed. 386 responses were received, yielding a response rate of 73%.

This is a new KPI under the new Justice System Framework introduced in 2005/2006. The KPI was trialled for one year before being adopted in 2005/2006.

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.

6.2 Percentage of customers surveyed satisfied with information and advice provided by OPA

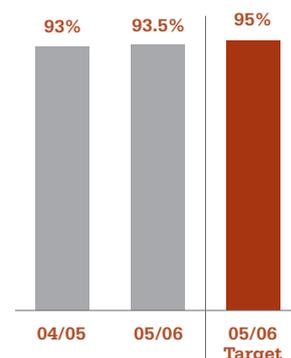


6.3 Guardian of Last Resort appointments allocated within one working day

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.

6.3 Guardian of Last Resort appointments allocated within one working day



[Key Performance Indicators]

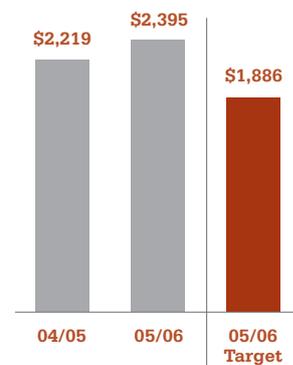
Efficiency indicators:

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.

The variance of 27% from the budget target 2005/2006 is due to non-recurrent additional funding received from the Government’s Active Ageing Strategy, the Office for Seniors’ Interests and Volunteering and the Aboriginal Policy and Services directorate of the Department of the Attorney General to undertake two research projects – in relation to Elder Abuse in Aboriginal Communities and research into Elder Abuse in Culturally and Linguistically Diverse (CALD) Communities.

6.4 Average cost per case of providing advocacy and guardianship services



[Key Performance Indicators]

Public Trust Office

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 Trust Office.

The Public Trustee is a statutory authority within the provisions of the *Financial Administration and Audit Act*. It provides a funds management and investment service through the operation of the Common Fund – 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
- examining the accounts of administrative orders (this has been transferred to the Public Trust Office from the Guardianship and Administration Board).

These services are available to all Western Australians, irrespective of profitability or complexity.

Effectiveness indicators:

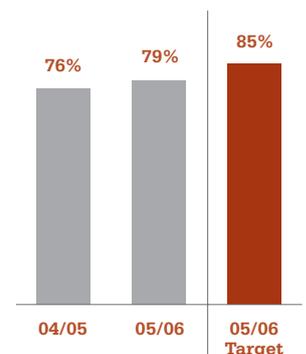
7.1 Extent to which trustee services meet the needs of clients

This indicator measures the level of client satisfaction with the quality of trustee services provided.

In 2005/2006, Patterson Market Research was 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 account in 2005/2006
- 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



[Key Performance Indicators]

Based on the above definition, a random sample of 1,466 clients was generated and selected, representing a cross-section of clients who use the various trustee services provided by the Public Trustee.

Notes: The survey covered several criteria of customer satisfaction, including aspects of reliability and customer service attributes.

A total of 401 respondents were surveyed yielding a sampling precision of +/- 4.9% at a 95% confidence interval.

This is the highest result attained since 2003. During the 2005/06 year the Public Trustee focused on core services of trust management and estate administration.

7.2 Number of estates relative to the number of adult (18 years and over) deaths in Western Australia

This indicator measures the Public Trust Office'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.

Some 1629 estates were referred to the Public Trustee, this represents 14% of all estates of adults who died in 2005/2006. They were referred either as executor of the estate or the beneficiaries of the estate seeking assistance. The Public Trust Office aimed to reach a target of 15%.

Note: The public made use of alternative options resulting in a slight decline from the previous year.

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 2005/2006, the Public Trustee administered 1418 estates that named the Public Trustee as executor. The Public Trustee's market share for this period was 12%.

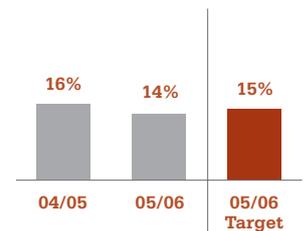
Note: The public made use of alternative options resulting in a slight decline from the previous year.

7.4 Percentage of estates finalised within 12 months of being reported

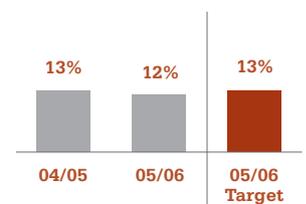
This indicator provides a measure of success, from a client's perspective, of the average time taken to administer an estate. Issues such as life interests, taxation, family disputes and testator family maintenance actions contribute to the time taken to close an estate, which are outside the control of the Public Trust Office.

The average time taken to complete an estate, if completed within 12 months, was 5.69 months, based on the date of final completion.

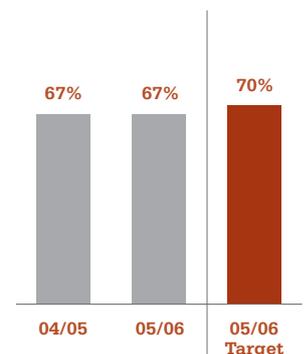
7.2 Number of estates relative to the number of adult (18 years and over) deaths in Western Australia



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



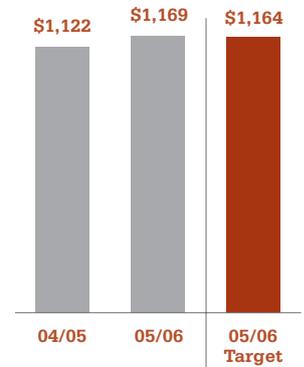
[Key Performance Indicators]

Efficiency indicators:

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.

7.5 Cost per trust managed



7.6 Cost per deceased estate administered and cost per will prepared

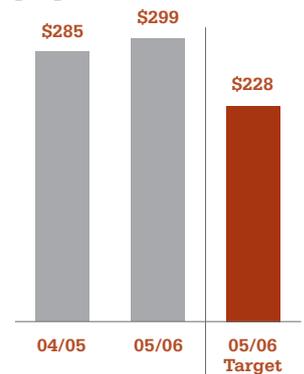
The deceased estate administration service comprises two main cost areas. These have been separated in this indicator to provide a clear indication of the costs involved.

Note: The number of wills prepared in 2005/2006 declined due to the public making use of alternative options.

7.6a Cost per deceased estate administered



7.6b Cost per will prepared



[Key Performance Indicators]

Registry of Births Deaths & 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:

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 (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 (ie. erroneous registrations) is expressed as a percentage. The percentage of death registrations for the year that were not corrected is displayed opposite.

Efficiency indicators:

8.2 Average cost of registration services

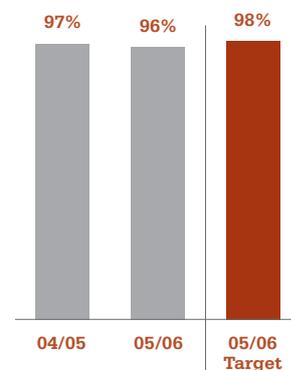
The registry has maintained a database of birth, death and marriage records since it was established in 1841. These are either in paper registers, on microfilm or computer.

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.

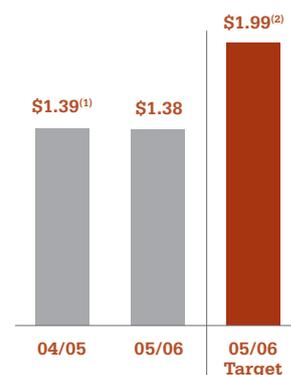
(1) The 2004/2005 actual of \$1.39 differs from the published figure of \$1.32 as it includes, for the first time, under the Justice System Framework, for comparative purposes, the cost component of civil marriages.

(2) The variance between the 2005/2006 target and 2005/2006 actual was due to a delay in tendering for converting paper-based records to electronic format. A new tender is being progressed as the previous tender offers were declined because it was considered they did not provide value for money.

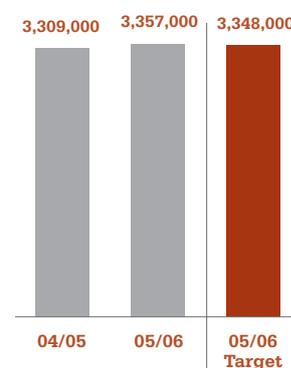
8.1 Extent to which source information is recorded error free



8.2a Average cost of registration services



8.2b Number of Registration services including records held in storage



[Key Performance Indicators]

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 indicator:

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 2005/2006, 24 client agencies were surveyed, representing 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.

Note: The variation between the Actual 2005/2006 and the Target 2005/2006 represents slightly higher than anticipated levels of client satisfaction as expressed during the annual survey.

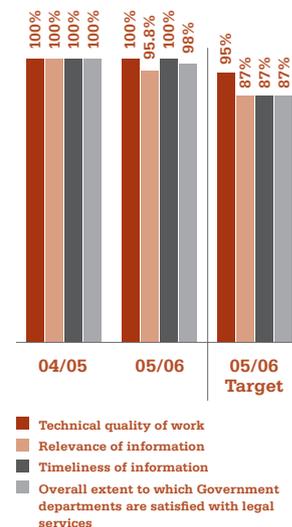
Efficiency indicator:

Average cost per legal matter

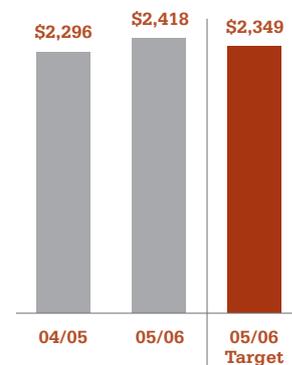
This indicator measures the average cost of a legal matter, which is defined as an initiating instruction received from a client in the reporting year, plus any other matter active during the reporting year and upon which some legal work was conducted. It also includes work in progress.

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.

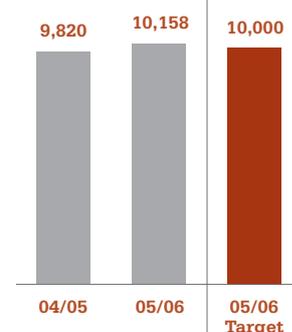
9a Extent to which clients are satisfied with the legal services provided



9b Cost per legal matter



9c Number of legal matters



[Key Performance Indicators]

Parliamentary Counsel

The Parliamentary Counsel is responsible for ensuring Government policies are put into appropriate legislation in a timely manner, thereby contributing to a safe and orderly community.

As well as preparing legislation, the Parliamentary Counsel ensures the public is given access to, and information about, existing legislation.

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 program.

Effectiveness indicator:

9.1 Extent to which legislation was drafted in a timely manner to effect the Government’s legislative program

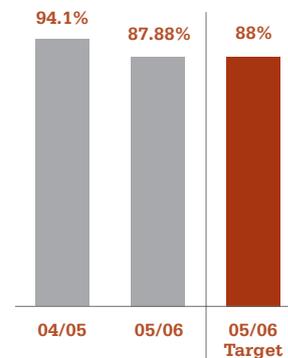
To put Government policies into legislative form, the Government’s legislative program must be met. This key indicator measures whether the program has been met by determining the extent to which Cabinet authorities, for the preparation of legislation, have been completed according to the priorities set out in the program.

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 program relates.

This calculation excludes matters that were not completed on time due to circumstances beyond the control of the Parliamentary Counsel’s Office, such as the lack of action on the part of the instructing agency to progress a Bill or the 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. That is, the 2005/2006 figure represents the 2005 Parliamentary year. A precise method of assessment is used, under which the history of each piece of priority legislation is analysed. More Bills were introduced in the 2005 Parliamentary year than in 2004 and, due to the State election in early 2005, the Parliamentary year was almost one month shorter than 2004, which made it difficult for the office to match the timeliness assessment from the last reporting period, which was the highest rating in several years.

9.1 Extent to which legislation was drafted in a timely manner



[Key Performance Indicators]

Efficiency indicator:

9.2 Average cost per page of 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 bills, subsidiary legislation and reprinted texts produced by the office each financial year.

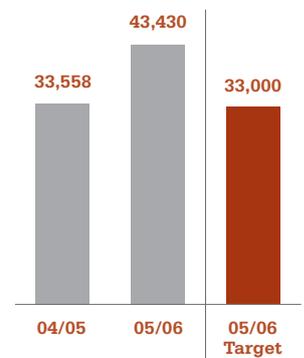
These results will vary from one reporting period to another because of fluctuations in demand for the preparation of legislation. These variations may obscure changes in efficiency.

Note: As indicated above, the results vary from one reporting period to another. The number of pages of output this year was 30% more than the estimated target. The increase in output resulted in a reduction in the cost per page.

9.2a Cost per page drafted



9.2b Number of pages drafted



[Key Performance Indicators]

Legal Aid

Services are provided through Legal Aid WA to ensure: The community and target groups have access to, and are provided quality legal services.

This is achieved through the provision of a range of services designed to meet the different needs of the community and specific target groups. Services include:

- general information and advice to the community (eg. via a telephone information service, or a face to face information service)
- legal assistance (eg. offering advice and self-help services to clients to help them resolve a legal problem, or where necessary, duty counsel service)
- community and education services (eg. publications and self-help kits)
- legal representation in certain specified circumstances and when no other solution is considered appropriate
- alternative dispute resolution process for family disputes.

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 to legal services is measured by Legal Aid WA by the extent to which legal services are made available to the general community and to target groups.

The quality of legal services is measured by Legal Aid WA in terms of 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.

The purpose of reporting the following performance indicators is to enable government and the community to monitor the effectiveness and efficiency of Legal Aid WA in achieving its agreed outcomes.

[Key Performance Indicators]

Explanatory notes for effectiveness indicators

- 1 Services where no eligibility criteria apply to regulate access include telephone information services, community education services, and duty lawyer services.
- 2 Applicants for a grant of aid must satisfy certain criteria.
- 3 In areas of family law only, some applicants are assisted via a grant of aid to pursue a resolution through non-litigation options.
- 4 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.
- 5 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.
- 6 Figures for legal representation services represent the number of cases where legal representation is supplied. A case is defined as an application for aid where a grant has been made.

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. Family law clients were surveyed for the 2005/2006 year. Where possible, the surveys were designed to allow meaningful comparisons to be made to the most recent Family Law customer satisfaction surveys, which were conducted for inclusion in the 2003/2004 Annual Report.

Questionnaire

The questionnaires were designed to balance the conflicting needs of maintaining compatibility with previous years' surveys and improving the questionnaire structure. This year's surveys were heavily based on those used in previous years. The survey instrument continues to use five point scales (with 1 being very negative responses, and 5 being very positive).

This was the fifth year that the Online and Print Publications Users Community Legal Centres Survey was run.

Survey population

The target population for the Alternative Dispute Resolution Family Conference Program survey was those clients who entered the ADR program between 1 July 2005 and 30 April 2006 and who have attended a conference. There were 261 clients who were in-scope for the ADR program survey. The target populations for the legal advice, grants of aid and duty lawyer surveys were those clients who received these types of assistance from Legal Aid between 1 July 2005 and 30 April 2006. The target population sizes were 2945 for legal advice, 358 for grants of aid, 140 for duty lawyer and 197 for grants of aid refusals.

[Key Performance Indicators]

The Online and Print Publications Users Community Legal Centres Survey was conducted as a Census of all community legal centres in Western Australia. The list of the community legal centres was provided by Legal Aid WA.

Sample sizes

The sample sizes for the four family law client groups' satisfaction surveys were designed to balance the requirements of obtaining accuracy to within about 5% 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. The requirements of surveying a target of 400 clients also had to be satisfied.

The sample of 400 was allocated proportional to the square root of the population size, between legal advice, grants of aid, ADR and duty lawyer. Each of the samples was selected randomly. The following table shows the breakdown of the sample into the four survey areas:

Table 1. Sample sizes and resulting levels of accuracy			
Client Group	Population size (N)	Sample size (n)	Level of Accuracy
Legal Advice	2945	214	+/-6.5%
ADR	261	64	+/-10.7%
Grants of Aid	358	75	+/-10.1%
Duty lawyer	140	47	+/-11.7%
Total	3704	400	+/-3.9%

There were 30 community legal centres to be surveyed in the Online and Print Publications Users Community Legal Centres Survey.

The expected overall level of accuracy obtained from this design is +/- 4.2%, assuming a satisfaction level of 65% based on previous results. The accuracy levels for the individual surveys are higher but still within acceptable error bounds. The achieved overall level was +/-3.9%.

Survey implementation

To sustain comparability in methodology to past client satisfaction surveys, telephone interviewing was adopted, using a Computer Aided Telephone Interviewing (CATI) system. The CATI system is scripted to guide the interviewer through the interview so that interviewer bias is minimised and data quality is improved over paper-based alternatives. The interviewers were instructed to make three attempts to contact each client selected in the survey before deeming that client non-contactable and replacing them with the next client in the sampling list.

[Key Performance Indicators]

Since the Online and Print Publications Users questionnaire was targeted at agencies instead of individual respondents, pre-contact was made in the form of an email and fax which had an explanatory letter and a copy of the questionnaire, to allow them time to consider their answers to the survey and discuss them with colleagues. Staff were asked not to fill in the questionnaires and return them, but to have the answers ready for when a fieldworker contacted them to conduct a telephone interview. Centres that had not heard of or used Legal Aid WA online and print publications were screened out of the survey. The CATI system was also used to conduct this survey.

Estimation methodology

Satisfaction levels were calculated as the sum of the non-missing responses on the positive side of neutral (ie. agree and strongly disagree), expressed as a percentage of the total number of responses excluding 'not applicables'. The 'not applicables' were excluded from the denominator because their inclusion can artificially deflate the observed satisfaction levels. This methodology is consistent with that used in previous years.

The denominator in the percentage is not always equal to the sample size. This is because the denominator is calculated as the number of responses to that particular question, and each question could have different numbers of responses due to clients refusing to answer a particular question, or being skipped past the question due to an earlier response.

Desired outcomes and key effectiveness indicators:

Desired Outcome: The right to justice and safety for all people in Western Australia is preserved and enhanced

Key effectiveness indicators					
	2004 Actual	2005 Actual	2006 Target	2006 Actual	Reasons for significant variance between 2006 target and 2006 actual
Applications approved for a grant of aid as a percentage of all applications received.	65%	65%	63%	67%	Increase over target due to additional State family grants resulting from new child protection legislation.
Percentage of clients satisfied with service provided:					
• Criminal Law	-	72%	-	-	
• Family Law	74%	-	75%	74%	

[Key Performance Indicators]

Service 10 : Legal Aid Assistance (i)

Key efficiency indicators: State Law					
	2004 Actual	2005 Actual	2006 Target	2006 Actual	Reasons for significant variance between 2006 target and 2006 actual
Average cost per call	14	13	16	14	State calls exceeded target, impacting on the average cost.
Average cost per face-to-face information service	21	21	22	30	Face-to-face information requests were down, likely substituted with calls (see above), impacting on the average cost.
Average cost per duty lawyer service	70	78	84	90	
Average cost per legal advice	97	99	104	103	
Average cost per minor assistance	197	203	187	172	An increase in services was experienced due to the opening of two new regional offices and a service based at Domestic Violence Advocacy Services.
Average cost per application processes	123	143	149	152	
Average cost per legal representation	1575	1818	1923	1836	

[Key Performance Indicators]

Key efficiency indicators: Commonwealth Law					
	2004 Actual	2005 Actual	2006 Target	2006 Actual	Reasons for significant variance between 2006 target and 2006 actual
Average cost per call	18	18	17	18	
Average cost per face-to-face information service	20	26	30	30	
Average cost per duty lawyer service	47	88	90	96	
Average cost per legal advice	75	94	97	96	
Average cost per minor assistance	132	178	160	166	
Average cost per application processed	433	487	442	440	
Average cost per legal representation	2570	2716	2866	2599	Average cost decreased under the influence of a large number of Commonwealth grants for illegal fishing matters in the Magistrates Court
Cost per child support service	1100	1394	1100	1363	The level of service provided and resources consumed in 2006 are consistent with 2005. The target for 2006 anticipated a reallocation of resources that did not eventuate.

(i) The community and target groups require access to and the provision of quality legal services. This service contributes to an orderly community by responding to demand for legal assistance through application of priority guidelines. This is achieved through the provision of 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 legal education is provided to assist the wider community to access fair solutions to legal problems at the earliest opportunity. Minor assistance service is designed to provide hands on help to clients in progressing their own legal matter.

Appendix

Appendix I - Contracts

The table below contains Department of the Attorney General contracts awarded between 1 July 2005 and 30 June 2006.

Value	No of Contracts
\$0 - \$19,999	16
\$20,000 - \$99,999	34
\$100,000 - \$499,999	14
\$500,000 - \$999,999	2
\$1 million +	0

Contracts more than \$100,000

No	Contract Description	Vendors Recommended	Contract Value \$
2466	Review of the delivery of services for enforcement of court processes	AOT Consulting	\$101,574
2632	Perth Synagogue Perimeter Protection *	The Hebrew Congregation	\$110,000
2468	Child Witness Support Services for Geraldton	Centrecare Family Services	\$122,007
2557	Horizon Library Management Software, Data Migration and Maintenance Services	SirsiDynix Pty Ltd	\$128,700
2390	Perth Children's Court AV System Upgrade and Installation	Audio Visual Imagenation Pty Ltd	\$130,733
2504	Interim IMT Strategic Consultancy Support ^	Quadrant Group	\$145,000
2667	Audio Visual Equipment CTG	Audio Visual Imagenation Pty Ltd; CDM Australia Pty Ltd; Electroboard Pty Ltd; Rutledge Engineering, Vantage	\$150,141
2394	Child Witness & Victim Support Services for Karratha	Anglicare WA Inc	\$183,783
2574	Cleaning Services for the South Hedland Justice Complex ^	Pedantic Plus	\$239,401

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2568	Project Management Services for the Implementation of a Corporate Information Management System	Junipers Pty Ltd	\$265,939
2393	Child Witness and Victim Support Services for Broome	Kimberley Counselling Services	\$273,487
2467	Welfare Services to Clients on Referral from the Court Assessment & Treatment Service	Welfare Rights and Advocacy Service	\$280,000
2397	C-BIS Project Management ^	Quadrant Group	\$291,500
2514	Project Management in the Implementation and Development of ICMS	Chiltern Technology Pty Ltd	\$400,000
2521	Air Charter Services Carnarvon	Tropic Air Services Pty Ltd	\$571,680
2582	Provision of Microsoft Premier Support ^	Microsoft Australia Pty Ltd	\$709,379

* *Criminal Property Confiscation Grants Program*

^ *Services shared by the Department of the Attorney General and the Department of Corrective Services.*

[Appendix]**Appendix II – Legislation**

Legislation administered by the Department of the Attorney General:

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
 Australia Acts (Request) Act 1999
 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
 BP Refinery (Kwinana) Limited Act 1962
 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
 Commercial Arbitration Act 1985
 Commonwealth Places (Administration of Laws) Act 1970
 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
 Constitutional Powers (Coastal Waters) Act 1979
 Co-operative Schemes (Administrative Actions) Act 2001
 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

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Corruption and Crime Commission Amendment and Repeal Act 2003
 Crimes at Sea Act 2000
 Criminal Appeals Act 2004
 Criminal Code Act Compilation Act 1913
 Criminal Injuries Compensation Act 2003
 Criminal Investigation (Extra-territorial Offences) Act 1987
 Criminal justice amendment (1848) (Imp)
 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
 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
 Goldfields Tattersalls Club (Inc.) Act 1986
 Guardianship and Administration Act 1990
 Highways (Liability for Straying Animals) Act 1983
 Imperial Act Adopting Ordinance 1847
 Imperial Act Adopting Ordinance 1850
 Imperial Acts Adopting Act 1836
 Imperial Acts Adopting Act 1844

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Imperial Acts Adopting Ordinance 1849
Imperial Acts Adopting Ordinance 1867
Infants' Property Act 1830 (Imp)
Inheritance (Family and Dependents 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)
Master and apprentice laws (Imp) in force on 1 Jan 1873
Mercantile Law Amendment Act 1856 (Imp)
Miscellaneous Regulations (Validation) Act 1985
Miscellaneous Repeals Act 1991
Naval and Victualling Stores Ordinance 1867
Oaths, Affidavits and Statutory Declarations Act 2005
Occupiers' Liability Act 1985
Offenders (Legal Action) Act 2000
Official Prosecutions (Accused's Costs) Act 1973
Off-shore (Application of Laws) Act 1982
Parole Orders (Transfer) Act 1984
Partnership Act 1895
Perpetuation of Testimony Act 1842 (Imp)
Perth and Tattersall's Bowling and Recreation Club (Inc.) Act 1979
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

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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
 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 (Part 2 div 3 and 4, part 3, s. 72(2), 73 and 74, part 9 and Sch. 1) (The Department of Corrective Services is the agency principally assisting the Attorney General in the administration of these provisions of this Act)
 Sentencing (Consequential Provisions) Act 1995
 Sentencing Act 1995 (The Department of Corrective Services is the agency principally assisting the Attorney General in the administration of part 3 div 3 and 5, part 3A, 9, 10 and 11 and part 18 div 2 and of this Act)
 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
 Suitors' Fund Act 1964

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Supreme Court Act 1935
The Bankruptcy Act 1892
The Confederation of Western Australian Industry (Incorporated) Act 1976
The Factors Act 1878
The Salvation Army (Western Australia) Property Trust Act 1931
Trustee Companies Act 1987
Trustee Ordinance 1854
Trustees Act 1962
Trustees of Western Australia Limited (Transfer of Business) Act 2003
Trustees' Powers Act 1931
Trustees Protection Act 1931
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
Women's Legal Status Act 1923
Yallingup Foreshore Land Act 2006

Feedback form

The Department of the Attorney General welcomes your feedback about the 2005/2006 annual report. Your comments will help us to improve future reports.

How do you rate the annual report overall?

Excellent Very good Good Average Poor

How do you rate the overall content of the report?

Excellent Very good Good Average Poor

How do you rate the style of writing the report?

Excellent Very good Good Average Poor

How do you rate the overall design of the report?

Excellent Very good Good Average Poor

How do you rate the ease of navigation of the report?

Excellent Very good Good Average Poor

Please list any aspects of the report that you found particularly good

Please list any aspects of the report that you found particularly poor

Please list any ways that the report could be improved

Other comments

*Submit your feedback to Public Affairs, Department of the Attorney General,
141 St Georges Terrace, Perth 6000*