2003/04 ANNUAL REPORT

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

Alan Piper
Director General
31 August 2004
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The State Government’s principles – respect, equity, reconciliation, sustainability, inclusiveness, fiscal responsibility and accountability – are reflected in the Department of Justice’s vision and values and underpin all activities.
The Department of Justice contributes to the achievement of the State Government’s five strategic Goals for Government articulated in “Better Planning: Better Services” released in November last year.

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

![Symbols for People and Communities, Regions, Environment, Economy, Governance]

The State Government’s principles – respect, equity, reconciliation, sustainability, inclusiveness, fiscal responsibility and accountability – are reflected in the Department of Justice’s vision and values and underpin all activities.
The breadth and quality of new projects underway within the Department this year is indicative of a new, proactive approach made possible by the foundation stones laid in previous years.
During 2003/04, the Department of Justice made good progress in many of its key priority areas – but also had tragic and serious reminders that the justice system is a very complex and human business where constant vigilance and improvement are imperatives.

The shocking killing of a young woman in Warnbro in August 2003 – allegedly by a parolee under the Department’s supervision – and the unprecedented escape of nine prisoners from the Supreme Court custody area in June 2004 were defining moments for the Department. Both events were enormous catalysts for change and reform of how we go about important elements of our business.

Analysis of both events highlighted a range of improvements we must apply if we are to have the community’s confidence in how offenders are managed in custody and in the community.

The events in Warnbro, in particular, highlighted systemic issues around how effectively the Department was balancing its management of offenders in the community and the unavoidable risks involved.

The appalling inadequacy of security measures and custody management at the Supreme Court in June 2004, which allowed nine prisoners to escape, underlined the alarming consequences of failing to monitor the operations of a private contractor adequately.

The poor security processes apparent at the Supreme Court revealed significant flaws in the Department’s monitoring of services provided by Australian Integration Management Services (AIMS) Corporation.

In the months preceding the escapes, the Department had been negotiating the extension of the contract for a further three years. However, following the escapes, I used the power vested in me by the Court Security and Custodial Services Act 1999 to suspend AIMS Corporation from its court custody duties in the Supreme Court, replacing it with Departmental staff.

At year end, we were providing input to senior barrister Richard Hooker, who was appointed by the Government to conduct an investigation into the circumstances and issues surrounding the escape.

Decisions about the future of the contract with AIMS Corporation were on hold, pending the outcome of Mr Hooker’s report.

Meeting community expectations and managing risk was also the focus of a very thorough review of minimum-security imprisonment and prisoner assessment during the year, sparked by the escape of a prisoner on a supervised outing and allegations of prisoners exploiting the open-boundaries of Wooroloo Prison Farm in particular. While I am confident there were no systemic failures in this area, the reviews did highlight lapses in processes and underlined the need for constant vigilance at all levels of the organisation.

**Real progress**

Despite the very significant and unexpected challenges during the year, there was a sense of real progress on a number of fronts – including implementing a raft of legislative reform; working collaboratively across Government and with other jurisdictions to better meet the needs of Aboriginal people; and providing more practical help for victims of crime.

**Service improvements**

Due in part to new leadership and reform of structural and systemic issues that had hampered performance in the past, there were some very tangible service improvements across a number of areas, resulting in real benefits for customers.
The Registry of Births, Deaths and Marriages, for example, coped with increases in demand for all its services within its existing budget, introduced tighter security measures, increased revenue and expanded online services.

The Fines Enforcement Registry introduced online payment options and established a new call centre, while improved collection processes also resulted in another year of record recoveries for the Office of Criminal Injuries Compensation's Recoveries branch ($1,173,000).

The Office of the Public Advocate managed its growth in demand for services, in part by reviewing and closing off files involving people who no longer required their services. It also streamlined communications with the Guardianship and Administration Board and established protocols with the Department of Indigenous Affairs and the Department for Community Development to better understand the needs of Aboriginal communities.

And the Public Trustee is also looking forward, exploring sustainable business options that will enable it to continue to improve customer service in an environment of growing demand and limited funding.

**Legislative reform**

In what was an enormous collective effort, the Department tackled a huge legislative program during the year, almost completing implementation of literally hundreds of recommendations from a number of Law Reform Commission review reports, and making other important structural and operational improvements to the way we do business.

The legislative package reforming the Magistrates’ Court – one of the largest put before Parliament – will streamline the justice system for thousands of court users. The review of offences dealt with by the District Court, and the subsequent transfer of many of these matters to the Magistrates’ Court, is just one example of an effective solution developed as part of the legislative overhaul.

Victims of sexual assault and domestic violence have also been an important focus of the legislative reform agenda and the Department has consulted widely in the preparation of landmark legislation that better protects victims of domestic violence. The proposed changes to the sexual assault laws offer victims greater protection in court and go some way to reducing their trauma.

**New justice facilities**

The legislative and operational improvements to courts are being backed by development of new justice facilities being progressed in cooperation with the judiciary and a range of key stakeholders.

Planning continued during the year for the Central Business District Courts Project, due for completion by 2008. The Department is developing this in conjunction with the Departments of Housing and Works and Treasury and Finance as the first Public Private Partnership under the State Government’s *Partnerships for Growth* Policy.

In the context of this major project, plans for significant work to upgrade security and other aspects of the century-old Supreme Court building were well underway at the time of the escape from its custody centre. However, following the incident, key elements were brought forward and structural and operational improvements were completed within weeks. Other security features such as the expansion of video surveillance will be put into place in the months ahead.

As well as planning for the CBD Courts Project in Perth, construction started on the Albany Justice Complex and Great Southern District Police Complex, a refurbishment of the Derby courthouse started and a commitment was made to significantly improve facilities in Kalgoorlie as part of the long-term development plans for regional courts.
New technology
The introduction of new technology for courts continued during the year, including faster, more efficient electronic communication between the courts and all parties, particularly police. The implementation of the Department’s Integrated Courts Management System was more difficult than anticipated, but the potential benefits in terms of operational effectiveness and efficiency made the teething problems in the District and Supreme Courts more bearable.

Aboriginal justice
The signing of the Aboriginal Justice Agreement in March 2004 marked a real milestone in developing a better justice system for Aboriginal people – and the start of a new approach to a long-standing challenge for the Department. The agreement brings together seven key agencies in a partnership with Aboriginal people to seek solutions to the inequities faced by Aboriginal people and improve justice outcomes.

The agreement is part of the leading role the Department is taking in a whole-of-Government response to the Gordon Inquiry. The principles, and understandings on which the agreement were developed, are already being incorporated into our activities – particularly in managing adult and juvenile offenders; in supporting victims of crime and in developing better, more relevant court services.

Victims of crime
Improving services for Aboriginal victims of crime was just one part of our efforts to improve support for victims in regional WA this year. The Victim Support Service and Child Witness Service were extended to the Goldfields, Pilbara and Kimberley and victim-offender mediation services now reach out to the Pilbara, Bunbury and Busselton.

For the second year, the Department managed the distribution of funds raised from the State’s criminal property confiscation laws, delivering around $800,000 to very worthwhile community projects that benefit victims of crime.

The justice system can be very daunting, even distressing, and offering a high level of support to victims of crime and other vulnerable witnesses continues to be a priority for the Department. This will be more challenging in the year ahead, with increasing numbers of people being granted special witness status and an increasing number of referrals to the Child Witness Service.

I take this opportunity to pay tribute to the thousands of volunteers who work across many business areas within the Department and particularly those who continue to provide such invaluable support to victims of crime and vulnerable witnesses as they move through the justice process.

New way of working
The breadth and quality of new projects underway within the Department this year is indicative of a new, proactive approach made possible by the foundation stones laid in previous years.

This was evidenced in major milestones such as the opening of the Boronia Pre-release Centre for Women in Bentley and the changed approach to managing women offenders. This new philosophy is being integrated into Bandyup Women’s Prison as part of the change-management project.

The Department also worked with a heightened level of collaboration with Government and non-government agencies and a continued commitment to widespread consultation, particularly with the community.
During the year, the Department showed significant leadership in a number of areas – hosting a national forum on managing women in prison, working with our counterparts in the Northern Territory and South Australia to establish more practical justice solutions for remote Aboriginal communities, working as a “cluster host” in implementing corporate services efficiencies and reforms across Government and chairing the Directors General group to help implement social policy reforms in an integrated manner across Government.

The Government reform of corporate service, which stems from the 2002 Government Functional Review Taskforce recommendations, will continue to challenge the Department in the year ahead. It has had significant resourcing implications this year with seven employees seconded to the Shared Services Program Office and many others participating in working groups, forums and as part of the inter-agency cluster group.

**Executive challenges**

Leadership within the Department looks very different at the end of this year, with significant changes within the executive and in senior management ranks. Most notably, Peter Panegyres retired after 42 years of exemplary public service, 18 of them as the Crown Solicitor.

It speaks well for the calibre of management within the Department that the new State Solicitor and the two executives responsible for Community and Juvenile Justice, and the Registry of Births, Deaths and Marriages come from within the organisation.

It was disappointing, however, that recruitment processes for four senior positions failed to deliver suitable candidates. As a result of the flow-on effects from these senior vacancies, the year was marked by long periods of senior staff acting in executive roles.

It is clear that the difficulty in filling some of the Department’s key roles is due to our uncompetitive remuneration, compared to similar positions in other states. This is particularly the case in Court Services, Community and Juvenile Justice and Prisons. Developing a reward structure to underpin good succession planning – attracting and keeping the “next generation” of quality management – is an ongoing challenge for the Department.

However, the Department continued to benefit from a very committed workforce, many of whom operate under properly increasing scrutiny and pressure. The Department supported its employees this year with ongoing training opportunities and more targeted recruitment, particularly for regional prisons.

**Custodial contract management**

While the Department’s management of the $18m Court Security and Custodial Services contract with AIMS Corporation was clearly shown to be inadequate, it is pleasing to report improvements in the operations at Acacia Prison during the year.

Changes to the management structure and personnel at Acacia Prison underpinned big improvements in performance. Those improvements were recognised by the Inspector of Custodial Services, who took Acacia Prison off the “alert” list based on an inspection conducted late last year. An independent review of vocational training and program delivery in June 2004 also confirmed marked improvement.

Although the Department recognise that there is still significant room for greater improvement at Acacia, there is now a greater confidence that improvements – particularly in programs and services for Aboriginal prisoners – can be achieved.

The Department’s own performance in managing the $22m contract also improved, backed by the formation of a joint board of management for the prison.
Inspector of Custodial Services

The Inspector of Custodial Services recognises the difficult and complex environment in which we operate and it was encouraging and gratifying to read a series of reports presented this year which show that many prisons in this State are operating extremely well and that others are improving, thanks largely to the dedication and professionalism of Departmental employees.

The Inspector has also made a number of critical reports during the year and the Department has responded to key recommendations with fundamental improvements in planning, facilities and operational processes. At year end, there were some 80 outstanding recommendations. An estimated amount of in excess of $80m will be required to address these recommendations, the bulk of which is to rectify infrastructure deficiencies.

The year in perspective

2003/04 has been a busy year when demand has grown across many business areas. In this context, the development and delivery of many new projects and initiatives that directly address key Government priorities speaks volumes.

But our achievements this year are in the sobering context of events and issues which have alerted us to failings and weaknesses in the organisation and will determine our priorities for the year ahead.

Key challenges

Challenges facing us as we move into 2004/05 include how best to:

- manage offenders in custody and in the community to give offenders the best opportunity to return to a law-abiding lifestyle while meeting community expectations in terms of safety and security;
- work with other agencies and jurisdictions to meet the needs of Aboriginal people, particularly in rural and remote WA;
- use technology to improve efficiency and effectiveness – including customer service; and
- develop our employees so that the Department has the depth of skills and experience required to meet increasing demand and complexity across our business areas.

The justice system – with all its human elements – has inherent uncertainties, but the momentum created this year gives me a high degree of certainty that the continued improvement in the projects and programs will deliver more integrated and accessible justice services to Western Australia.

ALAN PIPER
DIRECTOR GENERAL
DEPARTMENT OF JUSTICE
The Department of Justice was established in July 1993 with the core responsibility of providing the framework and processes for the efficient and effective administration of justice and legal affairs in WA.
Everyone in the community comes into contact with the Department of Justice and its services at some time in their lives – and often on a number of occasions. Whether it's being issued with a birth certificate; appearing as a child or adult witness in court; having a will drawn up; working alongside offenders in the community – or enjoying the benefits of the work; paying a court-imposed fine; getting married or divorced; preparing a will or having your affairs managed for you when you’re unable to make your own decisions, the Department seeks to provide excellent services that meet the needs of a wide variety of customers and stakeholders.

OUR VISION

The Department of Justice seeks to be recognised as an organisation that is a leader in the co-ordination and delivery of justice services which:

• provides excellent services;
• anticipates and satisfies community and customer needs;
• works in partnership with other agencies and community groups;
• values its employees;
• works as a team;
• listens and communicates;
• manages using sound information; and
• is open and accountable.

OUR MISSION

The Department of Justice’s mission is to provide quality, co-ordinated and accessible justice services which contribute to a safe and orderly community.

The Department of Justice was established in July 1993 with the core responsibility of providing the framework and processes for the efficient and effective administration of justice and legal affairs in WA.

It is principally responsible for assisting the Attorney General and Minister for Justice in implementing Government policy and administering and/or complying with more than 200 Acts of Parliament. Its core services are:

• court services that meet the needs of the judiciary and community, including victims of crime;
• protecting the community and directing offenders towards the adoption of law-abiding lifestyles;
• managing the security, integrity and preservation of birth, death and marriage records;
• contributing to a co-ordinated, quality system of justice which is responsive to community needs through informing, developing and evaluating justice policy; and
• meeting the needs of Government and the community for policy, information and legislative services.
Several services within the Department of Justice report directly to the Attorney General or the Minister for Justice on professional matters, and to the Director General on administrative matters.

They are:

- the Office of the Public Advocate, which protects the rights of adults with decision-making disabilities and reduces the risk of neglect, exploitation and abuse;
- the Public Trust Office, which ensures equitable access to trustee services for all Western Australians;
- the State Solicitor’s Office, which provides legal services to Government; and
- the Parliamentary Counsel’s Office, which ensures Government policies are put into legislative form and the public is given access to, and information about, existing legislation.

The Department of Justice also provides corporate support services for other Government agencies such as the Office of the Director of Public Prosecutions, Equal Opportunity Commission, Office of the Information Commissioner, the Parliamentary Inspector of the Corruption and Crime Commission and the Law Reform Commission.

**New strategic framework**

The Department has reshaped and revitalised its strategic framework during the year, including establishing a new set of values, purpose, corporate goals and approach statements that better reflect our roles and responsibilities.

The new strategic framework was endorsed by the Corporate Executive in June 2004 and will be adopted in the year ahead.
### CORPORATE STRUCTURE

* reports directly to the Minister for Justice or Attorney General on professional or statutory matters, and to the Director General on administrative matters.

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<td>Courts; Tribunals and Boards; Victim Support Service; Sheriff’s Office</td>
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<td><strong>STATE SOLICITOR’S OFFICE</strong></td>
<td>Legal services to Government</td>
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<tr>
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<td>Corporate support including Asset Management; Financial Management; Human Resources; Information Services; Organisational Performance</td>
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<td><strong>COMMUNITY AND JUVENILE JUSTICE</strong></td>
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<td><strong>PRISONS DIVISION</strong></td>
<td>Management and operation of WA’s public prisons and privately-operated prison; Health Services</td>
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<td><strong>PARLIAMENTARY COUNSEL’S OFFICE</strong></td>
<td>Legislative drafting service to Government</td>
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<tr>
<td><strong>OFFICE OF THE PUBLIC ADVOCATE</strong></td>
<td>Independent advocacy and guardianship advice to people with decision-making disabilities</td>
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<td><strong>PUBLIC TRUST OFFICE</strong></td>
<td>Trustee services to the WA community</td>
</tr>
<tr>
<td><strong>REGISTRY OF BIRTHS, DEATHS &amp; MARRIAGES</strong></td>
<td>Creates and stores births, deaths and marriage records; Conducts civil marriages</td>
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THE EXECUTIVE TEAM

The Department of Justice executive team, headed by the Director General, Alan Piper, takes responsibility for the various divisions of the agency, which all contribute to a safe and orderly Western Australian community.

It includes the independent positions of the Office of the Public Advocate and Public Trust Office, which also prepare separate annual reports.

The executive team, as at 30 June 2004:

Alan Piper – Director General

Alan Piper graduated in 1972 with a Bachelor of Engineering (Hons) degree and was awarded a Master of Business Administration in 1981. He joined the Department of Justice in 1998, bringing to the position of Director General extensive experience in the public sector. Between 1996 and 1998, he was Executive Director of the Department of Contract and Management Services.

Ray Warnes – Acting Executive Director Court Services

Ray Warnes 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.

Geoff Zimmer – Acting Executive Director Corporate Services

Geoff Zimmer holds a Masters in Business Administration and Bachelor of Applied Science (Electrical Engineering). He is a member of the Institute of Engineering Australia and a Project Management Professional with the Project Management Institute (USA). Geoff worked for 26 years for the Department of Contract and Management Services (CAMS) in building services and started at the Department of Justice as Manager Buildings in 1994. He moved to Director Assets before undertaking his current role from July 2003.

Tim Sharp – State Solicitor

Tim Sharp was appointed WA’s Crown Solicitor in October 2003 (the name changed to State Solicitor in January 2004). The former Deputy Crown Solicitor joined the Office in May 1997 and was the head of the CSO’s commercial and conveyancing section. He originally moved to Perth with his family from Glasgow, Scotland, in 1985, and joined the law firm now known as Mallesons Stephen Jaques, where he was a partner from 1988 to 1997.

Jackie Tang – Executive Director Community and Juvenile Justice

Jackie Tang holds a Bachelor of Social Work from Curtin University (formerly WAIT) and completed a Graduate Management Qualification (AGSM) during 1999. She joined the Department in 1986 and held a number of operational and management positions both within Prisons and Community and Juvenile Justice. She was appointed Executive Director Community and Juvenile Justice in January 2004.

Terry Simpson – Executive Director Prisons

Terry Simpson has a Bachelor of Social Work and worked in Queensland and the Northern Territory in child welfare and juvenile justice. When he came to WA, he joined Family and Children’s Services and served as Assistant Director General of that agency before being appointed to the Department of Justice in 1996 as Executive Director Corporate Services. He was appointed General Manager Prisons in 1999. In October 2001, he became Executive Director Prisons.
Profile of the Department

**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.

**Michelle Scott** – Public Advocate (Independent Statutory Officer)

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

**Nina McLaren** – Public Trustee (Independent Statutory Officer)

Nina McLaren holds a Bachelor of Arts (English) and a Masters of Business Administration. She joined the Department in 1999, having previously worked in management in the private sector. She brings to her position a proven track record in financial services and management, having held senior positions with Asgard Capital Management Ltd and UWL Ltd.

**Alan Andersson** – Registrar of Births, Deaths and Marriages

Alan Andersson holds a Bachelor of Business in Accounting and is a member of the Australian Society of Certified Practising Accountants. He has more than 20 years’ experience in financial management, the majority in Government. He has been with the Department of Justice for five years and was previously the Manager Financial Policy and Reporting. He was appointed Registrar of Births Deaths and Marriages in June 2004.

**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.

**Siân Martin** – Manager Public Affairs

Siân Martin is a former journalist with experience as a newspaper reporter, sub-editor and editor. She switched to public relations after studying marketing and public relations at the University of Colorado. Prior to moving into Government, Siân successfully managed her own communications consultancy. She joined the Department as Manager Public Affairs in 1994.
Despite the very significant and unexpected challenges during the year, there was a sense of real progress on a number of fronts – including implementing a raft of legislative reform; working collaboratively across Government and with other jurisdictions to better meet the needs of Aboriginal people; and providing more practical help for victims of crime.
COURT SERVICES

Court Services provides administrative services and support for the management of courts and tribunals. This includes provision of accommodation, technical facilities, non-judicial staff support, registry, security and other administrative support services. Court Services also provides victim support and counselling services.

KEY ACHIEVEMENTS

- Progressed a legislative reform agenda to better streamline and integrate justice services, including assisting the instructing officers with the Acts Amendment (Court of Appeal) Bill 2004, the Criminal Injuries Compensation Act 2003, and seven pieces of legislation to reform the Magistrates’ Courts which address more than 220 recommendations from four Law Reform Commission reports between 1988 and 2001 (more);
- Developed new legislation to better protect victims of all forms of domestic violence and collaborated with the Director of Public Prosecutions to amend legislation giving victims of sexual assault greater protection during the court process (more);
- Completed the preparatory work for a new Court of Appeal (more);
- Introduced legislative and administrative changes to better manage specialist courts that will more effectively address causes of crime such as drug use and violence (more);
- Introduced new technologies including the major upgrade of the Supreme Court courtroom for the Bell Resources trial – WA’s largest and most complex civil trial (more);
- Moved out of the planning phase into an interactive tender process for the Central Business District Courts Project which will ultimately deliver more court facilities that are more secure and functional (more);
- Planned major upgrading of the Supreme Court (more);
- Started a major review of the Supreme Court custody area security following the escape of nine prisoners and implemented some immediate improvements (more);
- Started construction of new court accommodation in Albany (more);
- Prepared for the proposed State Administrative Tribunal, establishing the organisation structure, fitting out facilities, progressing a website and filling some positions (more);
- Expanded victim support services and victim-offender mediation services to various regional locations including implementing recommendations of the Gordon Inquiry (more); and
- Introduced new payment options for customers paying fines giving full flexibility including time-to-pay options and an online payment system (more).

FUTURE DIRECTIONS

- Start construction of the CBD Courts Project including refurbishment of the Central Law Courts;
- Establish the Court of Appeal, a new division of the Supreme Court, to more efficiently deal with criminal and civil appeals and provide an independent review of all appeals;
- Implement changes to improve security and manage risk following the unprecedented escape of nine prisoners from the Supreme Court on 10 June 2004;
- Start $1.4m worth of work to refurbish and improve security at the Supreme Court;
• Appoint a specialist courts manager to centrally manage innovative and across-agency responses in courts including the drug, and family violence and Aboriginal community courts and in various diversion programs;
• Develop additional materials to help Aboriginal communities access victim support and child witness services;
• Implement a justice mediation reparative model to metropolitan and regional courts;
• Introduce case assessment conferences to make the Family Court process less adversarial and provide more support for separating parents and their children; and
• Develop the counselling component of a disaster victim identification model and train a pool of counsellors as part of disaster victim identification teams, through the Coronial Counselling Service.

STATE SOLICITOR

The State Solicitor’s Office provides a broad-based legal service to the Government, its departments, instrumentalities and agencies. This includes conducting litigation, providing legal advice, preparing legal documents and representation as counsel in courts and tribunals. It was known as the Crown Solicitor’s Office until 1 January 2004 when the Acts Amendment and Repeal (Courts and Legal Practice) Act 2003 was passed by State Parliament.

KEY ACHIEVEMENTS

• Appointed a new Crown Solicitor (State Solicitor from 1 January 2004) in October 2003 (more);
• Dealt with legal matters including Tipperary Developments Pty Ltd; Finance Brokers; Town Planning Appeal Tribunal; WA Planning Commission and Temwood Holdings Pty Ltd; State Agreement and Gorgon Joint Venturers; CBD Courts Project and Palmer and Ostrowski (more); and
• Achieved high satisfaction levels in the eighth annual client survey (more).

FUTURE DIRECTIONS

• Deal with a range of legal matters; and
• Conduct the ninth client survey to ascertain levels of satisfaction.

PARLIAMENTARY COUNSEL

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

KEY ACHIEVEMENTS

• Drafted major pieces of legislation including a package of seven related Bills to enable the restructure of the lower courts; new streamlined planning and development legislation and new workers compensation legislation which provides for significant changes to the current system (more);
• Completed a customised database to better capture legislative history and better store and report legislative information (more); and
• Achieved a satisfaction rating of 87% in the annual client survey (more).
FUTURE DIRECTIONS

- Continue to meet the drafting requirements of the Government; and
- Continue a project to draft and store legislation electronically to bring WA into line with other jurisdictions around Australia.

COMMUNITY AND JUVENILE JUSTICE AND PRISONS

Community and Juvenile Justice and Prisons manage adult and juvenile offenders in custody and in the community. They aim to reduce re-offending, contribute to the protection of the community and direct offenders towards law-abiding lifestyles.

KEY ACHIEVEMENTS

- Conducted a major review of the management of high-risk offenders in the community and developed fundamental improvements to increase community safety (more);
- Purchased software and started implementation of a new computerised case management system for offenders in the community, which will reduce the dependency on document transfer and improve effectiveness and efficiency (more);
- Undertook a review of outside activities for prisoners and introduced more stringent selection criteria and better program management (more);
- Appointed eight community groups around the State to work with offenders re-entering the community. This will reduce re-offending and improve community safety (more);
- Opened the Boronia Pre-Release Centre for Women and established management practices that set new standards for managing women offenders (more);
- Managed an increasing prisoner population by reopening accommodation units at Casuarina, Hakea and Bunbury (more);
- Worked to reduce the rate of drug misuse in prisons with a range of strategies including doubling random drug testing; expanding the drug detection dog team; increasing intensive programs and establishing a drug-free unit at Bandyup Women's Prison (more);
- Introduced a range of therapeutic programs for offenders being managed in the community (more);
- Recruited and trained prison officers to better address the needs of Aboriginal and women offenders (more);
- Conducted a comprehensive review of fire and emergency response capabilities within prisons in partnership with FESA (more);
- Tightened security at prison gatehouses including implementing new legislative powers to apply 12-month bans on visitors who pose a persistent security risk and new screening equipment at Hakea and Casuarina prisons (more);
- Introduced better facilities, processes and staff training to prevent suicides in prison. There was one suicide during the year compared to four in the previous year and far higher rates in the late 1990s (more);
- Achieved national accreditation for two years from the Australian Council of Healthcare Standards for Health Services, demonstrating that health care provided to prisoners meets general community standards (more);
- Launched Repay WA to promote the benefits of offenders undertaking community work and engaged minimum-security prisoners in community work worth $3m (more);
The Year in Brief

- Started a major review of the Supreme Court custody area security following the escape of nine prisoners and implemented some immediate improvements (more);
- Progressed the change management programs at Hakea and Bandyup prisons including changes to prisoners’ routine and the deployment of staff (more); and
- Reviewed and made more secure arrangements for juveniles receiving psychiatric assessment (more).

FUTURE DIRECTIONS

- Implement new reforms to fight juvenile crime in WA including establishing an intensive supervision program for serious repeat juvenile offenders, introducing curfews with the option of electronic monitoring, establishing community supervision agreements in remote and regional areas and developing community juvenile conferencing in regional areas, based on the successful juvenile justice teams concept;
- Further develop mental health care to ensure that care in prisons is maximised across the State;
- Implement the second stage of a Justice Drug Plan in prisons, including the continuation of pharmacotherapy program and the delivery of intensive drug therapy programs, deploying newly trained drug detection dogs and handlers to prisons, completing a saliva drug test trial for prisoners and introducing additional drug-free units in prisons;
- Continue to implement the recommendations of the Skinner Report regarding supervision of high-risk offenders in the community, including an independent Professional Practice Standards Unit and implementation of a risk management tool to assess the risk of recidivism and potential for harm;
- Establish a dedicated Centralised Breach Unit in Community and Juvenile Justice to increase the effectiveness of the breaching process for offenders being managed on court orders in the community;
- Roll out rehabilitative treatment options for adult offenders managed in the community in regional areas;
- Facilitate rehabilitative treatment programs for offenders managed in the community in the Kimberley, Pilbara and Goldfields regions, targeting sex abuse and violence, in response to Gordon Inquiry initiatives;
- Further implement a justice mediation reparative model to metropolitan and regional courts;
- Complete implementation of the electronic Community-Business Information System database for adult offenders;
- Implement recommendations of the Inquiry into the Supreme Court escape of 10 June 2004; and
- Assume responsibility for transporting juveniles within the metropolitan area to the Children’s Court and managing juveniles while at court.

PUBLIC ADVOCATE

The Office of the Public Advocate protects and promotes the rights, dignity and autonomy of adults who have a decision-making disability as a result of dementia, a psychiatric condition, mental illness or an acquired brain injury. These are the people in our community most vulnerable to the risk of neglect, exploitation and abuse. The Public Advocate is an independent statutory officer appointed under the Guardianship and Administration Act 1990.
The Year in Brief

KEY ACHIEVEMENTS

• Commissioned and received a report into the likely demand for investigation and guardianship services over the next five years (more);
• Implemented a major review of cases to determine whether a guardianship order was still required, which resulted in the Guardianship and Administration Board revoking a significant number of guardianship orders (more);
• Established the position of liaison officer located at the Guardianship and Administration Board to ensure appropriate referrals from the board and to streamline communication between the two agencies in preparation for the proposed State Administrative Tribunal (more);
• Published and widely distributed a brochure designed to better inform Aboriginal people and communities about the role of the Public Advocate and the guardianship and administration system (more);
• Implemented training programs specifically designed for service providers working with Aboriginal people (more);
• Secured funding under the Government’s Active Ageing Strategy to identify and develop responses to elder abuse within Aboriginal and culturally diverse communities (more);
• Improved delivery of community education programs to regional WA (more); and
• Established an improved telephone information service for people inquiring about Enduring Power of Attorney matters (more).

FUTURE DIRECTIONS

• Recruit volunteers as part of an innovative community guardianship program to provide less formal guardianship services to those in need;
• Expand guardianship services to meet growing demand. Two new guardians will be appointed in 2004/05;
• Review the Guardianship and Administration Act 1990 to ensure legislation is contemporary;
• Provide further opportunities for training to service providers and community organisations in regional WA;
• Implement local responses to elder abuse in culturally and linguistically diverse communities, including Aboriginal communities;
• Develop additional initiatives to meet the needs of Aboriginal people in the guardianship and administration system;
• Conduct a review of the information technology system to enhance existing systems and provide better case management; and
• Implement policies and procedures in conjunction with the proposed State Administrative Tribunal to improve quality of service.

PUBLIC TRUST OFFICE

The Public Trust Office provides trustee services for WA, delivering professional and independent trustee and asset management services.

KEY ACHIEVEMENTS

• Improved customer service with improved training for trust and estate managers consolidation of new business systems to enable more personal service (more);
• Achieved a satisfaction rate of 76% in the annual client survey (more);
The Year in Brief

- Introduced new complaint handling procedures (more);
- Started a project to revitalise up to 100 different client letters, making them easy to read and understand (more); and
- Conducted information sessions with key stakeholders to promote a better understanding of issues related to deceased estates and trusts managed by the office (more).

FUTURE DIRECTIONS

- Review statutory and management reporting requirements to improve and maximise reporting from the new web-enabled trust management system;
- Finalise a pilot project dealing with client complaints and introduce a new customer feedback policy to develop accountability and improve customer focus; and
- In consultation with stakeholders, develop draft legislation to implement a business framework to ensure the future viability of the Public Trustee and continued trustee services to all Western Australians.

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

- Handled increased demand of up to 16% for services, resulting in a $400,000 increase in revenue (more);
- Introduced tighter security measures to bring WA into line with national registry practice (more);
- Completed a feasibility study and business case on using computer databases to better preserve priceless historical documents (more);
- Expanded online services to courts in Armadale, Midland, Bunbury and Joondalup (more);
- Improved the electronic West Australian Registration System including recording the time of birth on certificates for the first time (more); and
- Produced specially designed certificates to mark the 175th anniversary of the founding of the Swan River Colony (more).

FUTURE DIRECTIONS

- Move ahead with the conversion of historic, paper-based records to electronic format to guarantee their preservation, enhance their usefulness and improve service delivery; and
- Implement E-Government services to provide improved levels of access and services.
CORPORATE SUPPORT AREAS

ABORIGINAL POLICY AND SERVICES

Aboriginal Policy and Services provides policy analysis and advice, as well as co-ordinating and community consultation for the Department. It also manages the Aboriginal Visitors Scheme and the Aboriginal Alternative Dispute Resolution Service.

KEY ACHIEVEMENTS

- Led the development of, and started implementation of, the Western Australian Aboriginal Justice Agreement (more);
- Supported Court Services, Prisons and Community and Juvenile Justice in developing and implementing strategic plans to enhance services to Aboriginal people (more);
- Contracted the Kimberley College of TAFE to deliver and support the Aboriginal Alternative Dispute Resolution Service’s training package to Aboriginal communities in Broome and the Dampier peninsular (more); and
- Strengthened its strategic role as an internal advocate and point of co-ordination for Aboriginal Policy and Services throughout the Department (more).

FUTURE DIRECTIONS

- Lead and co-ordinate the Western Australian Aboriginal Justice Agreement implementation plan, which involves developing State, regional and local justice plans;
- Co-ordinate the consultations with the magistracy, Government and community stakeholders in developing a discussion paper on Aboriginal courts;
- Continue to support Prisons, Court Services and Community and Juvenile Justice in developing and implementing their Aboriginal Service Plans;
- Contribute to the development and implementation of the Department’s Aboriginal Justice Program;
- Undertake research and provide policy advice on Aboriginal community capacity building and engagement initiatives;
- Work with and support the Department and other agencies to implement the Gordon Inquiry initiatives including place management and the roll-out of multi-functional policing facilities; and
- Promote a greater understanding of Aboriginal and Torres Strait Islander people and their culture by assisting the Department to raise the profile and relevance of the activities and achievements celebrated during NAIDOC Week.

CORPORATE SERVICES

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

The division 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 from this year, the Parliamentary Inspector of the Corruption and Crime Commission.

KEY ACHIEVEMENTS

- Led the Department’s participation in the functional review of corporate service delivery across Government (more);
- Upgraded the Department’s financial management system to enhance online processing (more);
The Year in Brief

- Started development of a new corporate business performance and financial planning system (more);
- Strengthened the Department’s corporate governance practices and guidelines (more);
- Reviewed the Department’s contract management framework (more);
- Implemented a compliance management system across the Department following a successful pilot in 2002/03 (more);
- Strategically reviewed the Department’s leased accommodation in the Perth central business district (more);
- Completed the fit-out of premises for the proposed State Administrative Tribunal (more);
- Renewed contracts for the supply of legal information resources in electronic as well as paper format (more);
- Registered a record keeping plan for the Department as required by the State Records Office (more);
- Reviewed the Department’s strategic directions and planning framework (more);
- Developed and implemented, as a joint initiative with the Department of Employment and Workplace Relations, an Aboriginal Traineeship Program. Some 21 Aboriginal staff have been recruited to date (more);
- Reviewed existing divisional codes of conduct and developed a Departmental-wide code of conduct that complies with the Public Sector Code of Ethics (more).

FUTURE DIRECTIONS

- Co-ordinate the Department’s transition to the whole-of-Government approach to corporate services delivery;
- Implement a new Department-wide complaints management system;
- Deploy the new strategic framework developed for the Department including redefined values and direction;
- Continue to develop the portal as the Department’s single entry point for e-services for staff, customers and the Department’s partners; and
- Pursue opportunities for operational efficiencies arising out of the strategic review of leased accommodation in the Perth CBD.

PUBLIC AFFAIRS

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

KEY ACHIEVEMENTS

- Prepared and/or implemented detailed communication strategies for some 25 major projects (more);
- Undertook stakeholder consultations on key justice initiatives and projects (more);
- Managed around 1,450 media inquiries and distributed around 70 media releases (more);
- Helped plan the opening of the Boronia Pre-release Centre for Women as well as co-ordinated development of Boronia’s community engagement and volunteer program to build mutually-beneficial links with the community (more); and
- Consolidated the Department’s internet site into a more secure portal, J-Net, so that business areas can develop their current and future e-commerce needs (more).
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FUTURE DIRECTIONS

- Transition the existing intranet for staff into the new J-Net portal environment, enabling better access to, and sharing of, corporate information. This will also involve a complete overhaul of the site’s navigation and structure; and
- Boost the delivery of online services with the appointment of additional staff to ensure J-Net content is up to date and easy to find, and that new online business initiatives are effectively delivered.

MINISTERIAL LIAISON UNIT

The Ministerial Liaison Unit manages correspondence between the Department and the offices of the Minister for Justice and the Attorney General. The unit ensures responses to ministerial enquiries are delivered in a timely and accurate manner. It is also responsible for tracking the progress of these responses.

KEY ACHIEVEMENTS

- Started phase two of the Ministerial Tracking System, speeding up response times and information management and enhancing accountability (more); and
- Developed and implemented a training strategy to skill staff in ministerial correspondence protocols, procedures and systems (more).

FUTURE DIRECTIONS

- Complete phase two of the ministerial tracking system to enable better document accountability; improved knowledge and information management and a fully electronic process for tracking and approval of correspondence.

INTERNAL AUDIT

Internal Audit provides advice and conducts comprehensive reviews that assist the maintenance of effective corporate governance within the Department. Services provided contribute towards the improvement of business practices throughout the organisation, including management accountability, compliance management and the effectiveness of internal control processes.

KEY ACHIEVEMENTS

- Undertook 31 audits including 10 in response to specific requests (more); and
- Performed the Community and Juvenile Justice high-risk offenders review which led to a revision of the Community Corrections Manual and appointment of a professional standards manager to perform ongoing quality reviews (more); and
- Achieved high ratings in the customer satisfaction survey (more).
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FUTURE DIRECTIONS

- Implement a new service contract to establish a co-sourcing (partnering) arrangement in the provision of the internal audit function; and
- Use portal technology to develop and implement a new progress reporting and monitoring system to assist in the follow up of audit recommendations.

FINANCIAL HIGHLIGHTS

The Department of Justice is primarily funded from the consolidated fund. Funding for operational activities, increased by $19.7m during 2003/04, which included an increase of $21.9m for the delivery of activities (outputs) and a reduction of $2.2m for capital contribution appropriations.

Special funding and payments during the year included cost supplements to fund the growth in the prison population ($5.4m) as well as fund expensive court cases represented by the Legal Aid Commission ($0.9m).

Spending on capital works projects included work on the Albany Justice Complex and Great Southern District Police Complex ($1.1m), construction of the Metropolitan Low Security Prison for Women ($10.0m), the proposed State Administrative Tribunal ($2.0m), planning work associated with the CBD Courts development ($3.7m), and continuing implementation of the electronic Integrated Courts Management System ($2.5m). The ICMS project is a single information technology system replacing 14 old systems.

Significant savings and structural adjustments included the strategy for reducing the rate and cost of imprisonment ($2.8m) and the 2% public prison system price reduction ($2.6m).

FINANCIAL RESOURCES OVERVIEW

The following graphs provide an overview of how the Department is funded and how resources are employed to achieve its outcomes.

Where does the money come from?

![Sources of Funding Graph]

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<thead>
<tr>
<th>Source</th>
<th>2001/02</th>
<th>2002/03</th>
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<tr>
<td>Govt Appropriations</td>
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<td>Other Govt Revenue</td>
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<td>User Charges and Fees</td>
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<td>Total</td>
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</table>
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What activities are the money spent on (gross operating costs)

What type of expenditure is the money spent on?
The Department of Justice operates from its head office at 141 St Georges Terrace in Perth, with service locations throughout the metropolitan area and throughout regional WA.
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**METROPOLITAN LOCATIONS**

![Map of Metropolitan Locations](image-url)
Note: The Department has an arrangement with the Yandeyarra community, who supervise juveniles on bail.
A more integrated approach to delivering services was achieved during the year – particularly in the regions. This involved close working relationships with State agencies including the WA Police Service and the Departments of Health, Housing, Education and Training, Indigenous Affairs and the Department for Community Development.
To meet the needs of the community and to address the very complex and often systemic issues involved in the justice system, the various business areas and divisions of the Department work in a highly co-ordinated way. In order to provide cohesive, efficient and effective services, they also frequently cooperate with other agencies with an interest in the delivery of justice services.

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The Department also works with the judiciary to make the justice system more effective and efficient, as it does with justice agencies in other jurisdictions and various Commonwealth Government agencies.

Open, two-way communication with the community is also critically important in delivering relevant and effective services. The Department is committed to close consultation with the community and establishes community advisory groups as required to ensure “grass roots” input to Departmental projects. Advisory groups are generally made up of local residents, local business people and representatives from agencies in the area that have an interest and bring a cross-section of community views.

Much of this work also contributed to the State Government’s Regional Development Policy (more).

PEOPLE AND COMMUNITIES

Department of Justice Advisory Council

The Justice Advisory Council was formed in 1998 and continues to play a valuable role in initiating policy direction, fostering a better understanding of justice matters and responding proactively to emerging issues. It is an important forum for dialogue with key stakeholders and offers community representatives an opportunity to voice concerns and observations, and contribute to the development of justice policy.

The external members this year included senior representatives from Outcare, the Crime Research Centre at UWA; the WA Police Service; Conference of Churches of WA; the Law Society of WA; Department for Community Development; Aboriginal Legal Service; local government and the ATSIC Noongar Country Regional Council.

The Council is chaired by the Department of Justice’s Director General who is joined by senior members of the Department’s executive.

Issues discussed during the year included support for prisoners re-entering the community, trends and initiatives concerning juvenile offenders, the management of high-risk offenders in the community, trends and initiatives for female offenders, the Boronia Pre-release Centre for Women, prisoner discipline review, the forensic mental health strategy, supervised work release half-way houses, bail hostels, Community Justice Services review and the Aboriginal Justice Agreement.

Boronia Pre-release Centre for Women

A community advisory group for the Boronia Pre-release Centre for Women was established in March 2002. The group is made up of local residents and business people who met monthly with Department of Justice staff to provide community input and feedback into the centre’s development and operations.

Community advisory group members can be contacted by members of the community to discuss issues, ideas and to present community views at the advisory group meetings.
The Boronia Pre-release Centre for Women Community Advisory Group played an important role in the design and construction of the facility, which opened in May 2004 and continues to have an important role in maintaining strong links within the local community.

Development also began on the centre’s community engagement and volunteer program. The program builds mutually-beneficial links with the community and local organisations and provides opportunities for direct participation by volunteers in prison activities.

It is the first program of its kind in WA and not only helps prisoners to rebuild their lives but contributes to the wellbeing of the neighbourhood and wider community.

Prisons
Aboriginal community advisory committees were established by all regional prisons during the year to advise on Aboriginal issues in prisons and two meetings of a metropolitan community advisory committee were also held.

Eight non-profit organisations were also appointed to work with prisoners throughout the State as they re-enter the community upon their release. The organisations have been contracted to provide practical support including links to accommodation and education and training.

Albany Justice Complex and Great Southern District Police Complex
The local member of Parliament and seven other local residents and business people represent the community at a reference group which first met in July 2002. In 2003/04, the group continued to meet in regular two-way communication forums designed to gather feedback and keep everyone informed on how the project is progressing.

Also represented on the committee is the City of Albany, the WA Police Service and the Department of Justice.

Women’s Reference Group
The Women’s Reference Group met six times during the year as a consultative body to support the Department’s philosophical and policy positions on women in justice.

The Department aims to encourage diverse input and this year, membership included representatives from Government departments and agencies such as the Office of Multicultural Interests and the Office for Women’s Policy. Other members came from organisations such as Kindred, Outcare and Soroptimists, and also included former prisoners.

Prisoner work camps/community work
Community consultative committees worked with the Department in relation to five prisoner work camps around the State. The committees are made up of local community members and relevant Government representatives such as environment officers from the Department of Conservation and Land Management. The committees help identify and prioritise the work program for the prisoners.

The Department also works with thousands of non-profit organisations and community groups that supervise offenders on community work projects as part of the Repay WA program. People from these groups often share their skills and technical knowledge with offenders on community-based orders. At any one time some 1,850 community work projects are underway in WA – including 450 metropolitan and 1,400 regional. The Department’s program of community, charitable and voluntary work from minimum-security prisons and work camps is worth almost $3m per year.
There are currently six work camps operating around the State at Wyndham, Derby, Millstream, Kellerberrin, Pardelup and Walpole. Through 2003/2004, an average of 71 prisoners were employed at these work camps, producing 70,000 hours – or $1m worth – of reparation work for their communities.

**Caversham Training and Enterprise Centre**

The Caversham Training and Enterprise Centre (CTEC) was officially opened in January 2004. This is a local community partnership with agencies including the Department of Indigenous Affairs/Aboriginal Lands Trust, Swan TAFE, the City of Swan and the Swan Alliance Inc and other community groups such as the Bassendean Youth Services CARTS and Employment Directions Network. It aims to re-engage unemployed, uneducated and untrained young people at risk of offending.

**Partnering in research**

The Department has close relationships with all WA universities and during 2003/04 research applications have been developed in the areas of sex offender and violent offender programs, women in custody, juveniles in detention and jurors’ understanding of evidence. Policies were also developed in April 2004 relating to the use of name-identified data and the use of research fellows in the Department.

In conjunction with the University of WA’s School of Population Health, the Department was awarded a Criminology Research Council grant for $70,000 to examine the links between mental and physical health and prison experiences. This is the first Australian study to integrate physical and mental health and offending and will be used to plan effective health services for prisoners in WA and other Australian states.

The Department will also collaborate with the Telethon Institute for Child Health Research on a $3m project investigating developmental pathways to health and education outcomes and links with juvenile delinquency over three years.

**Aboriginal justice**

In 2003/04 the Department continued to work closely with Aboriginal communities to help address the over-representation of Aboriginal people in the justice system. The Department has established and continued a number of successful partnerships, including:

- the Aboriginal Justice Agreement – a partnership framework signed on 31 March 2004 that will enable justice-related State Government agencies to work collaboratively and in partnership with Aboriginal people to ensure that they experience the same justice outcomes as other WA citizens. By 30 June 2004, a number of meetings with ATSIC regional councils had been held and contractors engaged to develop regional and local Aboriginal justice plans in partnership with the Mulga Mallee, Kullari and Western Desert ATSIC regional councils (more);
- establishing protocols between the Public Advocate and the Department of Indigenous Affairs and the Department for Community Development to gain a wider knowledge of the needs of Aboriginal communities;
- contracting the Kimberley College of TAFE to deliver and support the Aboriginal Alternative Dispute Resolution Training Package – Mediation and Conflict Resolution in Broome and five communities on the Dampier Peninsular. The training helps promote a positive pro-social environment that contributes to the overall wellbeing of individuals, families and the community; and
- introducing elders-speakers programs to eight prisons as part of a program of increasing involvement of Aboriginal communities in managing Aboriginal prisoners and their successful re-entry into the community. The program helps the prisoners to maintain links with their culture and their community.
WORKING IN COLLABORATION WITH GOVERNMENT

Cross-border justice initiative

The Department is leading WA’s co-operation with the WA Police Service and justice and police counterparts in South Australia and the Northern Territory to address the lack of services in their common-border central desert lands. Known as the cross-border justice initiative, WA, SA and NT are developing common services for the people of these lands. They include the Ngaanyatjarra in WA, the Anangu Pitjantjatjara Yankunytjatjara in SA and the people of the central-east and south in the NT.

In August 2003, six justice and police teams from the two states and territory were formed to address priority areas for cooperation. During the year, the team completed a legislative review and identified changes to the Commonwealth Service and Execution of Process Act to support service sharing, which has been endorsed by the Commonwealth and State Attorneys General and Solicitors General. Legislative changes to enable policing, courts, community justice and prison services to more easily share services across borders are a priority in the year ahead. A full demographic study of the people in the lands and their justice issues has been completed. A report on the findings and recommendations of the teams was being finalised at year end.

Standard guidelines for corrections

The Department has played a key role in leading a national working party to revise the Standard Guidelines for Corrections in Australia. The amendments to the Revised Standard Guidelines, which will improve consistency across jurisdictions, will be submitted to the Corrective Service Administrators’ Conference for final endorsement in the year ahead.

Working with female offenders

The 4th National Corrective Services Administrators’ Forum: Working with Female Offenders was hosted by the Department in September 2003 and attended by 89 people from Australia and New Zealand. This was the first national women’s conference for corrections that successfully attracted a high proportion of Aboriginal and Torres Strait Islander women and that was open to the women from the community.

The forum’s focus was working in partnership to improve services, and profiled successful examples of partnerships with Aboriginal communities and women.

Key recommendations from the forum, including 10 principles to ensure gender-specific and culturally sensitive practices, were endorsed by the 2004 Corrective Services Ministers’ Conference in June 2004.

Reducing repeat offending

The Department of Justice continues to work with the departments of Housing, Education and Training, Health and the Drug and Alcohol Office to reduce re-offending by focusing on mental and physical health, drug and alcohol use, education and skills and accommodation issues. Key initiatives this year include the introduction of a comprehensive opiate substitution program at all prisons, the development of the prisoner traineeship program and the employment of six Aboriginal education workers.
Gordon Inquiry

As part of the whole-of-Government response to the Gordon Inquiry, the Department has this year focused on child witness and victim support and putting additional resources into regional and remote communities. Initiatives included:

- extending child witness and victim support services to children in the Eastern Goldfields, Pilbara and Kimberley and hours were also extended in Bunbury;
- appointing an Aboriginal Services Officer in January 2004 and starting a Statewide consultation and training program. The officer travelled extensively, providing cross-cultural support to victim support and child witness regional contractors enabling them to make better connections with local Aboriginal communities;
- appointing four program officers between January and March to deliver perpetrator programs to adult and juvenile offenders in remote Aboriginal communities. Another two officers were appointed in June 2004 to specifically work with remote Aboriginal community councils to manage offenders on community-based orders. Another will start in July 2004;
- appointing an additional magistrate in the Goldfields to help with the workload and expedite the Gordon Inquiry recommendations – particularly as they relate to the Warburton community;
- working with the WA Police Service in planning multi-functional policing facilities for communities at Warburton, Balgo, Kalumburu, Warakurn and Warmun, Bidyadanga, Dampier Peninsula and Jigalong; and
- adopting protocols established by the Public Advocate with the Department of Indigenous Affairs and Department for Community Development to gain wider knowledge of the needs of Aboriginal communities throughout the State.

Intellectual impairment

The Department worked with the Disability Services Commission to develop an Intellectually Disability Diversion Program. The pilot program, which has been running at the Central Law Courts since August 2003, aims to divert people with an intellectual disability into services more appropriate than the justice system. The program received 60 referrals in 2003/04.

The Department also worked closely with the Department for Community Development and the Disability Services Commission to develop intensive, tailored interventions for a 14-year-old intellectually impaired boy who was placed in custody in August 2003. By year end, the boy had turned 15 and his vocational and cognitive skills were vastly improved.

Improving human services

The Human Services Directors General Group was formed in October 2003 and is chaired by the Department of Justice’s Director General. This senior government forum works collaboratively to implement and monitor whole-of-government social policy initiatives and provides expert advice to the Cabinet Standing Committee on Social Policy. Achievements for the year include a more co-ordinated approach to improvements in services to Aboriginal people, the rolling out of the Department for Community Development’s Strong Families program and more simplified arrangements for interaction with the regions.
Standing Committee of Attorneys General (SCAG)
The Department provides support to SCAG – a committee comprised of the Attorneys General of all States and Territories and the Commonwealth which met three times during the year to deal with legal matters that have implications across jurisdictions and co-ordinate national approaches to dealing with justice-related matters. Issues during the year included defamation laws, the Child Protection Offender Register and legal profession model laws.

Corrective Services Ministers Council
The Department supports the work of the Corrective Services Administrators Conference and the Corrective Services Ministers Council. Meeting annually, the conference and Council provide a forum to deal with matters of national and international significance for corrections. Key issues in 2003/04 included concerns with security, custody of terrorists and international prisoner transfer.

Offender Health Council
The Offender Health Council, made up of directors general from the Departments of Justice and Health, met twice during the year and endorsed the transfer of Wooroloo Prison’s Health Centre from the Department of Health to the Department of Justice. It also endorsed the Mental Health Task Force Report for cabinet submission and endorsed the creation of an Aboriginal Offender Health Working Party.

The Offender Health Joint Executive, made up of high-level staff from the same departments, supports the Council and met four times during the year.

Research advice
The Department also plays a significant role in providing comment and advice on research being progressed by other State agencies. It makes a contribution to a whole-of-Government approach to justice-related research by contributing to the Social Policy Research Reference Group, the Crime Prevention Research and Development Group, the Data Management Exchange and Advisory Group, the Social Statistics Consultative Group, the Burglary Research Reference Committee, the ABS User Advisory Group – State supplementary survey, and the Domestic Violence Prevalence Reference Group.

The Department also worked with the Department of Treasury and Finance on the Government funding submission that contributed to additional Commonwealth funding for the State Government. The Commonwealth Grants Commission recommended that WA’s share of national GST revenue be increased by $231m.

Advocacy services
The Office of the Public Advocate established protocols with the Department of Indigenous Affairs, the Department for Community Development and the Disability Services Commission to gain wider knowledge of the needs of Aboriginal communities.

Services to Aboriginal and culturally diverse communities
As part of its commitment to a more integrated, whole-of-Government approach to people with complex needs, the Public Advocate established protocols with the Department of Indigenous Affairs, the Department for Community Development and the Disability Services Commission to gain wider knowledge of the needs of Aboriginal communities throughout the State.
Domestic violence
Domestic Violence Advocacy Support Central (DVAS Central) was established in September 2003 to provide a “one-stop-shop” for victims of domestic violence – reducing their anxiety, distress and confusion. DVAS Central is a collaboration between government, non-government and community organisations and is linked to the Central Law Courts for direct referrals straight from the court. Victim support service volunteers are on hand to provide information and support about court processes and restraining orders.

Fire safety in prisons
The Department continues to work with the Fire and Emergency Services Authority of WA to address issues of the inadequacy of fire equipment and training in prisons. In response to issues raised by the Inspector of Custodial Services, comprehensive reviews of fire and related emergency resources, procedures in all State prisons and detention centres were undertaken during the year. The Department will work more closely with FESA in the year ahead to improve safety.
The Department of Justice provides important services to the community and is committed to an open, transparent style of management.
AN OPEN AND TRANSPARENT DEPARTMENT

The Department of Justice provides important services to the community and is committed to an open, transparent style of management.

As well as engaging the community and other stakeholders in decision-making, the Department seeks to provide as much information as possible on individual initiatives through its website, the media and myriad other communications methods.

The Department’s work is also subject to a high level of formal scrutiny from external agencies and, in addition, it has a series of internal checks and balances in place to ensure compliance with Government legislation and standards.

Corporate governance review

During the year, the Department of Justice started significant work to review and, where necessary, strengthen corporate governance practices and guidelines.

A joint project initiated in February 2004 by the Department’s Internal Audit and Financial Reform areas, included:

- reviewing the Department’s current governance arrangements and their comparison against contemporary practice in this area (including reference to Standards Australia, the Australian National Audit Office and the Australian Stock Exchange); and
- identifying gaps and opportunities for improvement; and instigating the action necessary to fill the gaps and develop an effective, integrated, and sustainable corporate governance framework.

Work will continue in the year ahead to address a number of priority focus areas identified by the review including resource management (particularly contract and asset management), executive committee structures and operations and internal reporting requirements and mechanisms.

Internal Audit

Comprehensive reviews by the Department’s Internal Audit branch helped maintain effective corporate governance within the Department. Services provided contributed towards improved business practices within the organisation, including management accountability, compliance management and effectiveness of internal control processes (more).

Public interest disclosure

In compliance with the Public Interest Disclosure Act 2003, the Department appointed a Public Interest Disclosure officer to deal with all Department-related public interest disclosure enquiries and has developed and implemented a system and procedures for handling claims.

A designated, confidential telephone line was established and detailed information, including lodgment forms, was published on the Department of Justice internet and intranet sites. Briefing sessions were also held and an information booklet distributed to Community Justice Services offices, prisons, courts and other public areas around the State. Systems were also implemented to ensure prisoners and detainees were informed about, and easily able to make, public interest disclosures.

No public interest disclosures were lodged with the Department of Justice in 2003/04.
Prisoner grievance process

The prisoner grievance process focuses on mediation, restoration and negotiation rather than arbitration and adjudication. Grievances increased marginally from 533 in 2002/03 to 548 in 2003/04 – most relating to health (119) and property (102). The prisoner grievance review panel adjudicated grievances that could not be resolved at prison level. The prisoner grievance process is still being refined after two years of operation and has not been optimised as a prisoner management tool.

Ombudsman’s Office

There were 572 prisoner allegations to the Ombudsman’s Office in 2003/04. Allegations to the Ombudsman are expected to fall in future as a result of the availability of the internal prisoner grievance process.

Internal Investigations Unit

The Internal Investigations Unit conducts investigations, primarily in relation to incidents occurring in Community and Juvenile Justice and Prisons, and in other cases as directed by the Director General. It also provides services to AIMS Corporation in relation to Acacia Prison and Court Security and Custodial Services, where the issues concern the management of prisoners. The unit may work with the Corruption and Crime Commission and WA Police Service in a support and liaison role during joint operations.

In 2003/04, 178 investigations were initiated, of which 131 were completed. The number of investigations was markedly lower than the previous year, though this is largely due to the high number of email-related matters that were systematically addressed and did not require intensive investigation.
Internal Investigations

NB: The total number of investigations for 2003/04 reflect the flow-on of cases from previous and/or subsequent years.

<table>
<thead>
<tr>
<th>Complaint</th>
<th>1/07/01-30/06/02 Substantiated</th>
<th>1/07/02-30/06/03 Substantiated</th>
<th>1/07/03-30/06/04 Substantiated</th>
<th>Completed 03/04</th>
<th>Outstanding (at 30 June 04)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Assault</td>
<td>52 3</td>
<td>33 4</td>
<td>34 1</td>
<td>37</td>
<td>6</td>
</tr>
<tr>
<td>Conflict of Interest</td>
<td>5 2</td>
<td>5 2</td>
<td>0 0</td>
<td>4</td>
<td>0</td>
</tr>
<tr>
<td>Critical Incident Review(^{1})</td>
<td>1 0</td>
<td>3 0</td>
<td>16 N/A</td>
<td>13</td>
<td>2</td>
</tr>
<tr>
<td>Death In Custody</td>
<td>10 0</td>
<td>8 0</td>
<td>7 N/A</td>
<td>10</td>
<td>2</td>
</tr>
<tr>
<td>Escape Lawful Custody</td>
<td>4 1</td>
<td>3 3</td>
<td>12 5</td>
<td>10</td>
<td>1</td>
</tr>
<tr>
<td>Fraud</td>
<td>1 0</td>
<td>3 1</td>
<td>1 0</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Improper Association</td>
<td>16 8</td>
<td>19 10</td>
<td>10 3</td>
<td>19</td>
<td>1</td>
</tr>
<tr>
<td>Inappropriate Management of a prisoner</td>
<td>9 4</td>
<td>4 1</td>
<td>3 2</td>
<td>4</td>
<td>0</td>
</tr>
<tr>
<td>Management Review</td>
<td>0 0</td>
<td>1 N/A</td>
<td>2 N/A</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Risk Assessment</td>
<td>0 0</td>
<td>1 N/A</td>
<td>2 N/A</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Serious Misconduct(^{2})</td>
<td>53 32</td>
<td>165(^{1}) 40</td>
<td>64 29</td>
<td>54</td>
<td>17</td>
</tr>
<tr>
<td>Sexual Assault</td>
<td>1 0</td>
<td>3 0</td>
<td>2 0</td>
<td>3</td>
<td>0</td>
</tr>
<tr>
<td>Sexual Harassment</td>
<td>1 0</td>
<td>1 0</td>
<td>1 0</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td>Sexual Misconduct</td>
<td>1 0</td>
<td>1 0</td>
<td>1 0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Stealing</td>
<td>10 2</td>
<td>8 1</td>
<td>8 2</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>Threatening Behaviour</td>
<td>8 3</td>
<td>10 4</td>
<td>9 2</td>
<td>9</td>
<td>2</td>
</tr>
<tr>
<td>Trafficking – Contraband</td>
<td>10 5</td>
<td>12 7</td>
<td>4 1</td>
<td>4</td>
<td>0</td>
</tr>
<tr>
<td>Unapproved Section 94 Act</td>
<td>0 0</td>
<td>1 1</td>
<td>1 1</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Unauthorised Use of Medications</td>
<td>2 1</td>
<td>4 2</td>
<td>0 0</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td>Unlawful Release</td>
<td>2 1</td>
<td>5 5</td>
<td>1 0</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Inappropriate Use of Force</td>
<td>4 0</td>
<td>1 0</td>
<td>1 0</td>
<td>2</td>
<td>0</td>
</tr>
<tr>
<td><strong>TOTAL COMPLAINTS</strong></td>
<td><strong>188</strong></td>
<td><strong>287</strong></td>
<td><strong>178</strong></td>
<td><strong>187</strong></td>
<td><strong>35</strong></td>
</tr>
</tbody>
</table>

1. Critical Incident Reviews include Assault, Attempted Suicide, Fire, Sexual Assault, Attempted Escape and Unlawful Detention.
3. 104 of these were email matters regarding a Breach of DoJ Computer Facilities Policy that were systematically addressed and did not require intensive investigation.
The increase in the number of critical incident reviews reflects, in part, the growing role of the unit in investigating these matters. The Department’s own inquiries provide it with a detailed record of the incident and other relevant factors which may be called upon in any future legal action and also allows the Department to take immediate corrective or preventative action, if appropriate.

Of the cases investigated, 57 were referred to the Department’s Labour Relations branch for further inquiry and action. Of those, 40 were from Prisons, including 32 prison officers, 16 were from Community and Juvenile Justice and one was from Corporate Services. Of those employees, eight were disciplined, no further action was taken against 15 and another 18 cases were ongoing at 30 June. Twelve employees who were under investigation resigned during the year (no further internal disciplinary action was taken) and four employees were formally counselled.

Internal Investigations also provided awareness training to prison officer recruits and existing prisons staff and AIMS Corporation staff on the various matters that were the subject of investigations. Critical incident debriefing for staff was introduced to provide staff feedback from investigations. Advice is provided to managers and directors regarding the referral of matters to the unit for investigation and review. Where appropriate, matters are referred to the business area to be dealt with as a management issue and complaints that are assessed as allegations of serious misconduct are dealt with by the unit.

**Corruption and Crime Commission**

Since its inception in January 2004 the Corruption and Crime Commission of WA requires the Chief Executive Officer to report all conduct where it is reasonably suspected to constitute misconduct or corrupt behaviour as defined by section 28 of the Corruption and Crime Commission Act 2003. Internal Investigations reported 49 matters in accordance with Section 28 of the Act up to 30 June 2004. In response to direct complaints it had received, the Commission had also referred a further three matters to Internal Investigations in accordance with Section 33 of the Act.

**Other investigations**

The Department’s Labour Relations branch was referred five cases from Court Services and one from the Public Trust Office during the year, for further investigation and action as required. Of those cases, three were ongoing at year end, two employees resigned and one required no further action.

**Complaints**

The Department identified the need for a Departmental-wide complaints management system in September 2003 and, by year end, had developed a new system that will be implemented in 2004/05.

The new system will be capable of tracking and monitoring feedback and/or complaints from current and potential clients of the Department across all business areas and will reflect the whole-of-Government complaints management strategy.

Ultimately, it will drive business improvement and contribute to a more holistic approach to customer service across business areas.

In 2003/04, feedback to the Department was received via the internet and in a variety of ways by the different divisions and by the Office of the Public Advocate and Public Trust Office. The quality of data and information recorded varied but will improve significantly with the introduction of the new complaints management system in the year ahead.
Corporate Governance

For example:

- Prisons: As well as the 533 complaints handled through the prisoner grievance process, a small team of research and correspondence officers responded to complaints received via the Ministers’ Office, the Ombudsman, Equal Opportunity Commission, Office of Health Review, and directly from prisoners and the public;

- Juvenile Custodial Services: At Banksia Hill Detention Centre, group workers dealt with numerous minor complaints from detainees about lost property, food, compulsory school attendance and so on. Where appropriate, Aboriginal welfare officers, teaching staff, nurses and psychologists also participated in ongoing problem solving. More serious complaints, including bullying or peer conflict, were dealt with by the unit manager or shift manager. There were no complaints from visitors.

- Court Services: Received 40 complaints via the Department’s internet. Some 17 were about issues including court facilities, poor customer service, poor information on the website, how a warrant was served and the serving of a violence restraining order. Another 14 related to the Fines Enforcement Registry and included issues with the internet, seven related to the Family Court and two to the Victim Support Service. Most complaints were dealt with by way of personal contact or correspondence within a couple of days, although more complicated matters took up to a week or more.

- Registry of Births, Deaths and Marriages received seven complaints including two about the operation of the switchboard and others about slow processing, a Registry wedding, and a certificate damaged in the post. All were resolved within two days, with a process involving listening and/or acknowledging the complaint, investigating the circumstances and returning to the customer with the results and an apology, if appropriate.

- Aboriginal Policy and Services received three complaints, all of which were investigated. One complaint was not substantiated, one was dealt with through mediation and one matter was referred to the Department’s Internal Investigations unit.

The Public Trust Office received complaints via the Minister’s Office, the Ombudsman and directly from members of the community. It trialled a new client feedback policy during the year which had six stages of review and involved providing a complaint form to clients so complaints were made in writing. There were around 25 complaints to the section of the office running the pilot. The new complaint procedures will be implemented in 2004/05.

The Office of the Public Advocate undertook to respond to all grievances within 14 days and communicated the outcome in writing, together with any corrective action taken, to all parties. In 2003/04, two complaints were lodged with the State Ombudsman and, at year end, investigations had not concluded.

Office of the Inspector of Custodial Services

The Office of the Inspector of Custodial Services has completed his third year of operations, including inspections of three public prisons (Roebourne, Broome and Karnet), Rangeview Juvenile Detention Centre, thematic reviews on cognitive skills and deaths in custody at Hakea Prison and contract custodial services of seven regional court custody centres, including the Supreme Court custody centre. Since its inception, the Office of the Inspector of Custodial Services has tabled 22 reports in Parliament.

The Office of the Inspector of Custodial Services evaluates whether the services provided to prisoners meet accepted prison standards and best practice as well as provide a safe environment.
The Department maintains an action plan in relation to each inspection which outlines the recommendations made by the Inspector, the Department’s response to those recommendations and the status towards implementation. The management of this process was being reviewed by Internal Audit at 30 June 2004.

Although there is no obligation on the Department to accept or implement any of the Inspector’s recommendations, it has accepted 266 of the 312 total recommendations made over the past three years and has implemented or is implementing 89% or 236 of the recommendations.

Some of the Inspector’s recommendations require longer-term planning and have significant policy and budget implications. At year end, there were some 80 outstanding recommendations. An estimated amount of in excess of $80m will be required to address these recommendations, the bulk of which is to rectify infrastructure deficiencies. The Department will start to integrate the core of these recommendations into assessment, policy and budget processes in the year ahead.

They include reassessing the design of prisoner transport vehicles; establishing separate facilities for overnight stays with children at Bandyup Women's Prison, reforming the Eastern Goldfields Regional Prison ahead of its replacement, upgrading farming areas and equipment at Karnet Prison Farm and replacing one of its accommodation units.

During 2003/04, inspections were conducted of non-metropolitan court custody centres (June/July 2003); Roebourne Regional Prison (November 2003); Karnet Prison Farm (April 2004); Broome Regional Prison (May 2004) and Rangeview Juvenile Detention Centre – the first inspection of a juvenile facility (June 2004).

Reports relating to regional prisons at Bunbury (August 2003); Albany (October 2003); and Greenough (May 2004); and to the Wooroloo Prison Farm (September 2003) were tabled in Parliament during the year and were largely favourable. Most recommendations have been or are being implemented at year end. The Inspector praised many aspects of the prisons and the professionalism of Department employees.

The Department has also addressed, or is addressing, most key recommendations of less favourable reports tabled in Parliament relating to non-metropolitan court custody centres (tabled March 2004) and Deaths at Hakea Prison (April 2004).

Many of the Department’s initiatives and responses to issues raised by the Inspector are included in the Prisons section of this report (more).

A report tabled in Parliament in November 2003 relating to the State’s privately operated Acacia Prison acknowledged improvements but was critical of both the contractor’s service delivery, particularly in relation to program delivery and services to Aboriginal people, and the management of the contract. All areas were being addressed at year end and more information is provided in the Prisons section of this report (more) and in more detail in a separate annual report to Parliament made in accordance with the Prisons Act 1981.

COMPLIANCE REPORTS

ENABLING LEGISLATION

The Department of Justice was established on 1 July 1993 in accordance with the Acts Amendment (Ministry of Justice) Act 1993. Other enabling legislation for statutory offices of the Department include Part 1 – Public Trustee Act 1941, Part 11 of the Births, Deaths and Marriages Registrations Act 1998 and the Guardianship and Administration Act 1990.

The Department is a public organisation, responsible to both the Minister for Justice and the Attorney General, for the provision of a wide range of justice services throughout the State.
COMPLIANCE WITH LEGISLATION

The Department of Justice administers and complies with a broad range of legislation. The complete list of legislation is included as an appendix to this report.

COMPLIANCE WITH PUBLIC SECTOR STANDARDS

Policies, guidelines and other relevant documents and procedures supporting the Department’s compliance with the Public Sector Standards, under the Public Sector Management Act 1994 S31 (1), have been developed and are available on the Department’s intranet. They are communicated to staff and, while all staff are required to comply with the Standards and Code of Ethics, the Director General has ultimate responsibility.

Monitoring and assessing extent of compliance with Public Sector Standards

The Department implements a number of strategies to monitor and assess its compliance with the Public Sector Standards in Human Resource Management:

- an external auditor (human resource consultant) audits all recruitment processes that are subject to the Recruitment, Selection and Appointment Standard;
- internal human resources staff audit all recruitment processes that are subject to the Temporary Deployment (Acting), Secondment and Transfer Standards;
- issues raised by claimants are examined and, where relevant, corrective procedures are developed and implemented; and
- a record is maintained of the number of claims received and at which stage of the claims management process they are resolved.

Extent of compliance with the nine Public Sector Standards

Recruitment, Selection and Appointment Standard

The Department advertised 380 permanent and fixed-term vacancies of more than six months covered by the Recruitment, Selection and Appointment Standard. This included 13 appointment pools.

The Department maintained an excellent record in minimising the number of breaches found against the Recruitment, Selection and Appointment Standard. Thirteen recruitment actions (3%) attracted breach claims during the year. Three actions had multiple claims - one with two claims, one with five claims and the remainder with seven. The total number of claims was therefore 24. None of the claims was upheld.

Of the 24 claims lodged with the Department during the financial year, eleven (or 46%) were withdrawn or resolved during the internal resolution stage and were therefore not referred for review. Of the 12 claims forwarded to the OPSSC, no breach claims were upheld.

Other Standards

The Department received one claim against the Temporary Deployment (Acting) Standard which was pending at the end of the financial year. One claim was lodged against the Redeployment Standard which was investigated and it was determined there was no breach. There were no claims lodged or breaches against the Secondment, Transfer, Performance Management, Grievance Resolution or Termination Standards.

In March 2004, the Commissioner for Public Sector Standards appointed an inquirer, under the provisions of Section 24 of the Public Sector Management Act 1994, to undertake a follow-up assessment of action the Department had taken in relation to the recommendation in the Commissioner’s annual compliance report 2000/01 concerning disciplinary procedures and policy review guidelines. As at 30 June 2004, this inquiry was not finalised.
Summary of Breach of Standard Claims

(a) Total claims
(includes all claims lodged whether resolved internally or referred to OPSSC)

<table>
<thead>
<tr>
<th>Claims lodged 2003/04</th>
<th>Recruitment &amp; Appointments</th>
<th>Transfer</th>
<th>Secondment</th>
<th>Performance Management</th>
<th>Redeployment</th>
<th>Termination</th>
<th>Temporary Deployment (Acting)</th>
<th>Grievance Resolution</th>
<th>All</th>
</tr>
</thead>
<tbody>
<tr>
<td>24</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>25</td>
</tr>
<tr>
<td>Claims carried over from previous financial year</td>
<td>1</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>3</td>
<td>4</td>
<td>7</td>
</tr>
<tr>
<td>Total claims handled in 2003/04</td>
<td>25</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>1</td>
<td>3</td>
<td>4</td>
<td>30</td>
</tr>
</tbody>
</table>

(b) Outcome of claims handled

<table>
<thead>
<tr>
<th></th>
<th>Recruitment &amp; Appointments</th>
<th>Transfer</th>
<th>Secondment</th>
<th>Performance Management</th>
<th>Redeployment</th>
<th>Termination</th>
<th>Temporary Deployment (Acting)</th>
<th>Grievance Resolution</th>
<th>All</th>
</tr>
</thead>
<tbody>
<tr>
<td>Withdrawn in agency</td>
<td>8</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
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<td>Resolved in agency</td>
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<td>0</td>
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<td>0</td>
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<td>Still pending in agency</td>
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<td>Referred to OPSSC</td>
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<td>0</td>
<td>0</td>
<td>3</td>
<td>15</td>
<td>15</td>
</tr>
<tr>
<td>Total claims handled in 2003/04</td>
<td>25</td>
<td>0</td>
<td>0</td>
<td>1</td>
<td>0</td>
<td>1</td>
<td>3</td>
<td>4</td>
<td>30</td>
</tr>
</tbody>
</table>

Note: There were no breach claims upheld.

Monitoring and assessing extent of compliance with Public Sector Code of Ethics

The Public Sector Code of Ethics can be accessed by all staff through a number of mediums, including but not limited to, the intranet, notice boards and references in relevant policies and procedures.

In 2004, the Department of Justice in consultation with staff and the Office of the Public Sector Standards Commissioner, reviewed its existing divisional codes of conduct and developed a single departmental code of conduct that complies with the Public Sector Code of Ethics. This new code is in the process of being implemented.

ALAN PIPER
DIRECTOR GENERAL
DEPARTMENT OF JUSTICE
31 August 2004
FREEDOM OF INFORMATION

A total of 338 applications were received for the year, including two relating to the State Solicitor’s Office. This represents a 25% increase over 2002/03 and a 48% increase over 2001/02. Some 327 applications were finalised during the same period.

Of the nine internal reviews completed, all decisions were confirmed. Two new external reviews were lodged with the Information Commissioner. Three external reviews were finalised during the period. All decisions were upheld.

<table>
<thead>
<tr>
<th></th>
<th>2001/02</th>
<th>2002/03</th>
<th>2003/04</th>
</tr>
</thead>
<tbody>
<tr>
<td>Personal Information Requests</td>
<td>189</td>
<td>235</td>
<td>305</td>
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<tr>
<td>Non-personal information requests</td>
<td>22</td>
<td>15</td>
<td>17</td>
</tr>
<tr>
<td>Amendment for personal information</td>
<td>2</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Applications transferred in full</td>
<td>16</td>
<td>19</td>
<td>15</td>
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<tr>
<td><strong>Total applications received</strong></td>
<td><strong>229</strong></td>
<td><strong>270</strong></td>
<td><strong>338</strong></td>
</tr>
<tr>
<td>Applications completed*</td>
<td>237</td>
<td>273</td>
<td>327</td>
</tr>
<tr>
<td>Internal reviews completed</td>
<td>8</td>
<td>5</td>
<td>9</td>
</tr>
<tr>
<td>External reviews completed</td>
<td>4</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>Applications outstanding</td>
<td>11</td>
<td>5</td>
<td>15</td>
</tr>
</tbody>
</table>


INFORMATION STATEMENT

The Freedom of Information Act 1992 requires the Department to publish an information statement.

The Department’s information statement is published separately in the form of the Department of Justice Handbook. The handbook is published annually and is also available online at www.justice.wa.gov.au.

Other corporate governance reports

The Department reports on a range of other matters, which are contained in this report following the Report on Operations. These include:

- disability services plan (more);
- equal opportunity and diversity (more);
- cultural diversity and language services (more);
- young people (more);
- regional development policy (more); and
- environmental programs, including sustainability (more).
The Department of Justice, with its broad range of work, attracts a diverse range of employees seeking challenging and varied career opportunities.
The Department of Justice, with its broad and varied range of work, attracts a diverse range of employees seeking challenging and varied career opportunities.

Maintaining a safe, flexible and rewarding work environment continued to be a challenging task for the Department in 2003/04. In addition, the Department has worked to ensure a consistent approach to the application of employment conditions and the effective resolution of workplace issues at local level.

**Volunteers**

Volunteers play an extremely important – and growing – role in the Department of Justice’s service delivery. In 2003/04, around 4,000 volunteer workers were involved in providing support to victims of crime and people appearing in court, delivering educational programs in prisons, supervising offenders on community work and as justices of the peace.

The Department also works in co-operation with volunteer-staffed services co-ordinated by other agencies such as the Parent Drug Information Service (co-ordinated by the Drug and Alcohol Office). Its volunteers explain the court process to young people and their families and give non-judgemental support in court if required.

The Department pays tribute to the invaluable contribution of volunteers who donate their time, skills, knowledge – and often their wisdom, empathy and compassion.

**Volunteers policy**

The new Policy and Guidelines for the Engagement and Management of Volunteers was launched in May 2004 and covers issues specific to recruiting and managing volunteers throughout the Department. It was developed in line with the State Government’s ‘Shared Vision’ for volunteers, which recognises and promotes the valuable contributions made by volunteers across the State.

There were a number of improvements in volunteer services during the year, as well as planning for future initiatives. Examples include:

- establishing a new Departmental committee in October 2003 to better organise and co-ordinate around 4,000 volunteers;
- appointing a volunteer co-ordinator at the Boronia Pre-release Centre for Women, recognising the important role that volunteers play in the successful re-entry of women to the community. The co-ordinator will start in August 2004. The centre has also established links with organisations such as Curtin Volunteers to facilitate joint programs in the future;
- the Victim Support Service’s volunteer group is comprised of retirees, university students, part-time workers and professional people not currently in the work force. These volunteers are now providing important support services at the Joondalup Family Violence Court, Fremantle Court and the Child Witness Service. A Supreme Court team will be extended in the year ahead; and
- the Office of the Public Advocate securing funding for a Community Guardianship Program, which will recruit and train suitable community members to act as guardians for people with decision-making disabilities. The aim of the program is to provide an opportunity for community involvement in supporting and protecting people who are vulnerable, to use local knowledge to benefit the individual (especially in rural and remote areas), and to provide a more personal level of involvement than can be provided by professional guardians.
“The court procedure and language is often difficult for those in distress and, as volunteers, you provide an invaluable service. You also provide an important service to keep other agencies aware of the needs of victims and their families. But above all else, you are a true friend to these people.”

Minister for Justice, Michelle Roberts (awarding the 2004 Bert Harris Award and launching the new volunteers policy)

Bert Harris Award

One of the Victim Support Service’s longest serving volunteers was awarded the Bert Harris Award in May 2004. Albany volunteer, Jean Bampfield, started working for the VSS 10 years ago offering court companionship, dedication and friendship to all the victims who have needed her support. It is the first time the award has been presented to a regional recipient.

Jean was the fourth recipient of the Bert Harris Award, inaugurated in 2000 to keep alive the memory of former Victim Support Service volunteer, Bert Harris, who died in 1999.
EMPLOYEE PROFILE

The table following provides a profile of the Department’s employees at 30 June 2004.

Employee profile (head count)

<table>
<thead>
<tr>
<th>Employees by Award / Occupational Grouping</th>
<th>*2002/03</th>
<th>12003/04</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>F  M  TOTAL</td>
<td>F  M  TOTAL</td>
</tr>
<tr>
<td>Aboriginal Visitors Scheme</td>
<td>23 16 39</td>
<td>20 14 34</td>
</tr>
<tr>
<td>Catering Employees &amp; Tea Attendats</td>
<td>4 0 4</td>
<td>6 0 6</td>
</tr>
<tr>
<td>Child Care Workers</td>
<td>2 0 2</td>
<td>1 0 1</td>
</tr>
<tr>
<td>Cleaners &amp; Caretakers</td>
<td>36 5 41</td>
<td>15 5 20</td>
</tr>
<tr>
<td>Government Officers</td>
<td>42 65 107</td>
<td>45 71 116</td>
</tr>
<tr>
<td>Government School Teachers</td>
<td>10 12 22</td>
<td>15 9 24</td>
</tr>
<tr>
<td>Group Workers</td>
<td>46 113 159</td>
<td>50 121 171</td>
</tr>
<tr>
<td>Miscellaneous Workers (Juvenile Detention Centres)</td>
<td>8 5 13</td>
<td>8 4 12</td>
</tr>
<tr>
<td>Medical Officers</td>
<td>0 1 1</td>
<td>0 1 1</td>
</tr>
<tr>
<td>Nurses</td>
<td>73 15 88</td>
<td>99 18 117</td>
</tr>
<tr>
<td>Prison Officers</td>
<td>177 1,055 1,232</td>
<td>201 1,030 1,231</td>
</tr>
<tr>
<td>Public Service Employees</td>
<td>1,502 945 2,447</td>
<td>1,555 936 2,491</td>
</tr>
<tr>
<td>Salaries &amp; Allowances Tribunal</td>
<td>3 13 16</td>
<td>3 13 16</td>
</tr>
<tr>
<td>TOTAL</td>
<td>1,926 2,245 4,171</td>
<td>2,018 2,222 4,240</td>
</tr>
</tbody>
</table>

* Excludes 117 casual employees (79 female and 38 male) and trainees.
† Excludes 104 casual employees (72 female and 32 male) and trainees.

Of particular note in the Department’s employee profile for 2003/04 are:

**Prison officers:** Although the Department embarked on a recruitment campaign to increase the number of prison officers during the year, the overall number of prison officers has remained static because of natural attrition. The campaign to recruit and train, particularly Aboriginal and female, prison officers was continuing at year end.

**Nurses:** The number of nurses increased as a result of the Department’s efforts to replace agency nurses with permanent staff.

**Group Workers:** Recruitment and training of group workers started in March 2004 in readiness for the Department taking over the role of transporting juveniles to and from court in July 2004. This function was previously undertaken by a private contractor.

**Public Servants:** There was also a slight increase in number of public servants engaged during the year.
Trainees
There were also 40 trainees within the Department at year end – 24 in Prisons, 14 in Court Services and two in the Public Trust Office.

Table: Senior employees (head count)

<table>
<thead>
<tr>
<th>Employees by Award / Occupational Grouping</th>
<th>2002/03</th>
<th></th>
<th></th>
<th>2003/04</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Nos</td>
<td>%</td>
<td>Nos</td>
<td>%</td>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td></td>
<td>F</td>
<td>M</td>
<td>TOTAL</td>
<td>F</td>
<td>M</td>
<td>TOTAL</td>
</tr>
<tr>
<td>SAT Group 3</td>
<td>0</td>
<td>1</td>
<td>1</td>
<td>0%</td>
<td>100%</td>
<td>0</td>
</tr>
<tr>
<td>Class 3</td>
<td>0</td>
<td>4</td>
<td>4</td>
<td>0%</td>
<td>100%</td>
<td>1</td>
</tr>
<tr>
<td>Class 2</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0%</td>
<td>0%</td>
<td>0</td>
</tr>
<tr>
<td>Class 1</td>
<td>4</td>
<td>1</td>
<td>5</td>
<td>80%</td>
<td>20%</td>
<td>3</td>
</tr>
<tr>
<td>Level 9</td>
<td>4</td>
<td>15</td>
<td>19</td>
<td>21%</td>
<td>79%</td>
<td>7</td>
</tr>
<tr>
<td>Level 8</td>
<td>17</td>
<td>49</td>
<td>66</td>
<td>26%</td>
<td>74%</td>
<td>15</td>
</tr>
<tr>
<td>Level 7</td>
<td>38</td>
<td>94</td>
<td>132</td>
<td>29%</td>
<td>71%</td>
<td>38</td>
</tr>
<tr>
<td>TOTAL</td>
<td>63</td>
<td>164</td>
<td>227</td>
<td>28%</td>
<td>72%</td>
<td>64</td>
</tr>
</tbody>
</table>

(excludes legal officers and medical officers)

Senior employees
As part of its commitment to addressing the under-representation of women in senior management, the Department continues to monitor the profile of staff employed at level seven and above. There was a marked increase of women employed at Level 9, with seven this year compared to four in 2002/03.

The number of employees at Level 7 and above has remained relatively stable during the year. Some 64 women are employed at Level 7 and above across the Department. This is a marked improvement since 1998/1999 when the Department began to report its data, when there were only 19 women represented at Level 7 and above.

Workforce planning framework
A new workforce planning framework, based on the Department of the Premier and Cabinet model of analysis, forecasting, planning, implementation and evaluation, was developed and will be available on the Department’s intranet in the year ahead.

An implementation plan is also being developed to integrate the Department’s workforce analysis framework into its business planning processes. This will provide a better analysis of the Department’s workforce profile to identify gaps which, in turn, will better inform workplace management plans.

Appointment pools
The Department made extensive use of appointment pools as a means of filling vacant positions. Thirteen appointment pools were advertised during 2003/04, providing advantages for both the Department and applicants. Employees are merit selected and can be used to fill permanent or fixed-term positions. Appointment pools are also a suitable means of recruiting for positions with a high turnover.
Appointment pools advertised between 1 July 2003 and 30 June 2004:

<table>
<thead>
<tr>
<th>Division &amp; position</th>
<th>Level</th>
<th>Date advertised</th>
<th>Total number of applicants deemed suitable for the pool</th>
</tr>
</thead>
<tbody>
<tr>
<td>Corporate Services</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Personnel Services Officers</td>
<td>2</td>
<td>February 2004</td>
<td>Process not complete</td>
</tr>
<tr>
<td>Community &amp; Juvenile Justice</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Senior Programs Officers</td>
<td>5</td>
<td>September 2003</td>
<td>14</td>
</tr>
<tr>
<td>Community Corrections Officers</td>
<td>3/4</td>
<td>February 2004</td>
<td>53</td>
</tr>
<tr>
<td>Juvenile Justice Officers</td>
<td>3/4</td>
<td>February 2004</td>
<td>42</td>
</tr>
<tr>
<td>Prisons</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Programs Officers</td>
<td>2/4</td>
<td>August 2003</td>
<td>11</td>
</tr>
<tr>
<td>Senior Programs Officers</td>
<td>5</td>
<td>August 2003</td>
<td>15</td>
</tr>
<tr>
<td>Prison Officers</td>
<td>Entry</td>
<td>August 2003</td>
<td>67</td>
</tr>
<tr>
<td>Prison Officers</td>
<td>Entry</td>
<td>December 2003</td>
<td>20</td>
</tr>
<tr>
<td>Prison Officers</td>
<td>Entry</td>
<td>February 2004</td>
<td>Process not complete</td>
</tr>
<tr>
<td>Monitoring Officers</td>
<td>6</td>
<td>March 2004</td>
<td>3</td>
</tr>
<tr>
<td>Clinical Nurses</td>
<td>2</td>
<td>March 2004</td>
<td>5</td>
</tr>
<tr>
<td>Programs Officers</td>
<td>2/4</td>
<td>March 2004</td>
<td>5</td>
</tr>
<tr>
<td>Prison Officers</td>
<td>Entry</td>
<td>April 2004</td>
<td>Process not complete</td>
</tr>
</tbody>
</table>

After analysing several appointment pool processes in 2003, the Department held a forum in early 2004 with various stakeholders to identify issues associated with using this recruitment technique and considered solutions that could be implemented to enhance the process.

Through the feedback, a policy was developed with accompanying procedures and guidelines. The Department is one of the first agencies within the public sector to have a specialised policy, procedures and guidelines on appointment pools.

AWARDS AND AGREEMENTS

The proposed new Public Service General Agreement 2004, which applies to public service officers at the Department of Justice, will be implemented in the year ahead. At 30 June 2004, a decision of the Western Australian Industrial Relations Commission on the quantum of the salary increase was pending. The salary increase will be applicable from 28 February 2004.

Group workers employed in juvenile custodial facilities will be receiving a salary increase similar to public servants through a new General Agreement which, at year end, was in the process of being finalised.

Prison officers received a 3% salary increase, effective from June 2004, which arose under the terms of their current Enterprise Bargaining Agreement.
INDUSTRIAL ISSUES

Public servants

Some minor and isolated industrial action took place during the CPSU/CSA public sector wide campaign in relation to the new Public Service General Agreement.

Jury officers

Negotiations with the CPSU/CSA during the year resulted in an agreement codifying and consolidating the pay and conditions of jury officers, who are responsible for ensuring the integrity of jury members and that the needs of jurors are met during a trial. These officers are employed on a casual basis and their pay and conditions are not governed by any award. The agreement not only provides certainty of pay and conditions but also meets operational needs.

Prison officers (vocational and support)

Following intensive negotiations, the Department and the Western Australian Prison Officers Union reached agreement on the provision of training for prison officers (vocational and support) in October 2003. Training has been designed to extend the knowledge, skills and competence of these employees, consistent with operational needs, to perform all of the tasks and activities associated with the job. Officers’ career prospects are also enhanced by having the opportunity to access training to become prison officers.

Senior registered nurses

The classification of senior registered nurses was introduced for the Department’s nurses in prisons in July 2003. The new classification continued the process, which started under the current enterprise agreement, of restoring pay and conditions for the Department’s nurses to make them consistent with mainstream public health sector nurses.

Relationship with unions

Employees of the Department are covered by a range of unions including the Community and Public Service Union/Civil Service Association, Western Australian Prison Officers Union, Australian Liquor, Hospitality and Miscellaneous Workers Union and the Australian Nurses Federation.

The Department has formal joint consultative committees within each of the divisions that met on a regular basis during the year. Various other consultative mechanisms are established at workplace levels.

EMPLOYEE WELFARE

Workplace change and mobility

The Department’s Workplace Change and Mobility branch provides corporate redeployment, change management and career transition support services. During the year, a total of 39 redeployees were case-managed, of whom 18% were new registrations.

Some 22 redeployees achieved permanent placement during the year and voluntary severance was approved for four employees. The total number of redeployees was reduced from 32 to 13.

Case management of surplus staff achieved savings of $587,378 by temporarily placing surplus staff into funded positions across the Department and in other Government agencies.
Occupational safety and health

Occupational safety and health (OSH) continued to be a high priority for the Department, with 97 audits and three six-monthly reviews completed at workplaces ranging from Kununurra to Esperance to Kalgoorlie. Workplaces audited were from all divisions and included courthouses, Community Justice Services offices, juvenile justice teams work areas, prisons (including one work camp), juvenile detention centres and head office at 141 St Georges Terrace, Perth.

OSH education is important in preventing injuries and hazards and was given priority this year, with 74 awareness sessions, 50 computer workstation set-up sessions and eight manual handling sessions conducted. Briefings were also conducted on the elections and functions of OSH representatives. These sessions were held in both metropolitan and regional areas and included presentation at Community Justice Services training and prison officer training courses.

Managers and supervisors were encouraged to attend appropriate courses. The first three of a range of self-paced PowerPoint OSH training sessions for use in regional prisons were developed.

Also during the year, OSH information on the Department’s intranet was expanded to include guidance on ergonomics, manual handling and office safety. All employees can now access OSH information such as policies, procedures, processes and forms online.

Workers compensation

While there has been a drop in the number of current open claims, there has been an increase in the frequency and severity of stress claims lodged. This led to an increase in the lost time claims because stress claims often lead to extended periods of time off work.

The increase in stress claims followed a general trend across the public sector and the very nature of some of our core business results in a higher risk of stress reaction for our employees. As at 30 June 2004, there were 48 outstanding stress claims. Of these, 11 had been lodged in the current financial year and the remainder were from previous years. Most of the claims were from Prisons.

The increase in stress claims is likely to result in an increase in the cost to the Department due to extended periods of time off work, the associated medical costs and possible common law claims.

<table>
<thead>
<tr>
<th></th>
<th>2002/03</th>
<th>2003/04</th>
</tr>
</thead>
<tbody>
<tr>
<td>Workers Compensation Claims</td>
<td>327</td>
<td>313</td>
</tr>
<tr>
<td>Stress Claims</td>
<td>33</td>
<td>48</td>
</tr>
<tr>
<td>Lost Time Claims</td>
<td>192</td>
<td>208</td>
</tr>
<tr>
<td>Lost Time Frequency Rate</td>
<td>26.0</td>
<td>23.81</td>
</tr>
<tr>
<td>Liability assessed</td>
<td>$2.80m</td>
<td>$2.92m</td>
</tr>
<tr>
<td>Employee Assistance Program use as a % of workforce</td>
<td>6.7%</td>
<td>5.1%</td>
</tr>
</tbody>
</table>
2003/04 has been a busy year when demand has grown across many business areas. In this context, the development and delivery of many new projects and initiatives that directly address key Government priorities speaks volumes.
COURT SERVICES

THE SERVICE
Court Services provides administrative services and support for managing courts and tribunals. This includes provision of non-judicial staff support, registry, security and other administrative support services, accommodation and technical facilities. Court Services also provides victim support and counselling services.

Court Services’ vision is to provide a court system that is outcome focused with an emphasis on justice services, rather than legal services.

KEY ACHIEVEMENTS

Legislative reform
Court Services’ contribution to the Government’s law reform agenda continued, with the introduction of proposed legislation addressing literally hundreds of recommendations arising from the Law Reform Commission’s Review of the Criminal and Civil Justice System 1999 and other Law Reform Commission reports, the implementation of legislative and administrative changes to improve the management of specialist courts and the preparation of draft legislation that, among other things, gives victims of domestic violence and sexual assault greater protection.

Magistrates’ Courts of Western Australia
The Magistrates’ Courts Bill – a package of seven different pieces of legislation with amendments to more than 180 Acts – was introduced into Parliament in December 2003.

The package amalgamates the Local Court and Court of Petty Sessions with the Small Claims Tribunal and will make the justice system more accessible, efficient and modern for thousands of court users and employees. It addresses no fewer than 221 recommendations (more than half) of the Law Reform Commission’s review.

State Administrative Tribunal
The opening of the proposed State Administrative Tribunal was rescheduled from January 2004 following a decision by the Legislative Council in November 2003 to grant an extension to the deadline for the Standing Committee on Legislation to report back to Parliament. In June 2003, the committee was granted a further extension to report back to Parliament by 23 September 2004.

The proposed single, independent body, with a focus on informality and mediation, would replace nearly 50 separate industry and public tribunals and boards and would be the most comprehensive administrative review system of any State jurisdiction in Australia.

Domestic violence
Proposed new legislation was drafted during the year to strengthen powers to issue and enforce restraining orders, and to extend the grounds for seeking a restraining order to include emotional and other forms of non-physical abuse. Under the new proposed legislation that was before Parliament at year end, domestic violence in the presence of children and assaults in the domestic arena would be considered more serious and could attract harsher penalties.
Sexual assault

Court Services collaborated with the Director of Public Prosecutions to amend legislation to afford greater protection to victims of sexual assault during the court process. The reforms create automatic special witness status for the victims, greater protection of confidential counselling records, video recording of children's initial statement to police so that it can be used for evidentiary purposes and a prohibition on self-represented accused directly cross-examining the complainant. The proposed amendments were before Parliament at year end.

FACILITIES

Modern court buildings and infrastructure are key to the provision of truly integrated justice services that meet community expectations in terms of security and efficiency. The Department has a long-term program to improve and replace ageing and inadequate facilities in regional and metropolitan WA.

CBD Courts Project

The Central Business District Courts Project addresses the need for new criminal courts and sets new standards of court security.

Two consortia – Amicur (including Leighton Contractors and Broad Construction Services and the Macquarie Bank) and the Western Liberty Group (including Multiplex and John Holland and ABN Amro as the proposed financier) were selected in October 2003 to bid for the development of the $140m project. The project includes a contemporary, purpose-built court complex on the corner of Hay and Irwin Streets and the refurbishment of the existing Central Law Courts.

The new building will cater for the needs of the District Court and the Supreme Court criminal jury trials, and will include the State’s first high-security courtroom as well as improved facilities for vulnerable witnesses and victims of crime.

The successful consortia will be selected and construction will start in 2004/05.

Supreme Court upgrade

A major technological upgrade of a Supreme Court courtroom at 111 St Georges Terrace was completed in time for the July 2003 start of the Bell Resources trial – the largest and most complex civil trial ever to be listed in the Supreme Court of Western Australia.

At a total cost of $860,000, the upgrade included a sophisticated set of computer systems and audio visual technology – including video conferencing to facilitate the efficient handling of an estimated 50,000 confidential documents and to enable trial participants to operate in multiple locations around the world.

Court operations, judicial costs and support staff for the trial, which will continue into the new year, have been budgeted at another $1.45m.

Supreme Court master plan

In the context of the CBD Courts development and the establishment of the Court of Criminal Appeal planned for early 2004/05, a master plan for the Supreme Court started in July 2003, including a complete review of the court’s security and accommodation options.

During 2003/04, a major drainage project to repair and protect the foundations of the Supreme Court building was completed and judicial chambers and judicial support areas were refurbished.
Supreme Court security

Security at the 100-year old Supreme Court is a major issue and was spotlighted on 10 June 2004 with the unprecedented escape of nine prisoners from the custody area (more). During the year:

- a brief was given to consulting engineers, CCD Australia, in February 2004 for the development of a security and access control master plan and their report now provides a security reference for future building plans;
- Sandover Pindar was awarded the contract for building works for the refurbishment of the Supreme Court custody centre (worth an estimated $1.4m) and will start work in July 2004. The work includes modernising the cells; upgrading access between the custody area and the courts; developing a secure sally port for the safe management of people in custody and developing a central security office.

Following the June 2004 escape, an immediate audit of security arrangements resulted in some structural improvements worth $100,000 to upgrade security. Work completed by 30 June included:

- securing the corridor link from the external sally port to the custody centre;
- rekeying locks and introducing a multi-barrier key system;
- tightening the security on the internal custody centre gate;
- adding reinforced doors around the custody centre; and
- upgrading the closed-circuit TV system.

Court of Appeal

The preparatory work for a new Court of Appeal was completed early in 2004 including the drafting of legislation before Parliament at year end. The new division of the Supreme Court is expected to be established in 2004/05.

State Administrative Tribunal

In 2003/04, fit out of the proposed State Administrative Tribunal facilities was completed, organisation structures developed – for both staff and tribunal members – and filling of positions commenced. Enhancements to the Integrated Courts Management System, development of forms and proposed subsidiary legislation were also completed (to the extent possible). Significant progress was also made in completing an interactive website which will include facilities for e-applications (with online assistance), an online, searchable database of previous decisions and provision for online notification of forthcoming hearings.

The first independent boards to use the facilities were the Guardianship and Administration Board and the Town Planning Appeals Tribunal, which both moved into the new premises at 12 St Georges Terrace, Perth, during the year.

Albany Justice Complex and Great Southern District Police Complex

South-West builder, Devaugh Pty Ltd, was awarded the $13m construction contract for the Albany Justice Complex and Great Southern District Police Complex and construction started in April 2004.

Scheduled to open in early 2005, the $20m complex includes a state-of-the-art police forensic laboratory, two new courtrooms, shared custodial areas, court administration offices, victim support offices and judicial offices. New remote witness facilities, separate interview rooms and discreet waiting areas in the new complex will guarantee increased privacy for witnesses and victims of crime.
DERBY UPGRADE

The $700,000 refurbishment of the Derby courthouse started in March 2004 and is due for completion in the year ahead. It includes improved victim support facilities as well as security, access and facilities for people with disabilities.

SERVICES

NEW MAGISTRATES

Three additional magistrates were appointed during the year, bringing the total number of magistrates around the State to 43. (This includes two Children’s Court magistrates and the Deputy Coroner.)

An additional magistrate in the Goldfields will be appointed in July 2004 to help with the heavy workload and to expedite the Gordon Inquiry recommendations, including the introduction of innovative court processes for Aboriginal people, particularly in the Warburton community.

MEDIATION

The Victim-offender Mediation Unit, under which a magistrate hearing a case can refer the matter directly to a mediation officer in the court – prior to sentencing – was extended to the Rockingham and Mandurah courthouses in November 2003, to Bunbury and Busselton courthouses in February 2004 and to the Pilbara in May 2004. More than 220 referrals involving 319 offenders were made during the year for a range of offences including stealing, burglary, assault and damage. Some 29.6% resulted in a mediated outcome between victims and offenders.

INTELLECTUAL DISABILITY DIVERSION PROGRAM

This program, which started at the Central Law Courts in August 2003, is having a significant impact on people with intellectual disabilities who come into contact with the justice system.

The 15-month pilot is being run in conjunction with the Disability Services Commission and aims to divert people with intellectual disabilities into services more appropriate than the justice system.

FAMILY COURT

A Departmental Counselling and Support Services branch was established in June 2003, delivering a better co-ordinated and more seamless service. Clients can now be referred to a range of support services across courts. It has also meant better use of resources and increased opportunities for staff development and opportunities for across-agency training.

A comprehensive business plan was also developed for the Family Court Mediation and Counselling Service, which transferred from the Department for Community Development to the Department of Justice in February 2003.

Also during the year:

• a new customer service system was developed in-house and introduced in December 2003, cutting waiting times and improving efficiency. The average waiting time has been cut from up to an hour to less than 10 minutes;

• new Family Court rules were introduced in March 2004 by the Family Court of Australia. Rules adopted in WA will, for example, streamline the number of forms and simplify terminology; and

• additional judicial and support staff were appointed in September 2003 to help handle the court’s growing caseload.
The Columbus project

Stage 3 of the five-stage evaluation of the Family Court’s Columbus project was completed in June 2004. It shows the court is dealing with very difficult cases that involve child abuse and family violence efficiently and expeditiously. The evaluation is also being used to guide the introduction of case assessment conferences as the first court event for all cases involving disputes about children.

Parents who participated in the Columbus project said:

“I would have just given up and I wouldn’t have made it and my life would have been a mess without the program.”

“I know that the process would have been far more structured and we would have had a massive, massive battle. Things could have got really nasty. We would never have actually got to the stage where we’re dealing with things, so it’s been a moderator in that sense of calming our concerns about the most serious and massive things that could have happened.”

“I wouldn’t possibly be on the same terms with my former wife as I am now.”

Family Violence Court

Following a review in the previous year, funding – and the future of the Family Violence Court in Joondalup – was confirmed. A steering committee and project team were established in April 2004 to develop the inter-agency protocols required before the court can be expanded.

I am writing this letter to thank you for the counselling and support you provided during my recent application for a Misconduct Restraining Order. Your advice and guidance during this stressful time was invaluable and gratefully appreciated. Client letter

Thank you for your help and support. You might think that what you did was a little thing because you do so much for others all the time, but it is rare to find people as considerate and thoughtful as you. Client card

Children’s Court

New protocols with the Department for Community Development were established in June 2004. Under the new arrangements, a separate report detailing the accommodation and education arrangements for wards of the State appearing before the court is provided to the President, improving the efficiency of the court and providing better information on which to decide appropriate sentencing decisions.

Drug Court

A report on the Perth Drug Court pilot project, tabled in Parliament in November 2003, recognised the value of the Drug Court as an important step in reducing the impact of substance abuse.

The report recommended improvements in managing the program, in part addressed by the pre-sentence options included in the Sentencing Act 2003.

Some 99 people were referred to the Drug Court during the year.
TACKLING BACKLOGS

Small Claims Tribunal

The backlog of cases in the Small Claims Tribunal reduced from 230 to 47 at 30 June 2004. This was achieved by reviewing old files on which no action had been taken for some time. The applicants were asked if they wished to pursue the claim and, if not, the file was closed. Alternatively, the matter was listed for hearing.

Supreme Court

A data clean-up undertaken as part of the introduction of the Integrated Courts Management System saw a reduction of the Supreme Court civil backlog from 1,155 cases to a low point of 772 cases, with a slight increase by year end to 784. However, with the Supreme Court hearing a number of longer criminal trials and appeals during the year, the criminal backlog increased from 42 cases to 75 cases during the year.

District Court

The backlog in District Court criminal cases was reduced marginally during the year, but more structural reform is required. Recommendations from a review of the criminal caseflow process by retired Supreme Court Justice Wallwork – including structural reform options – were under consideration at year end. In addition, the enactment of the Criminal Code Amendment Act 2004 in May 2004 included provisions to transfer less serious criminal matters from the District Court to Magistrates’ Courts, releasing further resources which will address the District Court backlog.

Magistrates’ Courts

The backlog in civil cases in the Magistrates’ Courts was 8,205 – 537 fewer than at the same time last year. There has been an ongoing problem with the quality of available information regarding the criminal backlog. A data reload was being undertaken at year end.

TECHNOLOGY

Integrated Courts Management System (ICMS)

The Integrated Courts Management System is a single information technology system to support court operations throughout WA, enabling quicker and more efficient business processes across the justice system.

The system was successfully implemented into the District Court’s civil jurisdiction from June 2003 and into the Supreme Court from September 2003. Initial teething problems in the Supreme Court were overcome with onsite support for the first 10 weeks and training provided to all staff.

The ICMS project replaces 14 old systems with one which is more efficient, secure and cost effective to maintain.

Electronic briefs

Following a six-month pilot project, the secure electronic transfer of information between the WA Police Service and the Magistrates’ Courts and Children’s Court was launched in July 2003.

The new system – which could be the model for secure data exchange environments across Government – makes the police and court administration service faster and more efficient and also means the status of a person charged with an offence who is on parole is automatically flagged with Community Justice Services for immediate followup. It also enables the development of a comprehensive quality assurance regime that will ensure data integrity.
Additional benefits will be achieved when the WA Police Service system is able to process results transmitted electronically from the courts. At year end, approximately 85% of total charges lodged were via e-brief.

**Video links**

The Department is continuing to invest in video technology, though the scope and nature of its application is the subject of review following the escape of nine prisoners from the Supreme Court in June 2004 (more).

Protocols for assessing accused people by video were developed between the State Forensic Mental Health Service and regional courts with video link facilities (Albany, Geraldton, Kalgoorlie, Bunbury, Broome, South Hedland and Carnarvon).

An integrated audio visual system was installed in Broome courthouse in August 2003 to enable it to deal with remote witnesses, child and vulnerable witnesses and prisoner remands via video link. A portable video conferencing system was installed in the Albany courthouse in July 2003 with an integrated system planned for the new Albany complex.

**New websites**

A new Family Court website was launched in July 2003 and updated throughout the year. The site provides information about the operation of the Family Court as well as quick access to court forms and useful contact details and links.

In December 2003, the District Court website went live with information on court listings, how electronic trials work, video links as well as statistics, services, fees and useful resources for the legal profession and litigants.

**Data integrity**

Officers from the Australian Bureau of Statistics joined the Court Services team during the year, starting work on a project to improve the provision of strategic information, enhance data quality and present more user-friendly management information and statistics.

**PEOPLE**

**Victim Support Service**

Better support for victims of crime continues to be a high priority for the Department and, as well as extending victim mediation services (more) in 2003/04:

- the Victim Support Service and Child Witness Service were extended in the Goldfields, Pilbara and Kimberley and promoted in rural and remote areas;
- communication with Aboriginal victims of crime was improved, with the development and release of a series of culturally appropriate posters and brochures in May 2004. The themes of the artworks centres on grief, healing, support and hope;
- victim awareness training was delivered to 180 Department employees; and
- input to the brief for the CBD Courts Project helped the development of improved facilities for victims.

Challenges in the year ahead include supporting an increasing number of people being granted special witness status in the courts and the continuing increase in referrals to the Child Witness Service.
Domestic violence

Domestic Violence Advocacy Support Central (DVAS Central) was established in September 2003 to provide a “one-stop-shop” for victims of domestic violence – reducing their anxiety, distress and confusion. DVAS Central is a collaboration between Government, non-government and community organisations and is linked to the Central Law Courts for direct referrals straight from the court. Victim Support Service volunteers are on hand to provide information and support about court processes and restraining orders.

Agencies providing services at DVAS Central include the Department for Community Development, Orana Women’s Refuge, WA Police Service, Legal Aid, Yorgum Aboriginal Corporation and Women’s Healthcare House. DVAS Central is in Murray Street, Perth.

Criminal injuries compensation

The Criminal Injuries Compensation Act 2003 came into effect in January 2003 replacing the 1985 Act and setting a new maximum award of $75,000 for victims of crime. Victims may also now apply for interim and future payments, allowing those who would eventually have their award granted to have access to instant medical attention and counselling.

The total compensation awarded in 2003/04 was $16,054,927. In 2003/04, some 1,115 applications were lodged and 1,239 were finalised. Assessor decisions were made available on the Australasian Legal Information Institute’s website at www.austlii.edu.au in May 2004.

Premier’s Awards

The Child Witness Service (CWS) and the ADVANCE Program (a development program for women employees in Court Services) were both finalists in the Premier’s Awards for Excellence in Public Sector Management announced in November 2003. The ADVANCE Program was recognised for leadership in equity and diversity and the CWS for management improvement and governance.

Staff development

There were 29 participants in the ADVANCE program, tailored to develop female Court Services’ staff occupying positions classified at levels 1 to 5 inclusive, compared with 26 participants last year. The women’s training included mentoring, career planning and personal skills development.

The Court Services Scholarship Program helps approved staff with payment for tertiary fees in relevant courses. In 2003/04, 11 recipients received a total of $9,940 in scholarship funds.

REVENUE

Record recoveries

Improved collection processes have resulted in record recoveries by the Office of Criminal Injuries Compensation Recoveries Branch for the second consecutive year. In the past year, there were recoveries of $1,173,000, up from $1,007,536 last year and $585,898 in 2001/02.
Fines system review

A report to improve the fines system, including legislative changes to introduce more flexible options for payment to the issuing agencies, was completed in November 2003. Some changes were endorsed by Government in April 2004 and will be included in the Government’s legislative program. At year end, discussions regarding new payment options were also continuing with Centrelink.

The proposed changes arise from a review of the fines system which started in 2002.

Fines Enforcement Registry

Online payments for outstanding fines and infringements were introduced in February 2004. This gives clients the flexibility to pay 24 hours a day, seven days a week through the Department’s internet site. The Fines Enforcement Registry handles up to 18,000 calls a month, mostly from people wanting to make arrangements to pay outstanding fines. By late June 2004, the registry’s automated internet and telephone payment system had reached a significant milestone by collecting $1m Statewide.

The call centre was also relocated during the year to new premises opposite the Fines Enforcement Registry in the May Holman Centre. A Statewide advertising campaign also ran in May and June 2004 to raise awareness of the new payment options and encourage fine defaulters to pay.

In 2003/04, almost 259,900 matters, with an equivalent value of $56,115,09, were registered with the Fines Enforcement Registry for collection.

Warrants enforcements contract

In March 2004, a two-year contract to enforce fines warrants was awarded to Repcol (WA) Pty Ltd.

Repcol had held a previous contract since 1999. After clearing the accumulated warrants (held pending the award of the new contract) warrants with a value of approximately $14.4m were issued for the year in May 2004.

In 2002/03, $5.2m was collected by Repcol. In 2003/04, the revenue collected by Repcol totalled $4.031m across both the old and the new contracts. The shortfall in collections during the year was due to the delay in issuing the warrants, however, it is expected this will be remedied in the year ahead.

Courts service

I wish to comment on the court staff, in that their attention to their duties towards me were greatly appreciated, their efficient services, their efforts to make me welcome and their honesty and caring attitude, their passion let alone their pride in their duties left me feeling a whole lot better after the initial circumstances (of having my trial aborted).

My wife also praises the efforts of staff greatly in these torrid times and wishes all concerned the very best. We together wrote this letter in mere appreciation of the service we received.

Name withheld
Student researchers

To give law students practical experience the Department welcomes senior students who enrich various project teams – and have earned accolades from Departmental colleagues during the year.

“I was seconded to the role of instructing officer to the Criminal Procedure (Summary) Bill from 2002 until December 2003. I was assisted on the project by a number of senior law students … whom I found to possess excellent research skills as well as a very professional approach to all tasks on which I sought their assistance. They displayed great commonsense and wonderful enthusiasm for the task at hand. Their presence clearly accelerated the project’s progress. Their calibre was such that I have great optimism for the profession if they are representative of the standard of graduates that will be entering the profession in coming years.”

Magistrate Geoff Lawrence

Victim Support Service

“We had excellent service from [VSS counsellor - Albany] at a time when we were really struggling to understand the court system and navigate our way through and still keeping our sanity. [VSS Counsellor - Perth] was very sensitive, wonderful and available when I needed her.”

Name withheld
STATE SOLICITOR

New appointment
Tim Sharp was appointed State Solicitor in October 2004 following the retirement of Peter Panegyres after 18 years as the Crown Solicitor.

THE SERVICE
The State Solicitor’s Office (the name changed to State Solicitor’s Office in January 2004) provides a broad-based legal service to the Government, its departments, instrumentalities and agencies. This includes the conduct of litigation, the provision of legal advice, representation as counsel in courts and tribunals and preparation of legal documents.

KEY ACHIEVEMENTS
Examples of legal cases dealt with by the State Solicitor’s Office for Government during the year include:

Tipperary Developments Pty Ltd
Involving a claim lodged by Tipperary Developments against the State for loss arising from a $50m deposit with Rothwells in 1988. The matter has been listed for a six-week trial in the Supreme Court.

Finance Brokers
Representing the Financial Brokers Supervisory Board against claims of more than $100m by investors who lost money, claiming that the Finance Brokers Supervisory Board was responsible for the loss suffered by investors through negligence and misfeasance in public office.

Town Planning Appeal Tribunal
The Office acted for the Environmental Protection Authority in its case before the Full Court prohibiting the Town Planning Appeal Tribunal making decisions that may allow proposals to be implemented before assessments had been completed under the Environmental Protection Act. At year end, the decision was the subject of an application for special leave to the High Court, but had not been heard.

W.A. Planning Commission and Temwood Holdings Pty Ltd
In April 2004, the Office argued a case for the Western Australian Planning Commission (WAPC) in the High Court regarding subdivision conditions on three subdivision applications made by Temwood Holdings Pty Ltd. At year end, the court’s decision was pending. The office also represented the WAPC in a related case against Temwood Holdings Pty Ltd in the Supreme Court, in which a stay of proceedings was granted, pending the outcome of the High Court decision.

State Agreement and Gorgon Joint Venturers
The State Solicitor’s Office acted for the State in the negotiation of the agreement between the State and the Gorgon joint venturers ratified by the Barrow Island Act 2003. The agreement relates to a proposal to undertake offshore production of natural gas and other petroleum and a gas processing and infrastructure project on Barrow Island. The agreement was entered into with regard for the need to minimise environmental disturbance on Barrow Island (an A-class nature reserve) and support conservation programs relating to Barrow Island and other parts of the State.
CBD Courts Project
The Office acted for the State in the State’s first public private partnership, involving the construction and operation of a justice complex on the site at the corner of Hay and Irwin Street in Perth.

Palmer and Ostrowski
The Office represented the Department of Fisheries in a case against a rock lobster fisherman who had been convicted in the Court of Petty Sessions of fishing in an area that was contrary to the Fish Resources Management Act and Regulations. The fisherman appealed the conviction and the majority of Supreme Court upheld the appeal. However, the State Solicitor’s Office appealed the decision and was successful in its appeal to the High Court.

Annual client survey
The eighth annual client survey was completed and showed a continuing high level of satisfaction with the work of the State Solicitor’s Office. Results of the survey are included in the performance indicators recorded under “Output five – Legal Services” in this report.
**PARLIAMENTARY COUNSEL**

**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;
- maintaining and arranging publication of the legislative information tables which are published annually;
- completing and consolidating texts of Acts and subsidiary legislation; and
- maintaining the SWANS database of WA legislation.

**KEY ACHIEVEMENTS**

**Legislation**

A number of significant drafting tasks were completed in 2003/04 in the following areas:

**Lower Court reform**

A major project completed during the year involved drafting several Bills to enable a major restructure of the lower courts by abolishing courts of petty sessions and local courts and to reform and standardise the enforcement of civil judgments in the State. Bills included in the package were:

- Courts Legislation Amendment and Repeal Bill 2003;
- Magistrates Courts Bill 2003;
- Justices of the Peace Bill 2003;
- Magistrates Courts (Civil Proceedings) Bill 2003;
- Oaths, Affidavits and Statutory Declarations Bill 2003; and

**Planning and development**

The Planning and Development Bill 2004 consolidates the *Town Planning and Development Act 1928*, the *Metropolitan Region Town Planning Scheme Act 1959* and the *Western Australian Planning Commission Act 1985* into a single, streamlined Act. It modernises the language of planning legislation and simplifies what has become a complex, fragmented framework.

**Workers’ compensation**

The Workers’ Compensation Reform Bill 2004 is based upon a comprehensive review of the existing legislation and provides for significant changes – many of which are complex and technical – to the current system of workers’ compensation. Statutory entitlements are increased and some new entitlements are created, the methodology of evaluating disability has been changed and there are provisions for a new dispute resolution system and a new system of injury management. Issues relating to common law damages have also been addressed, the Commission has been restructured and a number of administrative processes have been changed.

Other legislation drafted during the year included:

- Electricity Corporations Bill 2003;
- Electricity Industry Bill 2003;
- Electricity Legislation (Amendments and Transitional Provisions) Bill 2003;
Children and Community Development Bill 2003;
Road Traffic Amendment (Impounding and Confiscation of Vehicles) Bill 2004;
Occupational Safety and Health Legislation Amendment and Repeal Bill 2004;
Acts Amendment (Domestic Violence) Bill 2004; and
Criminal Law Amendment (Sexual Assault and Other Matters) Bill 2004.

**Service to clients**

A client survey resulted in an 87% satisfaction rate with the overall services that were provided by the office. A number of letters of appreciation from Ministers and senior Government officers were also received during the year.

**Legislative history**

A number of manual processes were automated following the completion of inputting of legislative history into a customised database. Reports from this database are used for the tabling of subsidiary legislation in Parliament and for the production of legislative history information directly to the internet.

**Database conversion**

Planning for the conversion of the WA legislation databases to a standard mark-up language format such as SGML or XML began during the year. This culminated in an Australia-wide invitation to IT companies to register their interest in the project in May 2004. The procurement process will continue in 2004/05. This standard mark-up language will mean WA legislation can be published in various formats including hard copy, electronically and on the internet from one source document.

**Queen’s Birthday honours**

Parliamentary Counsel, Greg Calcutt, was named in the 2003 Queens Birthday honours list as a Member of the General Division of the Order of Australia (AM) and presented with his award at Government House in September 2003. Greg, who has been the Parliamentary Counsel for 15 years, received the honour for services to Law through the Office of the Parliamentary Counsel for WA and to the development of statute law.
COMMUNITY AND JUVENILE JUSTICE AND PRISONS

THE SERVICE

Community and Juvenile Justice and Prisons manage adult and juvenile offenders in custody and in the community. They aim to reduce re-offending, contribute to the protection of the community and direct offenders toward law-abiding lifestyles.

The Department is responsible for managing offenders from the time they are charged or sentenced in court until the completion of their sentences. Currently, some two-thirds of offenders are serving their sentences in the community, while the remainder is detained in prisons or juvenile detention centres. The divisions work together to facilitate a smooth transition for offenders re-entering the community.

KEY ACHIEVEMENTS

In a year spent under enormous scrutiny, Community and Juvenile Justice and Prisons have made significant improvements to better manage offenders in the community and in prisons. This has often been done in collaboration with other Government agencies and the community and has involved consultation with a range of stakeholders.

In August 2003, a parolee was arrested and charged with the murder of a young woman in Warnbro, the abduction of two women and holding other people hostage in their homes. These horrific events sparked an immediate and very thorough review of the management of high-risk offenders in the community and were the catalyst for enormous change during the year.

Prison and court security was also a key focus for the Department, with allegations of undetected abscondments from Wooroloo Prison Farm and the unprecedented escape of nine prisoners from the Supreme Court custody area, which evoked an immediate and strong community response.

Other ongoing priority areas included managing a prison population, which increased this year (in part due to the Government’s targeted burglary campaign), the community re-entry program for prisoners, women in prison and managing drugs in prison.

Managing high-risk offenders in the community

Following the August 2003 arrest of a parolee for the murder of a woman in Warnbro, the abduction of two other women and other offences, the Department instigated a number of reviews and audits. These included a thorough review by former Department of Land Administration chief executive officer, Allan Skinner.

His review, presented and tabled in Parliament in October 2003, found the Department’s management of offenders was equal to the best in Australia and overseas. However, the review also made 24 recommendations including:

- improved information sharing between the WA Police Service and the Department of Justice;
- that risk definitions of offenders be more meaningful for staff and easier for the community to understand and that an assessment and case management model outlining the risk of recidivism and potential for harm be developed;
- a Professional Practice Standards unit be established to develop, monitor and advise on practice standards;
- greater attention be given to induction, training and handover between officers; and
- ongoing research and monitoring of offenders in the community.

The Department responded immediately, developing a new Professional Practice and Standards unit that will be operational from 1 July 2004 and preparing for the introduction of a dedicated Centralised Breach Unit. It will be operational from the start.
of August 2004 and move Statewide progressively, providing a primary point of contact for police, enabling more court order breaches to be dealt with in a more timely and accurate way.

A new case assessment and management model was developed and trialled during the year. The model results in a more accurate assessment of offenders who may pose a significant risk of potential harm to the community and allows for more effective use of resources. It was introduced in combination with an associated new adult offender supervision regime and both were fully implemented in June 2004.

An inaugural meeting of the Justice/Police Liaison Committee in January 2004 agreed to work towards improved shared intelligence, particularly relating to high-risk offenders and data exchange.

The last of 55 additional community corrections officers recruited over the past two years were employed in July 2003, bringing the total to 129. Meanwhile, the rate of return to corrective services (prisons and community corrections) fell by 1.5% during the year – from 38.1% in 2002/03 to 36.6% in 2003/04.

Community-Business Information System (C-BIS)

Phase 3 of C-BIS started in November 2003 after an integrated information technology system to meet the casework management and assessment needs of Community and Juvenile Justice was procured. The package was purchased from United States-based vendor AutoMon, which trained the Department’s C-BIS team, which in turn, will be responsible for configuring and customising the package. The new system will systematically replace the existing legacy systems and is expected to be fully implemented by October 2005.

On implementation, the system will have cost a total of $5.3m over a three-year period.

Community Re-entry for Prisoners Program

Following extensive consultation last year, the Community Re-entry for Prisoners Program was established to provide tailored and culturally relevant support to prisoners and their families. The program aims to help prevent re-offending and improve protection for the community.

More than 6,000 adult offenders are released from prison each year and nearly half (excluding fine defaulters) return to prison within two years.

For the first time and at a cost of almost $1.4m, eight community groups in metropolitan and regional WA were appointed between March 2004 and May 2004 to provide support to offenders for up to three months before leaving prison and six months after. The program:

- improves links to education, training and employment;
- provides links to accommodation options;
- forms valuable partnerships, with services in the community to support prisoners post-release, supports offenders on community-based orders and their families by linking them with community organisations;
- incorporates baseline data to inform planning, service design and delivery to reduce re-offending; and
- incorporates a monitoring and evaluation plan, which will assess the effectiveness of the re-entry strategies.

An evaluation of key re-entry strategies will be conducted in the year ahead.
Supporting successful re-entry

Agencies appointed to provide prisoners support in re-establishing themselves in the community include the Geraldton Resource Centre, serving the Mid-West; Goldfields Centrecare Incorporated; Men’s Outreach Service Incorporated, serving the Kimberley; Agencies for South West Accommodation Inc and Great Southern Community Partnerships Inc in the South West; and Outcare Inc and Ruah Community Services in the metropolitan area.

“(Clients) continue to engage in the service voluntarily, and often repeatedly, and say “everyone else has given up.” It gives us the confidence to make a difference and to remain an independent voice for this very disadvantaged group.”

Ratna Knights, Ruah Community Services

Community Transitional Accommodation Service

As part of the Community Re-entry for Prisoners Program, a total of 33 homes across the metropolitan and regional areas have been made available. The Transitional Accommodation Program, part of the Community Re-entry for Prisoners Program, provides offenders with accommodation for around six months following release to improve their chances of successfully settling back into the community.

Established in response to the State Homelessness Taskforce recommendations, the accommodation program includes contracted non-government agencies providing mentoring and re-entry support services and a combination of in-home practical assistance and community-based services for offenders and their families.

Statistics

THURSDAY CENSUS OF PRISONERS AND COMMUNITY CORRECTION ORDERS
From January 2001 by week

- Thursday prison count
- All community corrections orders
THURSDAY PRISON COUNT
From January 2001 by week

ALL COMMUNITY CORRECTION ORDERS
From January 2001 by week
MANAGING ADULT OFFENDERS IN CUSTODY

Prison population trends and pressures

After a fall in the prison population in the previous year, there was a significant increase in the prisoner population during 2003/04. The average daily population increased from 2,843 in 2002/03 to 3,066 in 2003/04. At 30 June 2004 the population was 3,164 compared with a population of 2,888 at 30 June 2003 – an increase of 9.6%.

While the total prisoner population increased by 276 prisoners (9.6%), the Aboriginal prisoner population increased by 200 or 19.8%. The female prisoner population increased by 51 during the year, up from 218 to 269 or 23.4%.

The increase in prisoner population is due in part to the success of law enforcement initiatives including the work of the Government’s Burglary Taskforce and the increased arrests for burglary.

In the meantime, available prison accommodation, staff and services have been under pressure, with 97% of bed capacity being used at 30 June 2004. A shortage of secure beds in regional prisons meant 49% of medium-security prisoners (200 prisoners) with home addresses in regions, were in metropolitan prisons at 30 June 2004.

In response to the growth in prisoner population, the Department progressively reopened accommodation from April 2004 including:

- units at Casuarina and Hakea prisons; and
- a minimum-security section at Bunbury Regional Prison.

Consideration was also given to reopening units at Albany (for men) and at Greenough, which could accommodate women prisoners.

Prior to introducing a number of legislative, policy and procedural changes aimed at reducing the rate of imprisonment, the increase in the prisoner population over the past twelve months was projected to be even higher. The graph overleaf compares the population forecast prepared in December 2000 with the latest forecast. At 30 June 2004, there were 400 fewer prisoners than had been forecast in 2000.
Prison workforce – recruitment

During the year, there has been a particular focus on specific recruitment and training for working with women offenders, the recruitment of regional people for regional prisons and employment of Aboriginal people to work with Aboriginal offenders.

With this focus and in response to the rising prisoner population and an ageing workforce (more than half the public prison's workforce is over 45 years), the Department undertook an intensive recruitment campaign including radio advertising for the first time.

The recruitment included specific strategies to increase the female and Aboriginal representation of prison staff. Currently, women make up only 16.2% of the prison officer workforce and, while 38% of the prisoner population is Aboriginal, only 2.2% of the workforce is Aboriginal.

A new prison officer entry-level training course was developed and implemented, recognising the broader role of prison officers and the special needs of women and Aboriginal prisoners. Two 14-week programs were conducted during 2003/04, with another five scheduled for 2004/05. Some 47 new prison officers graduated from these programs in 2003/04.

A Prison Leaders Program was introduced in 2004 to identify and develop future leaders in the prison system. Employees from a range of occupational groups competed for places in the 2004 program – individualised professional development tailored to each participant's individual needs. Nine prison officers including two women were selected to participate.

At 30 June 2004, the number of approved prison officer positions in the public prison system was 1,227 compared with 1,165 at the same time last year. The Department plans to recruit up to another 125 prison officers in the year ahead to address staff shortages and anticipated attrition.
MANAGING DRUGS IN PRISONS

**Prison drug management strategies**

The use and trafficking of drugs into prisons is a key issue being confronted by law enforcement and correctional agencies worldwide – and a difficult problem for the Department. Drug use is a major factor in re-offending, with huge social and health problems and costs attached. In May 2003, the Department launched a Justice Drug Plan in a bid to break the cycle of drug use and re-offending on re-entry in the community. It focuses on prevention, early intervention and treatment of drug misuse by offenders in the custody and in the community.

Implementation of the Prison Drug Management Program began in July 2003. With a budget in 2003/04 of $2.135m the program aims to:

- reduce the supply of and demand for drugs in the prison system;
- provide opportunities for prisoners to participate in treatment programs;
- provide drug management services within the prison system that match services available within the community;
- reduce the harm associated with illicit drug use; and
- optimise the success rate for prisoners’ re-entry into the community following release from prison.

In 2003/04:

- random drug testing was doubled in metropolitan, maximum-security prisons;
- following the stationing of a permanent drug dog at Bandyup Women’s Prison late in June 2003, some 3,000 visitors were searched and 500 found to be in contact with or using drugs. More than 100 items of contraband were discovered in searches;
- the highly effective drug detection dog team was expanded with four new dogs joining the Prisons Canine Section. Following the recruitment and training of handlers, the dogs and their handlers will be sent to Albany, Bunbury/Karnet, Wooroloo/Acacia and Greenough prisons by October 2004;
- intensive programs of at least 100 hours for medium and high-risk offenders were increased by 15 including two at Acacia Prison to cater for an additional 150 high-risk recidivist offenders. An extra 10 professional staff were recruited and trained to deliver the programs;
- a drug-free unit was established at Bandyup Women’s Prison in June 2004. Similar units exist at Wooroloo and Acacia Prisons and it is planned to extend the initiative to Albany Regional Prison early in the new financial year. Drug-free units are an incentive to reduce demand for drugs within the prison environment and normalise drug-free living for prisoners nearing release;
- a saliva drug-testing trial across five sites (Bandyup, Hakea, Wooroloo, Acacia Prison and the Community Justice Services centre at the Perth Drug Court) started in May 2004 and is expected to be completed by October 2004. This emerging technology has potential applications in more efficiently managing community-based offenders and for detecting people driving under the influence of drugs; and
- a comprehensive pharmacotherapy program (opiate substitution therapy) has been introduced at all prisons in partnership with the Drug and Alcohol Office, community GP practices and community drug treatment agencies. Its focus is on continuity of treatment that will support a prisoner’s successful re-entry into the community.

From its start in September 2003 to June 2004, some 370 prisoners had participated in the program.
Managing female offenders

The first year of a new approach to managing female offenders in WA was underpinned by research dating back to 2001. Initiatives included:

- further development of a philosophy and principles aimed at increasing the women's capacity to successfully re-enter the community, reducing the likelihood of re-offending and minimising the negative effects of their imprisonment on their children;
- the opening of the Boronia Pre-Release Centre for Women in May 2004, with the first prisoners transferred in June 2004. The new facility includes accommodation for 71 women and their young children in self-care, domestic-style accommodation units mirroring a small community of ‘Homeswest’-style houses. The prisoners live as a household of five, with responsibilities for budgeting, cooking, childcare and other domestic chores to mirror the realities they will face upon re-entry to the community. The focus of the centre is on health care, education, work skills and vocational training, programs to address offending behaviour, contact with family (especially children) and integration with the community, including reparation work;
- operational benefits flowing from the $14.8m investment in new facilities at Bandyup and the ongoing implementation of the change management program instigated in response to the Inspector of Custodial Services recommendations. Consultation underpins the change management program, which is driven by a staff team which has this year developed a vision, purpose and philosophy in line with the new approach to managing women offenders. The implementation of a constructive day for prisoners, the development of an appropriate staffing model and a new gratuities model at Bandyup are priorities for the change management team in the year ahead. A new project will begin looking at improving the front entry to the facility in 2004/05; and
- Women make up only 15% of the uniformed officer workforce in prisons and ongoing priority has been given to recruiting women as prison officers. Nearly half the officers graduating from the November 2003 entry-level training course were women.

Hakea change management

A program of reform has been implemented at Hakea Prison in 2003/04, under the Change Management (Integration) Team established in March 2003 to address operational and cultural issues at the prison, including those raised by the Inspector of Custodial Services. Improvements include:

- the introduction of an integrated routine for prisoners across the whole site in November 2003;
- the introduction of an after-hours induction team (a senior officer and two prison officers) to deal with late arrivals from court;
- a complete revision of the staff deployment plan;
- the erection of three strategically placed fences to restrict areas where prisoners could congregate to conduct illicit activities; and
- work on upgrading the prison’s perimeter.

Improving services for Aboriginal prisoners and detainees

The over representation of Aboriginal people in the WA prison system is a continuing and vexing challenge for the Department of Justice. Aboriginal people make up only 3% of the general population – but made up 38% of the prison population and 76% of the juvenile detainee population at 30 June 2004.
Report on Operations

The Department of Justice’s Reconciliation Strategy Statement and its 2002 Prisons division Aboriginal Services Strategic Plan express a commitment “to ensuring access to a fair and cost-effective justice system, which protects the rights of individuals and is responsive to community needs. These needs include the recognition of Indigenous rights that relate to areas such as identity, culture, religion and language, cultural and intellectual property, land customs, traditions and freedom from discrimination.”

Early indications are that the increased focus on Aboriginal issues has already resulted in significant improvements in services to Aboriginal prisoners.

To better support Aboriginal prisoners during 2003/04:

- Aboriginal elders-speakers programs were successfully introduced to eight prisons (Bunbury, Greenough, Roebourne, Broome, Wooroloo, Hakea, Casuarina and Bandyup);
- a project manager was appointed to progress the regional prisons strategy;
- the range of rehabilitation programs tailored to meet the needs of Aboriginal prisoners was expanded to include anger management and domestic violence programs at Broome and Roebourne prisons;
- the Aboriginal blood-borne virus program (BBV) started at Bandyup, Hakea and Wooroloo offering peer education in blood-borne viruses;
- priority was given to recruiting Aboriginal people to work in prisons with high Aboriginal prisoner populations. Eleven Aboriginal recruits participated in the first two training schools out of a total intake of 49 officers;
- vocational education and training opportunities for Aboriginal prisoners have been improved, with six part-time Aboriginal education workers appointed during the year. They are funded by the Department of Education and Training. Their role is to encourage and support Aboriginal prisoners in education and training at prisons in Greenough, Eastern Goldfields, Broome, Roebourne, Bandyup and Casuarina;
- literacy and numeracy training in prison industrial workshops was expanded to Albany and Roebourne in February 2004 following its introduction to workshops at Bandyup, Wooroloo, Bunbury, Karnet and Casuarina in the first half of 2003. Almost half (46%) of the prisoners who took up this training were Aboriginal;
- some 44 Aboriginal prisoners started traineeships, funded by the Department of Education and Training, in 10 different industry areas;
- 330 Aboriginal prisoners participated in the Vocational Education Guidance For Aboriginals Scheme introduced in May 2004. With $120,000 funding from the Federal Department of Education, Science and Technology, the program helps Aboriginal prisoners engage in post-compulsory training, develop skills and explore career opportunities. It also links prisoners to employment and/or training options after their release from prison; and
- a review of Wongi prisoners at Acacia Prison was undertaken in May 2004. Its recommendations, to be implemented in 2004/05, related to placement issues, improving the induction and orientation program, and improving the visits system, particularly for those prisoners whose families are located in remote desert areas.

To better support young Aboriginal detainees during the year:

- the Young Offender Personal Development program was remodeled, with more Aboriginal content;
- psychologists received clinical supervision from an Aboriginal psychologist during their training conference to address applying psychology with Aboriginal people;
- education services delivered by Aboriginal education officers provided individualised learning programs for Aboriginal young people from all over the State;
• 27 Aboriginal young people completed the Protective Behaviours program that teaches youth how to deal with potentially abusive situations and supports the Gordon Inquiry recommendations;
• an Aboriginal counsellor from Palmerston provided drug rehabilitation counselling;
• four detainees completed a sex offender counselling program for remote Aboriginal youth, providing psycho-sexual and relapse prevention counselling and exploring explored interaction, movement and cultural law issues;
• NAIDOC Week celebrations were held at Banksia Hill Detention Centre and Rangeview Remand Centre in July 2003 to promote Aboriginal culture and included support from families and significant others;
• Juvenile Custodial Services conducted a specific Indigenous Group Worker Traineeship recruitment program and employed eight Aboriginal trainees. These two-year traineeships were funded by the Department of Employment and Workplace Relations; and
• Aboriginal cross-cultural awareness training for staff was conducted to improve staff awareness of cultural issues affecting Aboriginal youth. This was conducted using Aboriginal presenters and was delivered to 90 staff.

Fire safety in prisons

In response to issues raised by the Inspector of Custodial Services, comprehensive reviews of fire and related emergency resources and procedures in all State prisons and detention centres were undertaken during the year in consultation with the Fire and Emergency Services Authority of WA (FESA).

Following the reviews, plans to reduce risk at each site were developed and improvements implemented, including the introduction of fire-resistant mattresses and increased training for staff in the use of breathing apparatus and rescue techniques. A memorandum of understanding with FESA for joint training exercises and management of fire emergencies in Department facilities was also developed. In the year ahead, a fire safety manager will be appointed and an experienced fire officer seconded from FESA to assist in developing and delivering ongoing training.

The implementation of key recommendations relating to infrastructure improvements and staff training are subject to funding considerations.

Fires at Wooroloo and Acacia

The importance of upgraded fire response capabilities were tested on 3 February 2004 when a serious fire threatened Wooroloo and Acacia prisons.

Prisoners at Wooroloo were evacuated to the Wundowie Sports Oval during the fire, which caused some damage to a hay shed, a silo and fencing, but no damage to prison buildings, no injury to staff or prisoners and no loss of stock.

At the adjacent Acacia Prison, 27 vehicles in the staff car park were destroyed by the fire. Spot fires within the prison were extinguished by prison staff and there was no structural damage to any of the prison buildings. Thick smoke caused a number of staff and prisoners to be evacuated to safer parts of the site and preparations were made to evacuate the prison if necessary – but this was not required. Only one prisoner required medical attention after suffering an epileptic seizure.

Following the incident, an action plan was prepared in consultation with FESA and AIMS Corporation including:
• improved communication and liaison processes with defined roles and responsibilities for fire prevention and incident management within the Department and between the Department and FESA;
Volunteer fire fighters

Four senior officers from Wooroloo Prison Farm wore two hats when fire struck the prison in February 2004 – Mark Schumacher, Chris Galloway, Artie Paul and Peter Van Dyk are all members of the Volunteer Bushfire Brigade which earned accolades for its efforts in battling the blaze.

CUSTODY AND CONTAINMENT

The escape of nine prisoners from the Supreme Court custody area managed by AIMS Corporation (more) in June 2004 and allegations of undetected abscondments from the Wooroloo Prison Farm focused increased attention on security in prisons and court custody areas during the year.

Escapes

There were a total of 64 escapes from custody during 2003/04. This included 50 escapes from prisons, nine from the Supreme Court on 10 June 2004 and a further five escapes from custody from other locations (making a total of 14 under the Court Security and Custodial Services contract).

Supreme Court escapes

A full and independent inquiry led by senior barrister Richard Hooker started less than a week after the 10 June escape of nine prisoners from the Supreme Court custody area. Immediate action was taken to improve security following the escapes, including:

- the Department suspended AIMS Corporation from court custody duties, including dock guards, at the Supreme Court and replaced AIMS Corporation staff with the Department’s Emergency Services Group;
- a scheduled upgrade was brought forward and more than $100,000 was spent immediately on structural upgrading of security at the Supreme Court (more);
- a joint AIMS Corporation/Department of Justice Court Security and Court Custody Program was established with security audits completed in all major courts in WA and some immediate infrastructure, management and intelligence improvements being made;
- AIMS Corporation reviewed its management structure and appointed a new general manager of Court Security and Custodial Services who was to take up his position in July 2004; and
- AIMS Corporation employees were retrained in the use of restraints and other custody and security processes.

The Department will provide a full response to the inquiry into the Supreme Court escapes when the report is delivered in August 2004.

- the adoption of the incident control system method of managing incidents with associated training;
- a joint FESA and Department of Justice fire audit of Acacia Prison was completed in April 2004 and many of the recommendations had been implemented by year end; and
- new arrangements for more effective and prompt deployment of the Department’s Emergency Support Group staff in emergencies.
Prison escapes

The number of escapes from prisons has halved since 1998/99 (from 100 to 50) and the rate per 100 prisoners continues to fall from 3.72 in 1998/99 to 1.86 last year and 1.66 in 2003/04. Of the 50 prisoners who escaped during the year, 48 were minimum-security prisoners, one was medium and one was maximum.

The sustained reductions in rates of escapes in recent years reflect changes to the prisoner classification system (more), efforts to address underlying causes of escapes and efforts to reduce the opportunities for them to occur. Initiatives have included improved security and more structured activities during periods of increased tension and stress, such as Christmas time.

Table: Rate of escapes from prisons per 100 adult prisoners.

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<tr>
<td>Open level of security</td>
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<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>(Prisoners with Min Security Rating)</td>
<td>10.40</td>
<td>7.60</td>
<td>11.40</td>
<td>7.50</td>
<td>9.80</td>
<td>6.10</td>
<td>6.10</td>
<td>4.90</td>
<td>6.21</td>
<td>5.30</td>
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<tr>
<td>Secure level of security</td>
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<td></td>
</tr>
<tr>
<td>(Prisoners with Max/Med Security Rating)</td>
<td>0.10</td>
<td>0.30</td>
<td>0.20</td>
<td>0.40</td>
<td>0.50</td>
<td>0.20</td>
<td>0.40</td>
<td>0.00</td>
<td>0.05</td>
<td>0.10</td>
</tr>
<tr>
<td>Total</td>
<td>4.50</td>
<td>2.95</td>
<td>3.99</td>
<td>2.88</td>
<td>3.72</td>
<td>2.22</td>
<td>2.41</td>
<td>1.60</td>
<td>1.86</td>
<td>1.66</td>
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</tbody>
</table>

Note the above table does not include those under Court Security and Custodial Services management.

SECURITY

Wooroloo Prison Farm

Following allegations in March 2004 that prisoners had left the confines of Wooroloo Prison Farm and returned to the prison undetected, the Department conducted a security review in April 2004.

Patrols and surveillance by Wooroloo security staff were increased; prisoners were given a comprehensive orientation outlining the prison’s boundaries and consequences for breaching them and new “out of bounds” signage was erected around the boundaries. This was in addition to regular prisoner counts throughout day and night shifts and checks of the area around the buildings by night staff, and vehicle checks of the ring road, outer boundary and bush track areas.

The review also gave rise to a 12-month trial of an electronic monitoring system planned to start in October 2004. This involves prisoners being fitted with an electronic ankle bracelet which sets off an alarm sent to a monitoring station when the designated perimeter has been breached, or anklet tampered with.

Review of prisoner authorised absences

A comprehensive review of the prisoner activity program outside prisons (under Section 94 of the Prisons Act 1981) was completed in April 2004 after the security of the program was brought into question by prisoners’ participation in a supervised air rifle activity in Kalgoorlie and the escape of a prisoner from Karnet Prison Farm during an indoor cricket game.
Participation in work and recreation in the community by minimum-security prisoners is an important part of the Department’s re-entry strategy. To restore the integrity and maintain the benefits of the program, the Department:

- introduced more stringent criteria for selecting activities and prisoners to participate in them;
- established more robust and accountable program management; and
- drafted a new Director General’s Rule and Policy Directive establishing the new criteria for prisoner eligibility, the nature of appropriate activities and the proper processes to be followed to best protect the community.

**Review of minimum-security placement**

There was also a review of all prisoners classified as minimum-security and a small number of prisoners had their security rating upgraded and were relocated to more secure prisons. Other prisoners identified initially by the review were subsequently more comprehensively reviewed to determine their suitability to remain in a minimum-security prison. The criteria for the placement of sex offenders was also tightened so that these prisoners must spend at least a third of their aggregate effective sentence in a maximum or medium-security prison. Sex offenders on remand must also be placed in a medium or maximum-security setting.

**Review of prisoner mail screening**

Following concerns raised in 2003 about the receipt of unwanted mail from a prisoner, the Department took steps to protect the individual – a victim protected by a violence restraining order – from further harassment. In late 2003, the Ombudsman raised the same matter and the Department received a separate complaint from an unrelated party. The Department reviewed its procedures and a new process, which involves all non-official letters from prisoners who are subject to a restraining order being screened, was implemented in April 2004.

Proposed changes to the *Prisons Act 1981* were also developed for consideration by the Government in 2004/05. These changes would enable superintendents to withhold prisoner mail in certain circumstances and any person could request not to receive mail from a particular prisoner and such mail could be stopped, with CEO approval.

**Prison gatehouse project**

The prison gatehouse project is part of the Department’s wider strategy to improve the security of the prisons, as well as enhancing professionalism and customer service at the prison gatehouses.

In October 2003, new strategies to identify social visitors were implemented at all prisons. These include a requirement for photographic identification from prison visitors and their formal registration on the prison’s computer system. In March 2004, more advanced security technologies were introduced in WA’s main maximum-security prisons as part of the overall strategy to improve security and detect contraband. New technologies introduced included x-ray machines and airport-style, advanced walk-through multi-zoned metal detectors.

Security powers were also increased in June 2004 when legislative changes became effective, enabling 12-month bans of prison visitors caught with illegal goods or considered a serious risk to prison security.
Gatehouse changes

The phase-in of new security strategies at all gatehouses started in October 2003. Additional new security strategies include a total ban on mobile phones from all prisons and a ban on briefcases and non-transparent carry bags from medium and maximum-security prisons.

Briefing sessions on the new arrangements were held for all Prisons and Community and Juvenile Justice staff around the State so they could answer questions from people intending to visit a prison.

Unions were also briefed and information made available to all stakeholders including staff, contractors, prison visitors and prisoners.

The gatehouses at Casuarina and Hakea prisons and Albany Regional Prison were equipped with x-ray and metal detection equipment that became fully operational in March 2004. X-ray equipment was also installed in the prisoner reception areas of Casuarina and Hakea at that time.

CARE AND WELL-BEING

Suicide prevention

A number of significant suicide prevention strategies were introduced during the year and the lowest rate of suicide in WA prisons in the last decade was recorded. There was one death from apparent suicide in 2003/04, compared with four deaths by apparent suicide in the previous year and far higher rates in the late 1990s as shown in the table following:

<table>
<thead>
<tr>
<th>Year</th>
<th>Suicides</th>
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<tbody>
<tr>
<td>1994/95</td>
<td>2</td>
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<tr>
<td>1995/96</td>
<td>4</td>
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<tr>
<td>1996/97</td>
<td>3</td>
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<td>1997/98</td>
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<td>1998/99</td>
<td>6</td>
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<td>1999/00</td>
<td>8</td>
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<td>2000/01</td>
<td>9</td>
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<tr>
<td>2001/02</td>
<td>8</td>
</tr>
<tr>
<td>2002/03</td>
<td>7</td>
</tr>
<tr>
<td>2003/04</td>
<td>1</td>
</tr>
</tbody>
</table>

The introduction of improved facilities, processes and custodial staff responses have all contributed to the prevention of suicides in prisons and build on the 2002 Suicide Prevention Taskforce recommendations. In 2003/04 they included:

- appointment of a suicide prevention manager;
- access to the Samaritans phone line for all prisoners;
- ongoing development of a Samaritans “Listeners Scheme” pilot at Hakea and Bandyup Women’s Prison;
• continuing work with the Aboriginal Legal Service to develop a program for male Aboriginal prisoners in the early stages of their imprisonment;
• enhancement of the peer support program including accreditation for regional trainers to deliver the gatekeeper suicide prevention course at all prisons and the training of more than 120 peer support prisoners to better enable them to recognise and respond to at-risk prisoners; and
• start of at-risk management system refresher training for prison staff.

Health services

Health services are provided in prisons at a level commensurate with community standards. Services have improved significantly over the past year, particularly in prisoner addiction services, the use of blister packs and on-person medication, and the treatment of blood-borne communicable diseases.

The Department’s recruitment of nursing, pharmacy and medical staff was boosted this year, enhancing service. However, the industry-wide shortage of nursing and medical staff continues to hamper the ability to fully staff the service.

A memorandum of understanding between the Department of Health and the Department of Justice was signed in January 2004, supporting a range of services in prisons.

National accreditation

In May 2004, the Department of Justice’s Health Services directorate received national accreditation for two years from the Australian Council of Healthcare Standards. The accreditation recognises that health care provided to prisoners meets the standards that apply in the general community.

Blood-borne viruses program

Approximately 30% of males and 60% of females in custody have the blood-borne virus, hepatitis C. Training and advice in 2003/04 about the management of these problems included:

• a series of workshops in the metropolitan area for 450 custodial staff facilitated by the WA AIDS Council;
• training for four regionally-based and six metropolitan-based custodial staff as trainers in March 2004;
• an Aboriginal Blood-borne Virus and Sexual Health Peer Education pilot program was started at Hakea, Acacia, Wooroloo, Bandyup and Boronia;
• partnerships with three hospital liver specialist units at Fremantle, Royal Perth and Sir Charles Gairdner hospitals have been developed to deliver a shared-care program for hepatitis-C treatments; and
• the development of an education video for women prisoners on sexual health and the prevention of blood-borne viruses.

Mental health
About 30% of male and 40% of female adult offenders are identified as having mental health issues and about half of these are diagnosed after their first contact with the law. In October 2003, the Department of Justice and the Department of Health concluded a joint review identifying deficits in the justice and health systems in addressing the needs of mentally ill offenders.

By year end, changes to services for mentally ill prisoners included:
• extra Department of Health forensic psychiatrist services in regional and metropolitan areas, particularly in the reception prisons of Hakea and Bandyup;
• additional psychiatric services through regional community mental health and Aboriginal services;
• risk assessment training for all permanent nursing staff; and
• restructuring of mental health nursing services to increase resources in Albany Regional Prison.

Women’s health
The opening of the Boronia Pre-release Centre in May 2004 marked a significant philosophical shift in the provision of health services to female prisoners. Structural features of the health centre at Boronia are based on community clinics, as are the procedures and policies for services, encouraging women to take responsibility for maintaining their health and that of their family.

Dietary review
Following a joint Department of Justice and Department of Health dietary review in March 2003, prisoners this year received meals, which took into account their special needs. They were also educated about healthy eating choices they can take with them after their release. The Department of Health program, FoodCent$, delivered to prisoners claims to save the average family up to $1,000 per annum and increase life expectancy by up to 10 years.

Prison Counselling Service and peer support
The Prison Counselling Service provided individual counselling to prisoners as part of crisis assessment and intervention and suicide and self-harm prevention. Rehabilitative counselling was undertaken to identify longer-term intervention requirements. In 2003/04, some 2,811 prisoners received counselling during 13,450 contacts.

Prisoners also received support from prisoner peer support teams based at each prison. Peer support teams befriend and listen to other prisoners who may be in distress or having problems. Prison Support Officers are responsible for the co-ordination of peer support teams including recruitment and training of team members. All prison support officers were trained in the Samaritans “Gatekeeper” suicide prevention program during the year and, at year end, had started training their peer support teams.
REPARATION
Providing prisoners with the opportunity to return something to the community against which they have offended is a priority for the Department and is critically important to a prisoner’s successful re-entry to the community.

**Prison industries**

Prison industries provide opportunities for prisoners to establish work skills that help them gain and retain employment once released and reduce the costs of the prison system to the taxpayer.

During 2003/04, an average of 1,300 prisoners were employed each working day in prison workshops. This is in addition to prisoners engaged in housekeeping tasks and community work. Of the prisoners employed in workshops, 300 work in commercial industries serving external contracts with a production value of $2m. Prisoners supply another $11.7m worth of food, clothing, furniture and other products used within prisons.

Prisoners at three prisons – Albany, Hakea and Casuarina – manufactured furniture for the fit out of the new Boronia Pre-release Centre for Women. The furniture included tables, chairs and benches, coffee tables and storage cupboards worth an estimated $200,000 and saving taxpayers an estimated $100,000 in labour costs.

The Wooroloo Prison Farm’s industrial facility, commissioned in April 2003, became fully operational during the year, providing employment for more than 50 prisoners, producing furniture, recycled timber and metal components to local industry clients. Some of those prisoners have been employed by the industry clients on their release.

Other commercial contracts involve the manufacture and assembly of products for small businesses, Government departments and welfare agencies. Contracts during the year included:

- refurbishing and manufacturing clothing bins and cages and assembling pine chests for the St Vincent de Paul Society;
- manufacturing trailers for the Department of Conservation and Land Management;
- manufacturing cray pot frames for Activ Industries; and
- manufacturing and packing therapeutic wheat pack products.

An implementation plan for the Review of Training and Work Experience to Prisoners in Western Australian Custodial Facilities, presented to the Department in June 2003, was developed during the year and focuses on increasing on-the-job training for working prisoners.

**Prisoner work camps/community work**

The Department undertakes a program of community, charitable and voluntary work from minimum-security prisons and work camps. It is estimated that the program is worth $3m each year.

There are currently six work camps operating around the State at Wyndham, Derby, Millstream, Kellerberrin, Pardelup and Walpole. Through 2003/04, an average of 71 prisoners were employed at these work camps, producing 70,000 hours – or $1m worth – of reparation work for their communities.

Projects included dismantling a jetty at Coalmine Beach, building a stairway at the boat harbour in Denmark, concreting ramps for people with disabilities at Derby jetty, constructing a walk trail to the top of the Bastion lookout at Wyndham, street numbering houses and businesses in Kununurra and Wyndham and reconstructing hundreds of kilometres of fencing after fires around Pardelup. Other work projects have been environmentally focused including the eradication of noxious weed, revegetation of native trees and coastal restoration including planting vegetation and constructing retaining walls.
The Pardelup prisoner work camp near Mt Barker also harvested its first stand of plantation gum trees in March 2004. The very successful 40-hectare stand was planted in 1993 under an agreement with the Water Corporation, AgWA and CALM to monitor the water table, consumption and impact on reducing salinity.

Prisoners from Karnet completed a total of 7,000 hours on the construction of the Munda Biddi cycle trail between Mundaring and Collie which will be officially opened by the Premier in July 2004.

Prisoners also actively participated in several community events while prisoners at Wyndham work camp were also involved in a successful search for a lost person in bushland, searching alongside community volunteers, police officers and FESA members.

REHABILITATION AND REINTEGRATION

Prisoners participate in a range of programs, education and activities that address offending behaviour and improve life and vocational skills so that the risk of re-offending is reduced and their successful transition back to the community is increased.

Offender programs

In the past year, there were 1,372 prisoner enrolments in group-based intervention programs across the prison system, compared with 1,714 in the previous year. Of these, some 463 prisoner enrolments were in programs delivered by Acacia Prison. The number of enrolled hours increased from 99,000 in 2002/03 to 105,000 in 2003/04, reflecting the increased emphasis being placed on more intensive programs. The programs are tailored for groups including sex offenders, violent offenders, and those with substance-abuse issues.

A review of the program schedule was undertaken during the year to examine how programs could be delivered with greater efficiency and to improve treatment efficacy. The review identified avenues for change, which have now been implemented, improving timeliness and efficacy.

Offender Programs Edith Cowan (OPEC) continued to independently evaluate Prisons’ programs and predictive tools, bringing a new transparency to the Department’s rehabilitative efforts. OPEC was established in 2001 to construct an extensive database on offenders identified as candidates for either a violent, sexual, substance, relationship or cognitive skills intervention program.

New training protocols were established during the year and the student program was extended to include international students from Poland, Canada, Hong Kong, Singapore and the Seychelles.

The cognitive skills program (life skills) was revitalised with the appointment of a new clinical supervisor and the addition of 11 new coaches around the State. The program was delivered in nine public prisons to 180 prisoners during the year. A further 125 prisoners participated in cognitive skills training at Acacia Prison.

Collaboration between the public and private systems continued, with Acacia Prison taking on the Department’s medium-intensity sex offender program, intensive violent offender program and intensive substance-abuse program. Acacia Prison staff are provided with training and ongoing support. The second review of Acacia Programs unit was also completed and an action plan for the next 12 months developed.
Vocational education and training

Some 42%, or 1,155 of eligible and available prisoners, were enrolled in education and vocational training programs in 2003/04. The full-time and part-time courses on offer included adult basic education, secondary and higher education, vocational education and training, pro-social and integrated personal development, driver training and pre-release support for employment and training.

Tailored courses with full support are provided for the prisoner student group, which includes people with a disability, Aboriginal people, those from non-English-speaking backgrounds, women in transition and youth at risk.

The Department of Justice’s Education and Vocational Training unit received the endorsement of the WA Training Accreditation Council, which conducted a thorough audit covering six prisons in September 2003.

The WA Training Accreditation Council outlined areas of good practice and innovation, commending the:

- consistent application of procedures across very different prisons;
- extensive focus on continuous improvement;
- effectiveness in linking of training workplace requirements; and
- excellent focus on meeting the needs of individuals.

The focus in the second half of 2003/04 was on increasing industry training and skilling Aboriginal prisoners – most of whom return to remote community locations upon release.

Vocational training has become an integral component of prison industry workshops and the WA traineeships program is now recognised as best practice by other jurisdictions’ correctional education systems. The program was nominated for a Premier’s Award to be judged in November 2004.

Arts

The benefit of the arts to prisoners goes beyond recreation – it is the opportunity for some to find a new form of self-expression that boosts self-esteem and contributes to successful re-entry into the community.

During the year, negotiations with the Department of Housing and Works were successfully completed, paving the way for WA’s first permanent prisoner art gallery and a justice information display. The gallery will open within the walls of the former Fremantle Prison in July 2004. Most of the art will be created by prisoners undertaking a nationally accredited art program in prison art centres.

Other major projects for 2003/04 included the recording of compact discs in Bunbury and Broome Prisons and the production of two short videos by the prisoners in Roebourne, one of which will play continuously at the new prisoner art gallery, along with the original music CDs.

Other activities in prisons include art, theatre sports and the continuing roll out of musical instruments for tuition and use by prisoners, which will extend to Greenough and Roebourne Prisons in the year ahead.

Acacia Prison also introduced an Aboriginal arts industry program during the year aimed at providing meaningful work, increasing self-esteem and facilitating a smoother transition into the prison population for Aboriginal men.
CONTRACTS

Acacia Prison

Acacia Prison is a medium-security facility for male prisoners at Wooroloo, 60km north of Perth. It is the State's largest prison with a capacity of 745 prisoners and WA's only privately operated prison, managed under contract by Australian Integration Management Services (AIMS) Corporation.

In 2003/04 the prison population increased from 690 to an average daily population near capacity at 730, of whom 230 were Aboriginal prisoners.

Now in its fourth year of operation, the prison is showing signs of stabilising, with a reduction in the number of prisoner incidents. The appointment of a new general manager in August 2003 and several other senior management changes were followed by a marked improvement in the operation of the prison, including the development of an operational plan addressing shortfalls identified by the Inspector of Custodial Services in his first inspection in March 2003.

An independent review of the prison's education and vocational training and program delivery was conducted in June 2004. Both reviews reported a marked improvement over the previous year.

A joint board of management of the contract including the Director General of the Department of Justice and the Chief Executive Officer of AIMS Corporation was established in August 2003 and meets quarterly to review performance and facilitate an improved relationship between the Department and AIMS Corporation.

A full report on Acacia Prison's operations will be available through a separate annual report to Parliament made in accordance with the Prisons Act 1981.

Prisoner transport contract

The Court Security and Custodial Services Contract, which includes prisoner transport, is held by AIMS Corporation.

Following extensive reviews of the contract (which currently costs the State $18.6m) and how it might deliver better value for money to the State, the Department was moving towards renewing the contract subject to agreement on a number of changes.

However, no renewal of the contract will now be considered until after the inquiry into the June escape of nine prisoners from the Supreme Court has been finalised.

In an unrelated change, juvenile justice group workers will take over juvenile metropolitan transport and Perth Children's Court custody from AIMS Corporation from 1 July 2004.

In accordance with the Court Security and Custodial Services Act 1999, the Director General will provide a separate annual report to Parliament.

COMMUNITY JUSTICE SERVICES

Implementation of Gordon Inquiry recommendations

As part of its response to recommendations of the Gordon Inquiry, Community and Juvenile Justice:

- appointed four program officers between January and March 2004 to deliver perpetrator programs to adult and juvenile offenders in remote Aboriginal communities. These officers will work in conjunction with the communities and other Government agencies, with community members encouraged to help deliver programs that are tailored to meet local needs and culture; and
appointed two officers in June 2004 to work with remote Aboriginal community councils to manage offenders on community-based orders. Another officer is expected to start in the year ahead. Community supervision agreements are held with 40 communities across the Kimberley, Pilbara and Eastern Goldfields regions and will be increased in the year ahead. These local solutions are critical given the vast size of the State and the sparse distribution of the population makes a permanent presence in all locations impractical (more).

**Juvenile Justice Strategy**

Planning and preparation of a juvenile justice strategy to target serious, repeat offenders and offenders in regional and remote areas was completed. The program is an Australian first and, among other initiatives, will see Departmental teams of specialist staff working intensively with offenders, their family and peers, in their homes and community environment for up to six months. At a cost of around $3.7m for the first year, the strategy will be implemented from November 2004.

**Repaying the community**

The Department has worked to expand opportunities for prisoners and offenders being managed in the community to undertake work for the community while learning valuable life and work skills. Prisoners make their contribution while on day-release under Section 94 of the *Prisons Act 1981* and on work camps. Offenders being managed in the community make their contribution while undertaking their work orders.

In April 2004, a two-year memorandum of understanding between the Department and the City of Gosnells signalled the expansion of the community work order program under the banner of “Repay WA.” The program involves community groups, church organisations and local governments bidding for help for selected offenders to undertake useful community work.

In 2003/04, prisoners undertook approximately $3m worth of work for the community under Section 94 of the *Prisons Act 1981* and on work camps. Around 6,500 adult offenders undertook community work orders around WA, completing 275,912 hours of unpaid work valued at about $3.8m. With the abolition of sentences of six months or less under the new *Sentence Administration Act 2003*, those figures are expected to increase in the year ahead (more).

**Therapeutic programs**

There was an average of 12 programs run per quarter for offenders being managed in the community. There were 326 commencements during the year, compared with 97 in the previous year and 192 completions in 2003/04 compared with 64 the previous year.

Offenders targeted include those who are ambivalent about addressing their offending behaviour; have anger or emotional problems; want to avoid relapsing into risk behaviours such as substance abuse; and those who have poor social skills.

Eleven new program officers were appointed in February and March 2004 to support the expanded program and another two part-time officers were stationed at Albany and Bunbury.
Criminal Property Confiscation Grants

In June 2004, 19 not-for-profit organisations and local government authorities received grants totalling $755,048 – the second round made available under the Criminal Property Confiscation Act 2000 ($1.2m was distributed last year). Under the Act, money and property used for criminal activity is confiscated and funds made available for programs aimed at preventing or reducing drug-related criminal activity; supporting victims or crime or other law enforcement purposes.

CEO parole

When the Sentence Administration Act 2003 was proclaimed in August 2003, the Director General was empowered to release on parole those prisoners serving an aggregate term of imprisonment of less than 12 months. This reform addresses WA’s high rate of imprisonment, with specific conditions suited to the needs of the individual prisoner able to be attached to the release order, facilitating a more successful re-entry to the community.

Approximately 50 prisoners were eligible for CEO parole each month during the year and, to June 2004, there was a rate of release for these prisoners to CEO parole of 78% to 30 June 2004.

Some 47% of CEO parole releases related to traffic offences, 20% to violence offences, 15% to property offences and 18% to other offences. Of the total CEO parole orders issued to 30 June 2004, some 9% were suspended and 4% were cancelled for either non-compliance with the conditions or for re-offending.

Staff training

The Community Justice Services training unit developed and delivered seven new training programs to staff during the year. There was a total of 143 training days available to staff in 2003/04, an increase of 25 days over the previous year.

The training unit also continued to work towards maintaining its status as a registered training organisation and addressed relevant recommendations of the Skinner Report, including developing a closer training relationship with the WA Police Service and planning for improved training facilities.

Planning, Policy and Review

Key reforms initiated by the Department are supported by research, statistics and evaluation and made practical through policy analysis and legislative changes. Planning, Policy and Review is responsible for policy development and advice to the Department’s executive, Minister and Government on issues that have wide impact across the criminal justice system. In 2003/04, these included crime prevention, adult diversion and early intervention, reducing re-offending, managing female offenders and the international transfer of prisoners.
It reviewed initiatives in other jurisdictions that may have implications for WA, including changes to the privacy legislation and monitored international developments that create precedents that could be applied in WA.

Much of the directorate’s work involves collaborating with other areas of Government at State and national levels, universities and research centres, Aboriginal people and with the wider community. Many of its key achievements, therefore, are highlighted on other pages of this report (more).

A comprehensive review and evaluation program for the Department’s key reforms was also put into place during the year.

**Legislative reform**

During the year, Planning, Policy and Review helped prepare legislation addressing key issues including:

- **sentencing** – part of the strategy to reduce the rate and cost of imprisonment in WA, the new *Sentence Administration Act 2003* was passed in late June 2003 and largely came into effect in late August 2003. The remaining elements of the package, concerning the abolition of sentences of six months and less, came into effect in May 2004;
- **prisons** – a range of proposed amendments to the *Prisons Act 1981* dealing with prisoner mail, use of video link for disciplinary matters, grant of permits for funerals and other administrative matters were completed and the relevant legislation is scheduled to be introduced into Parliament in the year ahead;
- **deportation and removal** – implementing recommendations from the *Review of the Prisoners (Release for Deportation) Act 1989* for legislative and procedural reform for prisoners and detainees facing removal or deportation from Australia; and
- **young offenders** – proposed legislation was developed and is scheduled for introduction into Parliament in August 2004. It will allow more effective supervision of serious and repeat offenders in the community; address some shortcomings in services to remote Aboriginal communities; improve the capacity to share information to protect vulnerable young people; and resolve current technical and administrative problems.

**Churchill fellow**

Director Planning, Policy and Review Wendy Murray became one of 11 in WA to be awarded a Churchill Fellowship in June 2004. Under the fellowship, she will travel to the United Kingdom, Europe, USA and Canada next year to research issues including:

- what makes innovative justice programs successful particularly in regard to managing juvenile offenders in the community;
- management of first-nation prisoners in first-nation prisons in Canada;
- legislation supporting different types of imprisonment; and
- recidivism targets and measurements.

**Juvenile Custodial Services**

Juvenile Custodial Services manages young people between 10 and 18 years in custody, on arrest and remand, or sentenced to detention. It is also responsible for young people in the community on supervised bail. While the numbers are relatively small compared to the adult offending population, the demand for tailored rehabilitation programs, often delivered on a one-to-one basis or in small groups, is high.
The daily average population of juveniles in custody during 2003/04 was 133 compared to 114 in the previous year. There were 1,533 unsentenced admissions to Rangeview Remand Centre in 2003/04, 169 more than in 2002/03.

The daily average remand population at Rangeview in 2003/04 was 44 juveniles, compared to 34 in 2002/03, with an average length of stay of 12 days.

In 2003/04, the Supervised Bail Program had 346 participants in the metropolitan area and 40 in regional areas. The average number of days on the program in 2003/04 in the metropolitan area was 20.4 and in regional areas, it was 17.93 days. This represents a saving of 7,073 bail custodial days in the metropolitan area and a saving of 717 bail custodial days in regional areas.

Banksia Hill Detention Centre received 235 sentenced juveniles in 2003/04 – six more than in 2002/03. The daily average population in 2003/04 was 87 and the average length of the custodial proportion of the sentence was 18 weeks.

**Escape**

In February 2004, a young offender escaped from the Bentley Hospital Adolescent Unit after being referred there for psychiatric assessment. The incident raised concerns about security arrangements at the unit and offenders requiring psychiatric assessment have since been placed at the Franklin unit, which is the secure facility at Graylands Selby-Lemnos and Special Health Services. Discussions with the Department of Health regarding the potential for further use of the Bentley facility are ongoing.

**Intellectual impairment**

A 14-year old intellectually impaired offender was placed in custody under the *Mentally Impaired Defendants Act 1996* in August 2003. His intellectual impairment was such that programs had to be specially tailored in cooperation with other agencies to improve his vocational and cognitive skills. By year end, there had been vast improvements in those skills.

**Staff training**

Delivery of a training package developed at Rangeview Remand Centre to all group workers started in May 2004. The training includes legislative, policy, negotiation and conflict resolution, communication and modelling, behavioural management techniques, use of separation and the use of force as a last resort.

It is designed to enhance the skills required to deal with young offenders in detention who often come from varied, dysfunctional backgrounds and have significant behavioural and attitude problems.

**Training for detainees**

Access to education and training has been a major focus in the past year when:

- horticulture traineeships were introduced at Banksia Hill Detention Centre and six detainees completed the first six months of the course, with support in literacy and numeracy. However, due to detainees being released from custody, this group was dissolved. A new group will start in the year ahead and their traineeships will be transferable when they are released;

- following a successful 10-week pilot in late 2003, the Caversham Training and Enterprise Centre was officially opened in January 2004. This is a local community partnership that aims to re-engage unemployed, uneducated and untrained young people at risk of offending; and
• a cadet was approved to attend an army training camp at Bindoon in October 2003. It was the first time a juvenile detainee had been released into the care of the military for an external camp. After the 72-hour training camp, the cadet was awarded a certificate of participation and promoted to Lance Corporal. He was released from Banksia Hill Detention Centre two days later and returned to the camp for the second phase.

• in an Australian first for a detention centre, military skills training was offered for detainees from February 2003. The establishment of a platoon at Banksia Hill Detention Centre has provided detainees with training that boosts their self-esteem, provides self-discipline and exposes them to accredited training and increases their employment chances on release. Since the training was introduced, 120 detainees have received various levels of accredited training.

**Programs extended**

Therapeutic and personal development programs were extended during the year to better skill detainees and to improve their prospects as they approach adulthood. They also better address the needs of Aboriginal people:

• the Young Offender Personal Development Program – was remodelled to incorporate stories and characters into modules with substantial Aboriginal content and to make it more relevant and appealing. It was also extended to Rangeview Remand Centre where 66 Aboriginal youths attended during the year. Another 75 attended the program at Banksia Hill Detention Centre; and

• other programs, including Promoting Adolescent Sexual Health and a psycho-educational drama – a forum for detainees to explore issues in their lives including trust, respect, friendship, relationships and family have been extended from Banksia Hill to Rangeview.

Other programs include Individual Psychological Assessment and Counselling, Protective Behaviours, Parenting and Drug Rehabilitation Counselling and Drug Overdose Prevention. Making it on the Outside and Keeping Safe are additional programs available at Banksia Hill Detention Centre.

**Kimberley juvenile bail facilities**

At year end, discussions with Aboriginal communities throughout the Kimberley to participate in the regional juvenile bail program were ongoing. This follows the withdrawal from the program of the Bells Springs community near Kununurra in March 2004 and the withdrawal of the Banana Well community north of Broome in June 2004, following its review of its community’s resources.

The Department recognises both communities for their work with Aboriginal juveniles. Banana Well was the first community to participate in the program and cared for a total of 49 juveniles, including three girls, between December 2000 and June 2004. The Bell Springs community accommodated 78 juveniles, including one girl, between July 2001 and March 2004.
**PUBLIC ADVOCATE**

**THE SERVICE**

The Public Advocate is an independent statutory officer appointed under the Guardianship and Administration Act 1990 to protect and promote the rights, dignity and autonomy of adults with decision-making disabilities and to reduce their risk of their neglect, exploitation and abuse.

The Public Advocate:

- conducts investigations when complaints or allegations arise that the well-being of a person with a decision-making disability may be jeopardised to determine whether a guardian or administrator may need to be appointed;
- provides guardianship services when the Guardianship and Administration Board determines that there is no one else suitable or willing to act as the person’s guardian; and
- co-ordinates community education programs to promote awareness of the guardianship and administration system.

**KEY ACHIEVEMENTS**

**Managing future demand**

The demand for services provided by the Public Advocate continues to grow. An increasing ageing population, the rise in the incidence of people with dementia and the ageing of carers for people with decision-making disabilities are all contributing to the increased demand.

In 2003/04, the Public Advocate commissioned a report into the likely future demand for guardianship and administration services. The forecast is for an annual growth over the next five years of 5.9% for guardianship orders, 2.1% for community-referred investigations and 2% for investigations referred from the Guardianship and Administration Board. A number of initiatives to manage the growth in demand for services were introduced including:

- an analysis of existing guardianship orders carried forward from previous years and the subsequent revocation by the Guardianship and Administration Board of a significant number of cases where it was determined that it was no longer necessary for the Public Advocate to be appointed guardian. During the year, 74 guardianship cases were closed (52 of those as a result of revocation by the board). The revocation project will continue in 2004/05;
- the establishment of a new liaison officer position to streamline communication with the Guardianship and Administration Board and to ensure appropriate investigation referrals to the Public Advocate. The liaison officer would perform a similar role in the proposed State Administrative Tribunal, which may absorb the functions of the Guardianship and Administration Board; and
- the securing of funding for two additional guardians to be appointed in 2004/05 including the position of community guardianship co-ordinator to develop an innovative program to recruit and support volunteers to act as guardians.

**Services to Aboriginal and culturally diverse communities**

As part of its commitment to a more integrated, whole-of-Government approach to people with complex needs, the Public Advocate established protocols with the Department of Indigenous Affairs, the Department for Community Development and the Disability Services Commission to gain wider knowledge of the needs of Aboriginal communities throughout the State.
This is in line with recommendations of the Gordon Inquiry into complaints of family violence and child abuse in Aboriginal communities.

In January 2005, with $50,000 from the Government’s Active Ageing Strategy, the Public Advocate will begin a two-year project with Aboriginal and other culturally and linguistically diverse communities to identify and develop local responses to elder abuse.

**Community education**

The Public Advocate has continued to develop and provide training programs for service providers to regional communities, especially Aboriginal communities.

More than 60 service providers attended an information session in March 2004 jointly convened by the WA aged care advocacy group, Advocare. The half-day session was held at Derbarl Yerrigan Health Service in Perth. A similar information session was conducted in Geraldton in February 2004.

A total of 40 public presentations and training seminars was held throughout 2003/04, six in regional WA. The first of several planned video conferences was conducted in May 2004 and linked service providers in the Kimberley.

Some 96% of the respondents surveyed said the session they attended was relevant and 94% said they understood more about the topic than previously. The overall satisfaction rate was 95%, compared with 92% last year.

**Updated publications**

All existing publications were revised and updated into eight information sheets. The training manual for service providers and Enduring Power of Attorney kits were also revised and reprinted.

A new brochure outlining the role of the Public Advocate and the guardian and administration system was produced and widely distributed in regional areas. It specifically targets Aboriginal communities.

**Telephone advisory service**

The Office of the Public Advocate operates a telephone advisory service, which received 4,363 calls in 2003/04. Staff answered a total of 5,295 queries. The pattern of calls to the advisory service changed after the enhancement in February 2004 of a dedicated Enduring Power of Attorney information line. Callers can now be directed from the main switchboard to a pre-recorded message which answers commonly-asked questions about EPAs.

**Customer satisfaction**

The Office of the Public Advocate continues to attract high levels of customer satisfaction. Two surveys conducted between February and April 2004 indicated an average satisfaction level of 89% for investigation services and an average of 86% for guardianship services. This was the first time customers of the guardianship service had been surveyed. Last year, 88% of respondents to a single survey on advocacy indicated they were satisfied or very satisfied with the service provided.

**Extracts from the Public Advocate customer surveys 2003/04:**

“Overall, the level of service and help I received was exceptional. The staff I spoke to were extremely helpful. I can honestly say that I could not have expected them to do any more than they did. It was wonderful to have access to them during a difficult time.”

“I just want to say how very caring the office staff and advocates are to myself and my family and to my father whom they represent.”
PUBLIC TRUST OFFICE

THE SERVICE

The Public Trust Office provides trustee services, delivering professional and independent trustee and management services. The Public Trust Office ensures that all Western Australians have equitable access to trustee services regardless of ability to pay.

The person appointed to administer the office is the Public Trustee and is also a body corporate under that name. The Public Trustee is a statutory authority within the provisions of the Financial Administration and Audit Act 1985 and the Public Trust Office operates as a program of the Department of Justice.

The Public Trust Office offers the following services:

**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); and

**Will drawing** – Offers professional advice to those seeking to make a will or enduring power of attorney by appointing the Public Trustee as their executor or donee.

KEY ACHIEVEMENTS

**Customer Service**

The Public Trust Office continued to improve customer service, funding the improvements through savings and procedural efficiencies.

Some 1,815 estates were referred to the Public Trust Office in 2003/04 and the trend towards more complex estates continued. In total, 16% of all estates of people who died during the year were referred to the Public Trustee, either as executor of the estate or by beneficiaries of the estate seeking the office’s assistance.

The office had $525m in trust assets under management and prepared 4,063 wills.

A customer survey of 401 clients who use various services provided by the Public Trust Office showed a satisfaction rating of 76%, compared with 80% in 2002/03 and 71% in the previous year.

Customer service also improved with the engagement of a full-time training officer in September 2003 who delivered specialised training for trust and estate managers covering all policies, procedures and computer systems. The officer also co-ordinated further on-the-job training.

**Complaint handling procedures**

The Public Trust Office trialled a new client feedback policy during the year. The new policy included a six-stage process of review of a complaint including providing a complaint feedback form to clients so that they could make their complaints in writing.

The policy will be fully implemented in 2004/2005 and will provide the Public Trust Office with opportunities to improve client service in all areas.

**Friendly letters**

A team of six Public Trust Office staff started a 12-month project in February 2004 to revitalise and refresh up to 100 different client letters. Working with a specialist writing consultant, the new letters are clearer and easier to understand and make the office more efficient in drafting and processing letters. At year end, 38 of the standard letters had taken on the new customer-friendly style.
New business model

As identified by the Government’s Functional Review Taskforce, the growth in demand for Public Trust Office services means that, unless it is able to reshape the business, it will not be able to fulfill its obligations to the community in years to come without additional funding.

Future growth in the administration work will be in the area of mental illness and intellectual disability due to the long duration of those conditions. Administration orders through the Guardianship and Administration Board are expected to grow at a rate of 7.5% over the next five years and to remain above the population growth rate for more than 30 years.

In 2003/04, consultation with stakeholders continued as part of an ongoing project to develop a sustainable business model. More than 12 presentations were made to stakeholder groups during the year, as well as numerous meetings with current and prospective clients. The drafting of legislative amendments required to underpin the new business model is expected to be completed in the year ahead and presented to Government for consideration.

Confidentiality

During the year, the Public Trust Office had its commitment to client confidentiality challenged when media reports detailed a range of negative claims about the office’s management of a client’s case. The reports – which included significant inaccuracies about the client’s personal circumstances – were extremely damaging to the office’s public reputation.

However, Public Trustee Nina McLaren maintained that damage to the office’s reputation was sometimes a necessary consequence of ensuring client details were always kept confidential. Client confidentiality is a requirement of the law and is necessary to ensure a client’s interests are not exploited.

However, the matter caused considerable staff anxiety and placed undue pressure on staff who take their responsibilities and obligations to their clients very much to heart.

Aboriginal cultural awareness

The Public Trust Office held a workshop for staff on Aboriginal cultural awareness, including training in how to deal with issues of death and disability. These are everyday issues for staff at the Public Trust Office, and the session concentrated on ‘sorry business’, attendance at funerals, communication protocols with families in bereavement and cultural attitudes to medical institutions.

Following the workshop, procedures for deceased estates and trust administration were re-examined and amended, and a brochure is being developed to address culturally specific issues for Aboriginal clients. Further workshops will be held to roll out the procedural changes to all staff.

Estate administration

“I wish to personally thank you for the very excellent work performed as executors of my husband’s estate. I must admit that I was often concerned about how things were proceeding, not understanding regulations and requirements governing estates, and knowing that the estate was large and complicated. Please accept my sincere thanks to you especially and those who cooperated in completing this difficult and sensitive task.”

Client letter
REGISTRY OF BIRTHS, DEATHS AND MARRIAGES

THE SERVICE

The Registry of Births, Deaths and Marriages is responsible for:

- the creation and permanent storage of birth, death and marriage records, which enables the public to obtain documentary proof of these important life events; and
- providing facilities for the conduct of marriages in a Registry Office as an alternative to marriage by a minister of religion or other civil celebrant.

KEY ACHIEVEMENTS

**Increased demand**

Demand for services increased significantly during the year. Certificate demand was up 16% (from 93,000 to 108,000) and demand for change of names was up 10% (from 2,860 to 3,139) on the previous year, largely due to an increase in the personal documentation required for passport applications – a tighter security measure introduced by the Department of Foreign Affairs and Trade. This resulted in an additional $400,000 in revenue.

During the year, 50,852 births, deaths, marriages, changes of name and adoptions were registered, compared with 48,704 in 2002/03. Approximately 75,000 phone inquiries were answered.

**Tighter security**

New measures introduced during the year to tighten security, to help prevent fraud in the community and to bring WA into line with national registry practice included:

- a requirement for applicants for certificates and changes-of-name to produce identification to protect the privacy of personal information and prevent wrongful issue and fraudulent use of registry documents. Since the introduction of this initiative in December 2003, there has been a 17% increase in in-person applications at the registry’s front counter;
- use of new Australia-wide certificate security paper with enhanced security features, replacing the registry’s old security paper in January 2004; and
- a new change-of-name policy involving the revision of proof of residency requirements and the introduction of reciprocal interstate advices and compulsory noting of name changes on birth registrations, from March 2004.

Security within the office was upgraded in January 2004 following the theft of almost $4,000 from the office safe. Payment was successfully stopped on the stolen cheques and money order and $3,275 in cash was recouped through Departmental insurance. The WA Police Service’s Public Sector Investigations Unit investigated the matter and, at year end, investigations were continuing.

**Historical records**

A feasibility study and business case on the transfer onto a computer database of historical paper-based birth, death, marriage and change of name records, and the electronic delivery of services to customers, was completed in November 2003. This project, when completed over the following years, will enable priceless records to be better preserved and will significantly improve customer service.
Online services expanded

During the year, the registry's computerised registration system was extended to courts in Armadale (October 2003), Midland (November 2003), Bunbury (January 2004) and Joondalup (February 2004). Registry staff provided on-site training to court staff in each location, where customer service has improved with same-day certificates now available. At 30 June 2004, more than 700 certificates per month (7% of all certificates issued) were being produced by online courts. It is anticipated that more courts will be online to the system in 2004/05.

Registration system improvements

The West Australian Registration System was improved during the year:

- in response to customer demand, babies’ time of birth were recorded and printed on certificates for the first time from October 2003;
- the birth registrations process capability was enhanced in February 2004. It is expected that 30% of births being registered will require minimal staff intervention once these improvements are commissioned early in 2004/05; and
- bar coding of outgoing correspondence generated by the registration system has resulted in better customer service through more accurate addressing of correspondence.

Commemorative certificates

In a joint initiative, the Department of the Premier and Cabinet and the registry produced specially designed commemorative certificates to recognise the 175th Anniversary of the founding of the Swan River Colony. These unique certificates for all children born in 2004, were issued through the Office of the Premier and Cabinet and signed by both the Governor and the Premier.

Industrial action

On 7 November 2003, most staff in the registry participated in public sector industrial action. As part of this action, staff issued certificates free of charge. The union’s claim for improved conditions and a salary increase of 6.3% went to the WA Industrial Relations Commission, which handed down a decision (an increase of 3.8% in the current year and 3.6% effective from February 2005) in July 2004.

Customer service

“… I was engaged by your agency about 18 months ago to work with a team in the registry to facilitate the resolution of a range of issues coming out of the implementation of its new team structure and systems. At that time, backlogs were high and staff were working hard to catch up.

My experience last week as a customer of the registry was amazing. I requested a birth certificate for my son by accessing the website and filling in the forms – access was easy and the form straightforward. I faxed it off for start of business Thursday and was amazed to find the certificate in the post Friday morning. There would be few organisations in Perth with this sort of turnaround time. Please pass on my appreciation to the people involved for doing such a great job.”

Name withheld
**Traineeship**

Kaitlin Devos, a year 11 student from Seven Oaks Senior College, joined the registry for two days a week in 2004 as part of a two-year course under the Government’s Vocational Education and Training in Schools Program.

“It’s really interesting working at the Registry,” said Kaitlin. “The people are nice and it’s good moving around and learning how everything gets done. It is very busy because there are so many customers and it’s good when you hear someone say how much they appreciated the help they were given.” Kaitlin’s supervisor, Lance Davis said “Kaitlin is now a valued member of our team with her positive and enthusiastic approach to work. It’s an arrangement that has worked well for both the trainee and the Registry.”
ABORIGINAL POLICY AND SERVICES

THE SERVICE

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

The directorate also works with other divisions to assist them in developing culturally relevant services and programs for Aboriginal people.

It is also responsible for the administration of the:

- Aboriginal Alternative Dispute Resolution Service; and
- Aboriginal Visitors Scheme.

KEY ACHIEVEMENTS

Aboriginal Justice Agreement

The Aboriginal Justice Agreement is a partnership framework developed jointly by the Department of Justice, the Department of Indigenous Affairs, the Department for Community Development, the WA Police Service, the Aboriginal and Torres Strait Islander Commission, the Aboriginal and Torres Strait Islander Services and the Aboriginal Legal Service of Western Australia.

The agreement was signed by all parties on 31 March 2004 and will enable justice-related State Government agencies to work collaboratively and in partnership with Aboriginal people to ensure that they experience the same justice outcomes as other WA citizens. Goals include the development of safer and sustainable communities, a reduction in the number of victims of crime and in the over-representation of Aboriginal people in the criminal justice system.

By 30 June 2004, a number of meetings with ATSIC regional councils had been held and the development of regional and local Aboriginal justice plans had started in the Mulga Mallee, Kullari and Western Desert ATSIC regions.

Funding for Aboriginal services

In 2003/04, the Department contributed $20,000 to the Kimberley Interpreter Service. The Kimberley Interpreter Service raises awareness of the need for interpreters in local communities, matches interpreters to jobs and provides training and professional support to interpreters and their clients.

Aboriginal Alternative Dispute Resolution Service

A final report on the Aboriginal Alternative Dispute Resolution Service commissioned last year was received in July 2003 and recommendations on the future direction, management and operation of the service were progressed in consultation with internal and external stakeholders.

The report highlighted the need for a more pro-active approach to providing information and training on alternative dispute resolution to Aboriginal groups and communities. In response:

- training and awareness-raising sessions were held for members of the Mungallah Aboriginal Community in the Gascoyne/Murchison region; and
- the Kimberley College of TAFE was contracted to deliver and support the Aboriginal Alternative Dispute Resolution Training Package – Mediation and Conflict Resolution in Broome and five communities on the Dampier Peninsular.
This training provides community members with an understanding of processes and techniques they can use to help them resolve disputes or reduce the risk of a dispute escalating. This helps to promote a positive environment that contributes to the overall wellbeing of individuals, families and the community.

**Aboriginal Visitors Scheme**

The Aboriginal Visitors Scheme manages up to 50 Aboriginal visitors throughout the State, and, in 2003/04, visitors had 8,955 interviews and contacts with Aboriginal adults and juveniles in custody at prisons, detention centres and police lockups throughout WA.

Key recommendations of the 2002 evaluation of the scheme were implemented during the year, including:

- the appointment of a more senior manager to provide the appropriate level of representation, advocacy and management;
- restructuring of the office to include a project co-ordinator to improve efficiency and effectiveness;
- improved access to prisons so that Aboriginal visitors in every WA prison have open and unfettered access to Aboriginal prisoners;
- streamlining of reporting processes; and
- a review of the roster for the Aboriginal visitors to make the service more efficient and achieve better results for Aboriginal prisoners.

Services to Aboriginal visitors in Bunbury were also improved, with the installation of new information technology infrastructure. The new technology will be installed in other regional offices in the year ahead and mean greater access to information with the region, better communication links with the head office and access to the Department’s Total Offender Management System, enabling better information and record management.

**Independent review**

A consultant was appointed in June 2004 to assess the current operations and effectiveness of Aboriginal Policy and Services following the implementation of the Government’s Functional Review recommendations. The focus of the current assessment will be on the progress made by the directorate in the transition from a partnership and advisory role to a high-level strategic role.
Corporate Support Areas

CORPORATE SERVICES

THE SERVICE

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

The division 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 from this year, the Parliamentary Inspector of the Corruption and Crime Commission.

KEY ACHIEVEMENTS

Functional review

In November 2003, the Department began preparations for implementing Government plans to integrate some corporate services functions into five centres to service the whole of the WA public sector.

The Department of Justice will become the employing authority for one of five cross-Government shared service centres to be established between January 2005 and December 2006.

The reform, which stems from the Government’s Functional Review Taskforce recommendations to reform corporate services and procurement, is being managed in conjunction with a team from the Department of Premier and Cabinet.

Special briefings, workshops, newsletters and intranet updates kept staff informed during the year, with more detailed information provided to Corporate Services employees, some of whom will relocate to the new centre before the end of 2006.

The restructure had significant resourcing implications for the Department during the year, with a total of seven employees seconded to the Shared Services Program Office and:

- 17 employees participating in various working groups in May 2004;
- two employees participating in the evaluation phase for the business systems software selection from March to May 2004;
- 12 employees participating in various one-off “round table” forums and advisory groups; and
- three employees representing the Department on a Human Resources Cluster Group comprised of senior representatives from agencies from the cluster for which the Department is the employing authority.

Functional review project team

The Department formed a team in May 2004 to minimise disruption and ensure a smooth transition for affected Corporate Services staff into the Shared Service Centre 4.

Change Management Co-ordinator Functional Review Penny Howell, who started work on the project in January 2004, is overseeing the development and implementation of people and change management strategies to inform and support affected staff. Project Manager Ken Isaacs is co-ordinating the business interests for the Department and Project Support Officer, Loreen O’Donnell, is providing implementation planning and business case development for the combination of business areas that will become the Shared Service Centre 4.
Financial management system upgrade
Work commenced in May 2004 on an upgrade of the Oracle financial management system. This was in preparation for the introduction of e-commerce with our large-scale customers and to provide access to enhanced online processing developed in recent years.

Corporate business performance and financial planning system
Stage 1 of the Corporate Performance and Financial Planning System was implemented in December 2003. This involved the installation of the Advisor Series software package to consolidate the Department's budget management and output-based reporting processes. The software was used to collect the business area budget information as part of the 2004/05 budget process. Further development of its reporting capabilities are planned for the year ahead.

Corporate governance
In July 2003, the Department's Internal Audit and Financial Reform branches started work on reviewing and, where necessary, strengthening the Department's corporate governance practices and guidelines.

The joint exercise included:
- a review of the Department’s current governance arrangements and their comparison against contemporary practice in this area;
- identification of existing gaps and opportunities for improvement; and
- instigation of appropriate action to close these gaps in developing an effective, integrated, and sustainable corporate governance framework.

Action started to address a number of priority focus areas identified during the initial review and evaluation stage, including resource management (particularly contract and asset management), executive committee structures and operations and internal reporting requirements and mechanisms.

Contract management
Government is increasingly relying on the private and not-for-profit sectors to support its objectives, however, a number of reviews on contract management within Government indicate the standards of contract management are often less than acceptable. The Department of Justice aims to be at the forefront of procurement reform in providing savings to Government and improvements in performance.

Work started in April 2004 on developing a clear, robust and practical contract management framework to ensure that all aspects of contract management – including business planning, procurement, performance management and governance arrangements – are carried out in a manner that supports efficiencies in Government and a superior standard of service delivery.

The Department’s main contracts are listed as an appendix to this report.

Leasing strategy
The Asset Management directorate started a strategic review of the Department’s office accommodation in the Perth central business district during the year. The Department occupies leased office space in 52 buildings across the State, 13 of which are in the Perth CBD. The review aims to achieve operational efficiencies by more closely locating related Departmental functions and to explore opportunities arising from the expiry of a number of current leases and the forecast completion of the new CBD Courts Complex in 2008.
SAT fit out
The fit out of the proposed State Administrative Tribunal premises started in April 2003 and was completed in September 2003. The total fit out area is 4,000 square metres over four floors at 12 St Georges Terrace, Perth. It consists of hearing rooms and mediation rooms of varying sizes, support facilities and office accommodation.

Compliance management
Following the successful piloting of the JustComply System in 2002/03, the system was implemented across the Department. This application works by sending questionnaires to staff with delegated responsibility for ensuring compliance with specific legislation. The responses help the Department manage corporate risk and are used to support executive performance agreements and comply with annual reporting requirements.

Volunteers policy
In consultation with representatives from across the Department, new policy and guidelines for engaging and managing volunteers was launched in May 2004. The corporate policy covers issues specific to the recruitment and management of volunteers and was developed in line with the State Government’s ‘Shared Vision’ for volunteers, which recognises and promotes the valuable contributions made by volunteers across the State (more for examples of operational improvements in volunteer services).

J-Net
The Department’s internet site was moved into a portal environment (known as J-Net) in February 2004. The new portal enables:

• a single web-based service access point for the community and Departmental stakeholders;

• delivery of integrated online services, including a range of database applications across the Department; and

• capacity to provide access to corporate and justice-related information to other approved Government agencies.

During the year, work also started on transitioning the existing intranet for staff into the portal. This involved establishing eight pilot groups of staff involved in online work groups to share justice knowledge and information.

Next year, this functionality will be rolled out to all employees, with the capacity to search and retrieve data from multiple systems across the Department, from a single point.

Contracts for legal information resources
The law library contracts were renewed for 2003/04 with LexisNexis, Thomson Legal and Regulatory for the supply of legal information resources in electronic as well as paper format. A contract with CCH Australia, the third of the three major suppliers of legal library resources, was awarded for the first time. As well as all courts and all legal areas (State Solicitor’s Office, Director of Public Prosecutions, Parliamentary Counsel’s Office and Solicitor General), this year the contracts also extended to the Public Trust Office and the proposed State Administrative Tribunal.

Record keeping plan
In accordance with the requirements of the State Records Act 2000, a record keeping plan was developed for the Department. As part of the plan, a high-level information audit was carried out to establish what and how information is collected, managed, retrieved and destroyed in relation to statutory, security and privacy.
Also developed were:

- record keeping policies and procedures to support the Department’s record keeping plan;
- a retention and disposal schedule to ensure that records are retained and disposed of in accordance with an approved disposal authority; and
- a record keeping compliance plan consisting of a five-year program of project activities to move towards compliance with the record keeping plan.

Plans for a record keeping training program started this year and will be implemented in 2004/05. This will include information in the Department’s induction process.

**Graduate program**

At year end, twelve graduates were engaged in the Department’s two-year graduate program. One graduate left the program during the year. The program gives graduates structured induction and training, and mentoring and support as they gain experience in a number of divisions. The first group of graduates taken by the Department finishes in September 2004 and they will be placed in permanent positions.

**Parliamentary Inspector of the Corruption and Crime Commission**

The Department provided significant support for the establishment of the Parliamentary Inspector of the Corruption and Crime Commission in January 2004. The support included project management for securing leased premises and office fit out, human resources advice and support, budget development and financial systems support.

**Information security awareness, governance and controls**

To improve security awareness, governance and controls during the year, the Department:

- implemented an online responsibility statement for staff;
- conducted a major review and updated the computer and telecommunications facilities policy; and
- developed a consolidated framework that enables the Department to protect itself against software vulnerabilities and viruses, including risk management, virus protection, incident management and software patching.

**Information technology**

In 2003/04, to increase the efficiency and effectiveness of the Department’s information technology infrastructure:

- the existing infrastructure services contract was replaced with a new contract under the Government’s strategic partnering in resourcing of information technology framework;
- the implementation of a standard operating environment for personal computers across the main divisions of the Department was completed;
- centralised management of system user accounts started; and
- more effective information technology asset management processes and procedures were implemented.
Corporate Support Areas

PUBLIC AFFAIRS

THE SERVICE

The Public Affairs branch reports directly to the Director General and supports the Department’s business areas with strategic communications advice and a broad range of services to help develop community, stakeholder and staff awareness of the Department’s operations and achievements.

The branch plays an important role, internally and externally, in ensuring communication about the Department’s plans and programs is an inherent part of operations.

KEY ACHIEVEMENTS

Issues management and communication strategies

Public Affairs helped develop formal communication and consultation plans for all proposed project plans submitted for management endorsement.

Some 25 communication strategies were prepared and/or implemented for major projects across the Department. These ensured a strategic and co-ordinated approach to the Department’s internal and external communications.

Among these were:

- raising awareness of the proposed Magistrates’ Courts legislation – seven key reforms which would bring the lower courts into the 21st Century;
- a multi-faceted plan supporting Repay WA – a new initiative whereby offenders repay WA by completing community work projects and allowing more community organisations the chance to take part;
- strategies for the introduction of the re-entry co-ordination service;
- a comprehensive strategy for the Justice Drug Plan – five initiatives to tackle the multitude of drug-related issues that confront the criminal justice system;
- encouraging fine defaulters to pay their fines and infringements with the Fines Enforcement Registry;
- raising awareness of changes to sentencing legislation;
- informing staff about the Public Interest Disclosure Act and other compliance issues; and
- initiating a community engagement and volunteer program for the new Boronia Pre-release Centre for Women.

Stakeholder consultations and briefings

An extensive program of stakeholder briefings and community consultation continued this year to ensure maximum stakeholder involvement in all major projects.

Briefings were held for:

- the proposed Magistrates’ Courts legislation;
- releasing the CBD Courts tender to market;
- developing the Albany Justice Complex and Great Southern District Police Complex;
- implementing the Justice Drugs Plan; and
- rolling out of the Public Interest Disclosure legislation.
Community consultation
Public Affairs co-ordinated community consultation on the following projects to ensure stakeholder input helped to guide key decisions and changes:

- Boronia Pre-release Centre for Women – key stakeholders were given a voice in the redevelopment and operational planning through a community advisory group comprising local residents and business people; and
- Albany Justice Complex and Great Southern District Police Complex – a community advisory group was formed to guide the planning and development of the new justice complex within heritage buildings in Albany.

Advertising
Public Affairs co-ordinated a number of Statewide advertising campaigns including:

- Repay WA – expressions of interest for new project partners as well as publicly thanking those currently supporting the program;
- unpaid fines and infringements? – education campaign to promote new payment options;
- protect your identity and reduce fraud – information about changes to identification requirements for the Registry of Births, Deaths and Marriages; and
- work camps – highlighting the work done by prisoners and thanking those communities that supported the work camp program.

Media liaison
Public Affairs continued to manage all of the Department’s media inquiries as part of the Department’s commitment to being open and transparent in all its activities. The branch responded to more than 1,450 media queries, including managing media responses after nine prisoners escaped from custody from the Supreme Court. Around 70 media releases were released during the year and media training was carried out with key metropolitan and regional staff.

Publication and video production
The branch co-ordinated the production of around 50 publications and posters, as well as two new video presentations. These included the following:

- Victim Support Service brochures for Aboriginal audiences;
- How to pay fines and infringements;
- Repay WA – partnerships that work;
- Care and protection booklet for the Children’s Court;
- Community work information for agencies;
- Careers with the Department of Justice;
- Transitional accommodation brochures for prisoners about to leave prison;
- Department of Justice handbook; and
- Jury duty video.

During the year, for the first time, the branch also co-ordinated production of the Law Almanac as a comprehensive, online searchable web feature on the Department’s internet site. This involved consultation with the Legal Practice Board and the judiciary to ensure that information in the online almanac, and its functionality, was appropriate.
Internet and intranet site management
As part of Public Affairs’ commitment to providing effective online communication, it oversaw the management of a number of changes to the internet and intranet sites to increase the information available and enable users to locate information more efficiently.
Navigation of the internet site was significantly improved, with fewer clicks required on most menu items to access information.
Consolidating the Department’s internet site into a more secure portal, J-Net, has allowed access for registered external users to some secure areas of the website.
A new Jobs of Week section was also added to showcase career opportunities at the Department.
Furthermore, a new Payments Online section has provided users with the opportunity to pay their fines and infringements online.

Staff communication
More than 50 publications were produced for staff, including 26 editions of JustUs (for all staff), 12 copies of Inside Out (for Prisons and Community Justice Services’ staff), and 12 editions of In Session (for Court Services staff).
In addition, four special editions of JustUs were produced to communicate important developments to staff, including allocations of the 2004/05 budget, changes to the security at the Supreme Court, ongoing news regarding AIMS Corporation at the time of the Supreme Court escapes and the Corporate Services’ reforms under the Government’s Functional Review Taskforce.

Launches and event co-ordination
To celebrate and communicate the Department’s achievements and initiatives, Public Affairs organised the following launches and events:
• opening of Boronia Pre-release Centre for Women (May 2004);
• Bert Harris Awards (August 2003 and May 2004);
• launch of improved facilities at Armadale Courthouse (July 2003); and
• launch of the Repay WA initiative (April 2004).
In addition, the branch developed marketing recruitment information for four career expos.

Corporate identity management
Public Affairs continued to manage the Department’s corporate identity and provide advice and support on the use of the logo, corporate documents and templates.

Preparation of award submissions
Three award submissions were written for the 2003 Premier’s Awards for Excellence in Public Sector Management. Two of the entries – one to support Court Services’ ADVANCE program and the other to highlight the work of the Child Witness Service – were finalists in their categories. One award submission was prepared for the 2004 Premier’s Awards, highlighting the Department’s prisoner traineeship program, which will be judged next year.
MINISTERIAL LIAISON UNIT

THE SERVICE

The Ministerial Liaison Unit manages correspondence between the Department of Justice and the offices of the Attorney General and Minister for Justice. The unit ensures responses to ministerial enquiries are delivered in a timely and accurate manner. It is also responsible for tracking the progress of these responses.

The unit comprises four full-time staff and manages more than 4,200 ministerial requests each year.

KEY ACHIEVEMENTS

Ministerial tracking system

Phase two of the Ministerial Tracking System (MTS) started in late 2003 and will be implemented by the end of 2004. Phase two includes:

- document versioning – allowing for increased accountability;
- effective archiving and meta-tagging of documents – allowing for a more refined search of individual source documents and ministerial responses and improved quality of information management;
- a fully electronic process for tracking and approving correspondence, shortening turnaround times and improving accountability and transparency; and
- improved knowledge and information management.

The MTS was implemented in July 2002 during the year was accessed by more than 250 users within the Department. It streamlines the business processes involved in transferring correspondence and provides an audit trail that enhances individual accountability. Benefits include the ability to deliver ministerial requests to a division within two hours, compared with two days in the past. The MTS also enables divisions to self-generate reports to monitor performance.

Continuing performance improvement

There were 4,271 Ministerials received during the year compared with 4,208 in the previous year. There was a modest improvement in the timeliness of the Department’s responses with just over 75% of Ministerials responded by the due date. This compared with 70.8% in the previous year when there had been a very significant improvement following the introduction of the tracking system.

Training

A training strategy was developed to continue to educate clients in ministerial correspondence protocols, procedures and systems. The training includes a tailor-made “Writing Better Ministerials” course, developed in conjunction with the Australian Institute of Management. Some 15 “MTS and MLU Community Overview” sessions for new clients were held during the year and an in-house online demonstration of the MTS and the MLU community environment was developed and was made available to all users in January 2004.
I have pleasure in endorsing the Department of Justice’s submission for a 2003 Premier’s Award for Excellence in Public Sector Management.

The new Ministerial Tracking System implemented a year ago has resulted in a very obvious improvement in the responsiveness of the Department to requests for advice and information from this Office.

The Department has eliminated the frustrating delays often experienced previously and has proved highly efficient in responding to Ministerial requests over the past year.

The manner in which they have researched and developed the new MTS is also impressive and shows real public sector leadership.

Excerpt from letter of support for the MTS Premier’s Award submission 2003 from:

Danny Cloghan
Chief of Staff, Office of the Attorney General and Minister for Health
INTERNAL AUDIT

THE SERVICE

Internal Audit provides advice and conducts audits as outlined in the annual audit plan. The branch works in co-operation with the Risk Management and Audit Committee, made up of senior Departmental management and a representative from the Office of the Auditor General. The Internal Audit branch reports directly to the Director General.

The branch conducts comprehensive reviews that assist in maintaining effective corporate governance within the Department. Services provided by the branch help improve business practices within the organisation, including:

- management accountability;
- compliance management; and
- effectiveness of internal control processes.

KEY ACHIEVEMENTS

Department-wide audits

Internal Audit undertook 31 audits across the spectrum of the Department’s business areas during the year. Of these, 21 were planned and 10 were undertaken in response to specific requests.

The branch also assisted the Auditor General review the performance indicators of Community and Juvenile Justice and Prisons.

The focus on audit planning included holding risk identification workshops to assist core business areas identify their key risk areas. Three workshops were held during the year.

High-risk offenders review

As a result of the branch’s review of Community and Juvenile Justice high-risk offenders review, the community corrections manual was revised to improve existing processes and procedures. A professional practice standards manager was also appointed to perform ongoing quality reviews.

Prisoner release process

Following a review of the prisoner release process, a project team was established to implement improvement opportunities identified in the report.

Probity reviews

Proactive partnering with the Department’s procurement managers and sound quality assurance processes provided within the scope of the probity reviews highlighted significant issues requiring management attention. For example, the review outcomes resulted in the Information Services’ meeting with all management and evaluation committee members to discuss improvements for future procurement processes.

Courts quality assurance package

A revised quality assurance package has been rolled out to courts around the State during the year, giving clerks of courts a means by which to regularly assess their own performance and continuously improve. The continuous improvement cycle focuses on financial activities assessed as important in terms of risk, corporate objectives and sensitivity.

Customer satisfaction

In a customer satisfaction survey undertaken during the year, 88% of respondents gave the branch a rating of 4/5 or higher.
The people of Western Australia have high expectations of their justice system and expect the Department to be effective, efficient and innovative in meeting their needs.
DISABILITY SERVICES PLAN

People with a disability are a vulnerable group in the WA community and, when they become involved with the justice system, their vulnerability can increase.

The Department of Justice 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.

The Department’s ongoing commitment to disability services has been demonstrated this year through participation in the Access to Justice Working Party convened by the Disability Services Commission and by a major review of its disability services policy conducted in consultation with the Disability Services Commission. The review started in April 2004.

The Access to Justice Working Party involves all sectors of the justice system and develops initiatives to improve the way people with intellectual disability are managed. A research project was started during the year to better understand how people with intellectual disabilities fare in the justice system and in the Intellectual Disability Diversion Program.

The revised disability services policy is due for release in September 2004 and will reflect the Department’s response to recommendations of the 2002 Report to the Minister for Disability Services on the Review of the Disability Services Act 1993, including changes to incorporate a strategic-level disability services plan, as well as stronger operational guidelines.

In the past year, access to the Department’s services to people with disabilities has been improved, with the following initiatives, reported against the Disability Services Policy key outcomes:

OUTCOME 1:
Existing services are adapted to ensure that they meet the needs of people with disabilities

- An increasingly ageing population, the rise in the incidence of dementia and the ageing of carers for people with decision-making disabilities means increased demand for the services of the Public Advocate. During the year, the Public Advocate commissioned a report into the likely future demand for guardianship and administration services to ensure service delivery can meet future needs, and initiated steps to manage the growth in demand for services;
- The Public Trustee offers a range of financial and asset management services for people who, through age or disability, are unable to manage their financial affairs;
- In Prisons, the Disability Services unit provides specialist input into policy, adapted programs, planning, identification and referral processes concerning adult offenders with intellectual disabilities and cognitive impairment. Advice, assistance and referral to special programs or services is available to staff and customers, including their carers. Six services have been adapted to meet the needs of customers with disabilities within Prisons. These range from assessment processes and identifying vulnerable people to specialist case management, individual advocacy, treatment programs, pre-release planning and re-entry programs. Approximately 200 people have received specialist information on services and adapted programs;
- The Intellectual Disability Diversion Program is a pilot program designed to meet the needs of people with intellectual disabilities in Perth Magistrates’ Court. At year end, the program was under evaluation and the report is expected by September 2004. The program received 60 referrals in 2003/04 and 61 referrals during the total pilot period of 13 months. While not all these customers were suitable for the program, all were offered information about services or support relevant to their needs;
• Prisons’ Health Services staff provided clinical and/or support services for disabled offenders or patients suffering from chronic or ongoing illnesses. Accreditation from the Australian Council on Healthcare Standards acknowledged that the access to health services for patients was appropriate to their needs and that disability access met legislative requirements; and

• The Department worked with other agencies to tailor intensive intervention programs for a 14-year-old intellectually impaired boy taken into custody in August 2003. At year end, his cognitive and vocational skills were vastly improved.

OUTCOME 2:
Access to all buildings and facilities is improved

• The Department has adopted a planned approach to providing disabled access to buildings. An amount of $1.3m over three years is budgeted for work commencing in 2005/06. Access is a key consideration in all new and major refurbishment works on the Department’s assets. This year, this was a particular priority during the development and construction of the new Boronia Pre-release Centre for Women in Bentley. For example, one type of each house (mother/child, intermediate care and standard) was built to include full provision for women with mobility disabilities. The facility can accommodate staff, visitors and residents with sight impairment and/or disability, and staff are available on site to assist where required;

• The Supreme Court has relocated the civil courtroom previously located on the first floor of the court building to the ground floor, specifically to accommodate the requirements of physically disabled customers;

• Independent Living assessed the premises of the proposed State Administrative Tribunal on two occasions and on both occasions their recommendations were acted upon. The building has clearly sign-posed ramp access at the entrance, special-purpose parking bays at the rear of the building, and ramp access from the rear of the building to the foyer. All lifts have been modified for wheelchair access and have Braille numbering, and disabled public access toilets have been installed on all floors. A fire refuge area adjacent to the fire escape has been designed to provide temporary protection for disabled people until the arrival of the fire brigade, all door fittings have been modified to meet Independent Living standards, and the front counter area has been designed for easy access for people in wheelchairs; and

• The Albany Justice Complex and Great Southern District Police Complex, which is under construction, has been designed to include separate lift access for various court users, disabled toilets, wheelchair ramps, hearing loops in the courtrooms, and disabled car bay facilities.

OUTCOME 3:
Information about services and programs in formats that enhance the communication needs of people with disabilities is supplied

• Within Prisons, Disability Services provides information on the full range of Department products and services to people with disabilities, their families and carers. Once contacted, all reasonable steps are taken to help with communication and understanding in a respectful manner;

• The Intellectual Disability Diversion Program provides brochures for people with disabilities and for court staff and service providers, as well as posters advertising the service. The materials are user-friendly with graphics and simple language; and

• Prisons’ Health Services accesses health-related, health education and promotion resources through the Department of Health and community-based health agencies appropriate to the ethnicity, cognitive and literacy levels of our population.
OUTCOME 4: Advice and service is provided by staff who are aware of and understand the needs of people with disabilities

- Prisons provides training about disability issues for all new prison officer recruits. Specific guidelines have been established to assist staff when they come into contact with an offender with a disability;
- The Re-entry Accommodation Support Project recognises that prisoners with intellectual impairment have particularly high needs. A specialist disability agency, with appropriately trained staff and strong links to the community, has been contracted to provide intense re-entry support and mentoring services to some of these people leaving prison;
- Training for employees to help them deal with people with intellectual disabilities, and about the Intellectual Disability Diversion Program, has been accessed by more than 230 employees including representatives from Court Services, Community and Juvenile Justice, Victim Support Service, Drug Court team members, magistrates from both metropolitan and regional areas, the Victim-offender Mediation Unit and the Office of the Public Advocate. Some 40 volunteer court welfare personnel also attended this training; and
- Two professionals delivered two programs designed to meet the needs of intellectually disabled prisoners, with nine offenders attending the Legal and Social Awareness Program, and nine attending the Sex Offenders Intellectually Disabled Program in the 2003/04 financial year.

OUTCOME 5: Opportunities are provided for people with disabilities to participate in public consultation, grievance mechanisms and decision-making processes

- The Intellectual Disability Diversion Program evaluation team interviewed customers with intellectual disabilities and their families about how well the service met their needs. About eight individuals and families are/were involved in this process.

Key Department of Justice staff participated in an Australasian conference in Melbourne in May 2004 to share information about disability programs in courts. Intellectual Disability Diversion Co-ordinator at Perth Magistrate’s Court, Amanda Perlinksi, and Tracy Westworth from the Forensic Medical Health Team travelled to Melbourne to learn from leaders in the field of adult disability in the criminal justice system.

The District Court and the Child Witness Service worked together in November 2003, to provide two witnesses with Cerebral Palsy and intellectual disabilities with practical solutions to make giving evidence easier and less stressful.

The courtroom was set up so the witnesses had access to a keyboard from the witness box and could type their responses, rather than speaking them. The keyboard was linked to the courtroom’s video display screen so the judge and jury could see the answers with the accused inside the remote room, watching the trial via CCTV.
EQUAL OPPORTUNITY AND DIVERSITY

The Department’s Equal Opportunity and Diversity Plan 2001-2004 promotes a workforce that is free from racial, disability and sexual discrimination and harassment. It aims to promote workforce diversity through programs that develop and support the Department’s diverse client and staff population, as well as adding value to service delivery.

The plan emphasises fairness, non-discrimination and respect for the rights of fellow employees. It also emphasises programs that promote female and Aboriginal staff into middle and senior management positions.

The Department’s plan links its equity targets to the WA State Government’s Equity and Diversity Plan for 2002-2005, and encompasses the broad view of diversity, rather than focusing only on the groups nominated in the Equal Opportunity Act 1984. This demonstrates the Department’s commitment to best practice in managing equal employment opportunity and diversity, rather than minimum compliance.

Achievements in 2003/04 included:

- appointing an Equity and Diversity Manager in April 2004;
- reviewing the status of the Department’s Equal Opportunity and Diversity Plan 2001-2004 to inform future directions;
- developing and implementing, as a joint initiative with the Department of Employment and Workplace Relations, a “Structured Training and Employment Program” (STEP) Aboriginal Traineeship Program. The initiative aims to recruit 50 Aboriginal staff to various positions within the Department. Some 21 Aboriginal staff have been recruited to 30 June 2004. Appointments included eight group workers, 11 prison officers, one administrative support officer and one Aboriginal training co-ordinator; and
- reviewing the status of the Department’s grievance resolution processes and grievance resolution officer network to inform future directions and improvement.

CULTURAL DIVERSITY AND LANGUAGE SERVICES

The Department of Justice provides a very diverse range of services, many of which require the use of interpreters to address client needs. Services are required for courts, marriage celebrations, registering and changing birth certificates, applying for a name change, guardianship/administration and enduring power of attorney issues, Guardianship and Administration Board hearings, interviews with prisoners and for medical staff dealing with prisoners.

By far the largest user of interpreting services within the Department is the Perth Magistrates Court. In 2003/04, a total of 764 translating and interpreting services were provided during the year, primarily by Translating and Interpreting Services and the On-Call Interpreters and Translators Agency. The languages most in demand were Vietnamese, Arabic, Mandarin, Farsi and Cantonese.

Also during the year, more than 100 interpreters received training in courtroom processes to enable them to better help witnesses, victims of crime and defendants.

Unmet need

While the Kimberley Interpreter Service provides additional support to health staff at regional sites with access to accredited Aboriginal interpreters, the Statewide provision of interpreter support for Aboriginal languages is a recognised area of need.

Issues beyond the control of the Department, for example, the apprehension of people fishing illegally in WA waters, can have a very significant and unforeseen short-term effect on the courts and prisons. Demand is also impacted by migrant and refugee intakes.
**YOUNG PEOPLE**

The Department of Justice is committed to achieving the outcomes identified in the State Government Plan for Youth. During 2003/04, the Department had results in a number of programs, which are listed under the key priority areas developed by Government.

**PRIORITY ONE: CITIZENSHIP AND PARTICIPATION**

**Family Court training**

Training for community settlement officers provided by the Department of Immigration and Multicultural and Indigenous Affairs in April 2004 included information about applying for a parenting order, which is required to prevent a parent from moving a child prior to settlement, and the role of alternative dispute resolution processes which can be less stressful for all parties.

**Child witness and victim support services**

Child witness and victim support services were extended to children in the Eastern Goldfields, Pilbara and Kimberley this year, with workers visiting outlying and remote communities. An Aboriginal Services Officer was appointed in January 2004 and a program of Statewide consultation and training commenced. The officer travelled extensively providing cross-cultural support to Victim Support Service and Child Witness Service regional contractors to help them make and enhance connections with local Aboriginal communities.

**PRIORITY TWO: JUSTICE AND LEGAL ISSUES**

**Research**

The Department worked with the University of WA’s Crime Research Centre to progress research relating to juvenile pathways and how juveniles move through the criminal justice system. The research involves innovative methods of investigating juvenile offending patterns and has been instrumental in the development of juvenile justice strategies and a juvenile risk assessment tool.

**Youth Support Officers**

The process of recruiting youth support officers to work with young adults up to 25 years and vulnerable adults on a permanent basis started during the year with the drafting of job descriptions and other human resource material. A co-ordinator’s position was created, with the nominated employee gradually taking up responsibility for all services including training.

**Young offender legislation**

New proposed legislation dealing with young offenders was drafted during the year. The legislation will allow more effective community supervision of serious and repeat offenders, provide better services to remote communities and improve the capacity to share information to protect vulnerable young people.
PRIORITY THREE: HEALTH AND WELLBEING

Therapeutic programs
Therapeutic and personal development programs were extended during the year to better skill juvenile detainees and to improve their prospects as they approach adulthood. The programs also better address the needs of young Aboriginal people:

- the Young Offender Personal Development Program was remodelled to incorporate stories and characters into modules with substantial Aboriginal content and to make the program more relevant and appealing. It was also extended to Rangeview Remand Centre, where 66 Aboriginal juveniles attended during the year. Another 75 Aboriginal juveniles attended the program at Banksia Hill Detention Centre;
- other programs including Promoting Adolescent Sexual Health and a psycho-educational drama – a forum for detainees to explore relevant issues in their lives including trust, respect, friendship, relationships and family – were extended from Banksia Hill Detention Centre to Rangeview Remand Centre; and
- other programs run at Banksia Hill Detention Centre and Rangeview Remand Centre are:
  - Individual Psychological Assessment and Counselling;
  - Protective Behaviours;
  - Drug Overdose Prevention;
  - Parenting Program;
  - Drug Rehabilitation Counselling;
  - Making it on the Outside (Banksia Hill only); and
  - Keeping Safe (Banksia Hill only).

New group workers
Eight new group workers were appointed in November 2003 to better manage Aboriginal juveniles in custody. In a first for the Department, all eight are Aboriginal. They are responsible for the physical day-to-day care of detainees at Banksia Hill Detention Centre and Rangeview Remand Centre.

PRIORITY FOUR: CULTURE, RECREATION AND LIFESTYLE

Art exhibition
Banksia Hill Detention Centre promoted the importance of education to juveniles through an art exhibition titled School is Cool. The exhibition was on show at the Children’s Court in November 2003.

PRIORITY FIVE: EDUCATION, TRAINING AND EMPLOYMENT

Traineeships
Horticulture traineeships were introduced at Banksia Hill Detention Centre and six detainees completed the first six months of the course with support in literacy and numeracy.

Caversham Training and Enterprise Centre
The Department funded a 10-week pilot from September 2003 to December 2003 where 16 young people attended the Caversham Training and Enterprise Centre. The Centre was opened in partnership with Swan TAFE in January 2004. The centre also started to develop a program for young women and another covering accredited modules in horticulture/viticulture in partnership with Swan TAFE and City Farm.
Military training

Military skills training was offered for detainees at Banksia Hill Detention Centre. The platoon provided detainees with training that boosts their self-esteem, provides self-discipline and exposes them to accredited training, which increases their employment chances on release. Some 120 detainees have received various levels of accredited training during the year as part of this program.

Family Court traineeships

Four young Aboriginal people started 12-month traineeships at the Family Court in June 2004 and will experience working in the court’s case flow, customer service, data entry and records areas as well as completing a Certificate in Business Office Administration.

Graduate Program

At year end, twelve graduates were engaged in the Department’s two-year graduate program. The program gives graduates structured induction and training, and mentoring and support as they gain experience in a number of divisions. The first group of graduates taken by the Department finishes in September 2004 and will be placed in permanent positions.

PRIORITY SIX: LIVING IN THE COMMUNITY

Video links

Video link facilities were installed or upgraded in a number of courts throughout the State enabling young people in remote areas to give evidence without having to leave their region. It also enables young witnesses to give evidence without having to confront the accused in a courtroom.
REGIONAL DEVELOPMENT POLICY
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.

The Government's Regional Development Policy links 13 outcomes to achieve the social, economic and environmental aims and aspirations of regional communities. The Department is required to report on seven of the 13 outcomes.

OUTCOME ONE: Government decision-making is based on a thorough understanding of regional issues
The Department has developed strategies to monitor and increase the level of community consultation and engagement on key decisions affecting the regions, and to ensure that people from minority backgrounds are included in the consultation process so that policies and strategies are inclusive of relevant issues.

Regional reports detailing the trends in justice activities in all regions were completed by 30 June 2004. The information about sentences, types of orders, the number of people in prison in regional areas and the justice initiatives operating in the area will be used to develop regional services and programs in the future.

In March 2004, the Aboriginal Justice Agreement was signed by the Departments of Justice and Indigenous Affairs, the Department for Community Development, the WA Police Service, the Aboriginal and Torres Strait Islander Commission, ATSIS and the Aboriginal Legal Service of WA. The agreement aims to facilitate safer and sustainable communities, reduce the number of victims of crime, and reduce over-representation of Aboriginal people in the criminal justice system (more).

The Tjurabalan and Cross-Border Justice Projects also involved close and ongoing consultation with Aboriginal organisations and communities in the regions (see outcome 3).

OUTCOME TWO: Planning partnership for a sustainable future
The Department has a Reconciliation Strategy Statement (developed in July 2001) and is committed to developing Aboriginal service plans across its business areas.

Prisons have developed an Aboriginal Service Strategic Plan, and an Aboriginal Service Plan for Community and Juvenile Justice is near completion. Both plans include regional commitments with references to specific regional needs.

In March 2004, the Department funded the Crime Research Centre to undertake a six-month research project into juvenile pathways in the criminal justice system. This project includes regional analysis.

The Department also successfully applied for competitive research grants of more than $3m to develop collaborative research projects with the School of Population Health at the University of WA and the Telethon Institute for Child Health Research and other Government agencies on developmental pathways to health and education outcomes and links with juvenile delinquency.

These research projects will inform the development of future policies and programs for juvenile offenders, including those from regional areas.
OUTCOME THREE:
Effective Government service delivery to regions

The Department is closely involved in the Council of Australian Governments’ Western Australian Project in the East Kimberley, which aims to combine the efforts of State and Commonwealth governments and work with Aboriginal people to achieve sustainable social, economic and health outcomes.

The Cross-Border Justice Project, which is addressing social and justice issues affecting the Ngaanyatjarra Pitjantjatjara Yankunytjatjara Lands (NPY Lands), is a significant initiative and the Department is a major participant. The NPY Lands are some of the most disadvantaged areas of Australia in terms of service provision. The population is also highly mobile, with family and cultural affiliations that extend across the region.

The Department is working on a range of initiatives in response to the Gordon Inquiry recommendations, including community supervision agreements, multi-functional police facilities and regional program development officers.

As part of the Department’s response to the Gordon Inquiry, four regional development program officers were appointed to work with remote Aboriginal communities to help deal with family violence and abuse. The officers’ role is also to survey community needs and services being provided by other programs and agencies, and identify any service gaps.

In March 2004 victim support and child witness services were expanded in the Kimberley, Goldfields and Pilbara to better meet the needs of Aboriginal victims of crime in remote communities. This initiative was implemented in response to the Gordon Inquiry recommendations, and includes regular visiting services to remote communities.

The Office of the Public Advocate established protocols with Government departments that have a regional presence. The aim was to increase understanding of local issues and needs when responding to referrals concerning Aboriginal people with decision-making disabilities. The office also established a partnership with the Office of Seniors Interests and Volunteering to:

- plan initiatives for research into elder abuse;
- develop local solutions in Aboriginal communities;
- establish links with Aboriginal organisations to improve access; and
- raise awareness of advocacy services for Aboriginal people with decision-making disabilities.

Many regional-based positions in the Department are advertised in regional and Aboriginal newspapers, as well as other mediums. Visits to the regions are also made to recruit for Departmental positions such as prison officers.

OUTCOME FOUR:
Skilled communities

The Department has developed a Regional Co-ordination Strategy that includes regional committees with representatives from Court Services, Prisons and Community and Juvenile Justice that meet regularly to progress regional initiatives.

Five regional service providers – community organisations that provide re-entry services to the regions – were appointed during the year in the Kimberley, Geraldton, Kalgoorlie, South West and Great Southern. A Pilbara-based provider is expected to be appointed in September 2004.
The Office of the Public Advocate provided cross-cultural training to staff during 2003/04. It also provided community education sessions to Aboriginal organisations and people in metropolitan and regional areas to raise awareness of the needs of adults with decision-making disabilities, elder abuse and the services available through the guardianship and administration system. The cross-cultural training provided an opportunity for staff to develop a better understanding of the needs of Aboriginal people and communities.

Cultural awareness of Aboriginal and ethnic minorities is a component of the Community Justice Services’ Core Operational Training, which was enhanced in July 2003 to include training in relation to victims and the services available for victims. The training also covered equity, diversity, anti-discriminatory practice and interactions.

OUTCOME FIVE: Improved regional infrastructure

The Department appointed building contractors and started construction of the Albany Justice Complex and Great Southern District Police Complex in April 2004 (more). The $700,000 refurbishment of the Derby courthouse started in March 2004 and is due for completion in the year ahead. It includes improved victim support facilities, security and access and facilities for people with disabilities.

OUTCOME ELEVEN: Safe regional communities

The Department has allocated $5.28m to the Community Re-entry Program for Prisoners. As part of this, $586,000 has been allocated for the expansion of mediation services and $181,000 has been committed to employ additional officers at Community Justice Services offices in both Kalgoorlie and Roebourne. Their role is to help prisoners find work after release. Also, $107,000 has been allocated for initiatives to help prisoners sustain family links.

In response to the report of the State Homelessness Taskforce, the Department has provided funding of $366,000 for a network of housing services to help offenders find accommodation after their release from prison, with the aim of reducing further offending. One third of the accommodation is in the regions.

OUTCOME THIRTEEN: Cohesive communities

Prisoner work camps allow low-risk prisoners to undertake valuable community projects that may not otherwise be done. Work camps operate in Walpole, Pardelup, Kellerberrin, Millstream-Chichester National Park, Derby and Wyndham.

The Repay WA initiative was launched in May 2004 to encourage community groups and local governments to bid for low-risk offenders on work orders to undertake community work projects. Repay WA is a cost-effective partnership in which the community benefits and offenders are given challenging tasks and develop new skills. During 2003/04, offenders completed nearly 300,000 hours of unpaid work valued at more than $3m. Approximately half of all adult community work orders and 60% of juvenile work orders were in regional areas. At any one time some 1,400 regional projects are underway in WA.
ENVIRONMENTAL PROGRAMS

Recycling
The Department continued its contract for specialised security shredding. The contract encompasses collection and destruction of confidential and other documents from Departmental offices in the metropolitan area. About 42,420-litre bins recycled per month.

The contract for collecting inkjet and toner cartridges, awarded in 2002/03, was extended and is being used at all metropolitan and regional locations.

Prisoner work camps
Prisoner work camps completed a range of valuable environmental work during the year, including:

- removing noxious weeds from Porongurup National Park and Millstream-Chichester National Park as well from as town sites in Mount Barker and Wyndham;
- planting native plants around the Wyndham town site;
- removing rubbish from natural bushland surrounding the rubbish and refuse site in Kellerberrin; and
- building retaining walls to stop water erosion in Walpole.

Energy Smart Government program
In accordance with the Energy Smart Government policy, the Department has committed to achieving a 12% reduction in non-transport-related energy use by 2006/07, with a 6% reduction targeted for 2003/04. As a result of several initiatives developed throughout the year, the Department achieved an 11% reduction. The Energy Management team was expanded this year, to include an Energy Co-ordinator from July 03, who facilitated the accurate and consistent entry of data on to a web-based database. This enabled the Department’s progress and individual facilities to be monitored and assessed quarterly.

Several energy audits were completed at facilities that had been identified as large consumers of energy with potential to realise significant savings. These sites included Banksia Hill Detention Centre, Rangeview Remand Centre, Perth Children’s Court, Joondalup Court and Rockingham Justice Complex. In addition, the introduction of an Energy Management section on the Department’s intranet site helped educate staff about the energy smart policy, reduction milestones and general energy-saving practices.

Table: Energy Smart Results 2003/04

<table>
<thead>
<tr>
<th>Energy Smart Government Program</th>
<th>Baseline (2001/02)</th>
<th>2003/04</th>
<th>Variation %</th>
</tr>
</thead>
<tbody>
<tr>
<td>Energy Consumption (MJ)</td>
<td>223,382,000</td>
<td>207,832,000</td>
<td>-7%</td>
</tr>
<tr>
<td>Energy Cost ($)</td>
<td>5,412,072</td>
<td>5,998,052</td>
<td>10%</td>
</tr>
<tr>
<td>Greenhouse Gas (tonnes of CO2)</td>
<td>42,342</td>
<td>42,114</td>
<td>-1%</td>
</tr>
</tbody>
</table>

Performance Indicators

- MJ/ sqm: 837 → 723
- MJ/ FTE: 13,213 → 14,187

*Note that the MJ/ FTE value is based on office buildings only.*
Reports on Customer Outcomes

The Public Trust Office included energy saving devices in their refurbished premises including after-hours light and air-conditioning switches, low-energy-use lighting tubes and energy-efficient chiller units in the air conditioning.

SUSTAINABILITY

While the Department of Justice has not been assigned specific actions under the State Sustainability Strategy released in September 2003, it has instigated initiatives to support the foundation principles of sustainability.

Settlement efficiency and quality of life

The Department has drafted an Energy Management Policy aimed at achieving a sustained reduction in energy consumption and greenhouse gas emissions. During 2003/04, the Department continued its program of energy audits (more).

Equity and Human Rights

The Boronia Pre-release Centre for Women is proactively addressing sustainability principles through ground-breaking responses to society’s aspirations for healthy, safe, socially cohesive and economically prosperous communities. In doing so, it is also enhancing local amenity and environmental integrity.

The pre-release centre is developing mutually beneficial partnerships within its local community. These partnerships will build social and economic capital and provide opportunities for diverse community development in the local area, while also addressing prisoner reparation and supporting effective rehabilitation and reintegration with the community.

Significant innovations were introduced in facility design – in its accommodation standards, site landscaping and verge treatments, management of trees and other plantings, cutting-edge technology and security features, parking, road works to improve access and traffic flow in the adjacent residential area.
Advertising and Marketing Expenditure
Recruitment advertising and advertising for tenders accounted for most of the Department’s advertising expenditure during the year. Total expenditure for the year was $89,646 less than the previous year.

<table>
<thead>
<tr>
<th>Amount ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Advertising</strong></td>
</tr>
<tr>
<td>Marketforce Productions</td>
</tr>
<tr>
<td>Media Decisions</td>
</tr>
<tr>
<td>Department of Premier and Cabinet</td>
</tr>
<tr>
<td>State Law Publisher</td>
</tr>
<tr>
<td>West Australian Newspapers Ltd</td>
</tr>
<tr>
<td>Point Design</td>
</tr>
<tr>
<td>Lamb Print</td>
</tr>
<tr>
<td><strong>Total Expenditure</strong></td>
</tr>
<tr>
<td><strong>Market Research Organisations</strong></td>
</tr>
<tr>
<td>Australian Market Intelligence</td>
</tr>
<tr>
<td><strong>Total Expenditure</strong></td>
</tr>
<tr>
<td><strong>Direct Mail</strong></td>
</tr>
<tr>
<td>Hemes Precia</td>
</tr>
</tbody>
</table>
Key Performance Indicators
Key Performance Indicators

FOR THE YEAR ENDED 30 JUNE 2004

STATEMENT OF CERTIFICATION

I 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 Justice and fairly represent the performance of the Department of Justice for the financial year ended 30 June 2004.

Alan Piper
DIRECTOR GENERAL
DEPARTMENT OF JUSTICE
10 August 2004
Key Performance Indicators

FOR THE YEAR ENDED 30 JUNE 2004

INDEPENDENT AUDIT OPINION

To the Parliament of Western Australia

DEPARTMENT OF JUSTICE
PERFORMANCE INDICATORS FOR THE YEAR ENDED JUNE 30, 2004

Audit Opinion

In my opinion, the key effectiveness and efficiency performance indicators of the Department of Justice are relevant and appropriate to help users assess the Department’s performance and fairly represent the indicated performance for the year ended June 30, 2004.

Scope

The Director General’s Role

The Director General is responsible for developing and maintaining proper records and systems for preparing performance indicators.

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

Summary of my Role

As required by the Financial Administration and Audit Act 1985, I have independently audited the performance indicators to express an opinion on them. This was done by looking at a sample of the evidence.

An audit does not guarantee that every amount and disclosure in the performance indicators is error free, nor does it 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 performance indicators.

D D R PEARSON
AUDITOR GENERAL
September 30, 2004
COURT SERVICES

Court Services plays a crucial role in the Department’s primary outcome of creating 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 ensure 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 hereafter as courts) provide the community with a method to resolve disputes. Simply put, courts provide:

- A registry where disputes/cases are lodged and managed through to finalisation;
- A courtroom where cases are heard; and
- An independent “judge” and rules that ensure parties’ rights are protected.

Additionally, once the dispute is resolved, courts also provide:

- A method of enforcing the court’s decision.

There are two distinct entities involved in administering courts in Western Australia; the independent judicial officers who preside over the various courts; and the Court Services division that provides the courts administrative services, support and infrastructure.

Court Services, in partnership with the judiciary, has the primary objective of instilling and maintaining community trust and confidence in the court system. The following elements must exist for community trust and confidence in courts to be maintained:

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

The Court Services division has identified three key outputs. These reflect the services provided and the framework in which the services are delivered:

- **Output one**  
  Judiciary and judicial support services
- **Output two**  
  Case processing
- **Output three**  
  Enforcement of criminal and civil court orders

The Court Services division also has responsibility for a fourth output – victim support and counselling services. This output relates mainly to the services provided to victims of crime by the Victim Support Service and counselling services provided by the Coroner’s Court.
OUTPUT 1
JUDICIARY AND JUDICIAL SUPPORT

Output Description:
A key task of the justice system in serving the community is the adjudication of cases brought before the court or tribunal. This output relates to financing the cost of judicial officers, including their support staff, which totalled $52.011m in 2003/04, and enabled the judiciary to undertake those determinations.

Indicator
The Department has not produced a performance indicator for this output, 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.

OUTPUT 2
CASE PROCESSING

Output Description:
The case processing output relates to all resources and services provided by Court Services to advance cases from lodgement to finalisation. It includes operational support activities related to the effective and efficient management of cases, claims and applications through the criminal and civil court process and through the various tribunals and boards administered by Court Services across the State. These activities include:

• Providing infrastructure (eg courtrooms, furniture and equipment) to assist in the proceedings of a trial or hearing;
• Providing registry services to accept and process legal documents and list cases for trial or hearing;
• Collecting (court) fees, as prescribed by legislation;
• Monitoring case-flow standards in the various jurisdictions; and
• Providing support services for non-judicial finalisations of matters.

Each jurisdiction provides separate performance information for this output. This is because disputes are dealt with by different courts due to their seriousness, either in terms of the potential penalty (eg imprisonment) or in the value of the matter in dispute. There are also specialist jurisdictions, including the Family Court, Coroner’s Court, Children’s Court, the Guardianship and Administration Board and many tribunals.

Each indicator is explained below.

EFFECTIVENESS INDICATORS:

2.1 Case finalisation ratio
This indicator is determined by calculating the proportion of cases finalised prior to and by trial, from the total number of cases finalised. It is a key indicator as it demonstrates the effectiveness of the courts’ processes in resolving disputes between parties both before and by trial.

Social and cost benefits may be achieved by the early finalisation of cases and may include:

• An improvement in the proportion of cases finalised prior to trial, which indicates the courts’ case-management processes are effective in guiding parties to finalise cases in an expeditious and timely manner;
• An improvement in the community’s capacity to access the court system. The sooner a case is finalised, the earlier the court can deal with the next case; and
• A decrease in the cost of litigation for both the parties involved and the community.
2.2 Average length of trials

This indicator measures the average length of trials that are finalised. It is calculated by dividing the total length of actual trials by the number of trials finalised within each jurisdiction.

It is a key indicator because:

- It impacts on the community’s ability to access the justice system. For example, if the average length of trials increases, the community may be subject to greater delays in cases coming to trial, which impacts on the whole-of-Government outcome of a “safe and orderly community”;
- It demonstrates that pre-trial systems are effective in advancing matters to trial according to established laws and procedures, and in reducing trial time to a minimum, to ensure trials are finalised in an expeditious and timely manner.

It also reflects that jurisdictions deal with matters of differing complexity, which is demonstrated by the differing length of trials between the jurisdictions.

2.3 Percent of cases finalised within time standards

This indicator relates to the percent of cases finalised within timeframes set by the court, in consultation with key stakeholders. It is a key indicator because it demonstrates that the systems, procedures and resources are in place to:

- Provide the community with reasonable and acceptable standards to measure the performance of the courts. This indicates the community’s access to the courts; and
- Provide an indication of the expeditious and timely finalisation of a case.

This indicator is achieved within a legal framework that advances matters to finalisation according to established laws and procedures based on equality, fairness and integrity.

This indicator is calculated by comparing the period taken from lodgement of a case to its finalisation, and the elapsed period against the time standard set by the court. The result is expressed as a percent of the cases finalised for the year.

2.4 Backlog

This indicator relates to the number of cases still to be finalised at year end that have not been finalised within the timeframes set by the court. It is a key indicator because it provides the community with an indication of the courts’ capacity to:

- Provide access to the community; and
- Deal with case workloads within time standards. (For this reason some additional data has been provided to demonstrate the backlog in context of the overall work of the court).

There are numerous factors that have a bearing on a matter being finalised within the standards, not all being within the control of the court. The fact that parties to cases are in dispute suggests that, while one party may want the matter finalised at the earliest possible time, the other may not. Extensions of time are granted to parties for good reason and, subsequently, the standards can not always be met.

The backlog measure is calculated by counting the number of matters still to be finalised (on hand) that have exceeded the timeframes for finalisation set by the court.

It is important to note the relevant workload data is also shown, so that the “backlog” is viewed in the context of each jurisdiction’s annual workload.
Key Performance Indicators

EFFICIENCY INDICATORS:

2.5 Cost of case finalised

This indicator, which measures the average cost of finalising a case within each jurisdiction, is calculated by dividing the total cost of case processing services by the total number of cases finalised within each jurisdiction.

Definitions:

The following definitions explain the key terms used by each court jurisdiction:

- **Case (criminal)** – a matter involving one defendant with one or more charges all with the same first date of registration.
- **Case (civil)** – a matter commenced following the first filing of an originating process.
- **Trial** (Supreme, Family, District, Children’s and Magistrates’ Courts) – a formal defended proceeding before a judicial officer/s. Note, criminal cases specifically, a plea of guilty by the accused does not constitute a defended proceeding.
- **Trial** (Coroners Court) – an inquest.
- **Trial** (Assessor of Criminal Injuries and Boards and Tribunals) a case that proceeds to the tribunal resulting from contested proceedings that involve the taking of evidence and results in an order rendering the matter finalised as it relates to that tribunal.
- **Trial** (Guardianship and Administration Board) – a board hearing.
- **Finalised** – the date the case is finally determined. There are numerous methods by which a case may be finalised including sentence, withdrawal of the case, settlement of the case, delivery of the judgement by the court, etc.

Note:

*Where no figures are shown against an indicator, the indicator was either not previously reported or available.*
## Key Performance Indicators

### SUPREME COURT

<table>
<thead>
<tr>
<th>CIVIL</th>
<th>Actual 2002/03</th>
<th>Actual 2003/04</th>
<th>Target 2003/04</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.1 Case finalisation ratio</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Finalised before trial</td>
<td>95%</td>
<td>95%</td>
<td>95%</td>
<td></td>
</tr>
<tr>
<td>• Finalised by trial</td>
<td>5%</td>
<td>5%</td>
<td>5%</td>
<td></td>
</tr>
<tr>
<td>2.2 Average length of trials</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Civil</td>
<td>3.0 days</td>
<td>5.0 days</td>
<td>4.0 days</td>
<td></td>
</tr>
<tr>
<td>• Single judge appeal</td>
<td>0.4 days</td>
<td>0.4 days</td>
<td>0.4 days</td>
<td></td>
</tr>
<tr>
<td>• Full court appeal</td>
<td>0.6 days</td>
<td>0.7 days</td>
<td>0.6 days</td>
<td></td>
</tr>
<tr>
<td>2.3 Percent of cases finalised within the standard of 78 weeks</td>
<td>71%</td>
<td>74%</td>
<td>75%</td>
<td></td>
</tr>
<tr>
<td>2.4 Backlog</td>
<td>1,533</td>
<td>1,536</td>
<td>-</td>
<td>3</td>
</tr>
</tbody>
</table>

**Additional case analysis information**

|                                                                 |                |                |                |       |
| • Cases received                                                    | 2,940          | 3,284          | -              |       |
| • Cases finalised                                                   | 3,185          | 3,365          | -              |       |
| • Cases still to be dealt with                                      | 2,945          | 2,905          | -              |       |

### CRIMINAL

<table>
<thead>
<tr>
<th></th>
<th>Actual 2002/03</th>
<th>Actual 2003/04</th>
<th>Target 2003/04</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.1 Case finalisation ratio</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Finalised before trial</td>
<td>52%</td>
<td>69%</td>
<td>59%</td>
<td>1</td>
</tr>
<tr>
<td>• Finalised by trial</td>
<td>48%</td>
<td>31%</td>
<td>41%</td>
<td></td>
</tr>
<tr>
<td>2.2 Average length of trials</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Criminal</td>
<td>4.0 days</td>
<td>5.5 days</td>
<td>4.5 days</td>
<td>2</td>
</tr>
<tr>
<td>• Criminal appeal</td>
<td>0.4 days</td>
<td>0.4 days</td>
<td>0.6 days</td>
<td></td>
</tr>
<tr>
<td>2.3 Percent of cases finalised within the standard of 32 weeks</td>
<td>55%</td>
<td>75%</td>
<td>71%</td>
<td></td>
</tr>
<tr>
<td>2.4 Backlog</td>
<td>42</td>
<td>75</td>
<td>-</td>
<td></td>
</tr>
</tbody>
</table>

**Additional case analysis information**

|                                                                 |                |                |                |       |
| • Cases received                                                  | 529           | 487           | -              |       |
| • Cases finalised                                                 | 400           | 602           | -              |       |
| • Cases still to be dealt with                                    | 335           | 373           | -              |       |

| 2.5 Average cost per case finalised (criminal and civil combined) | $5,350         | $5,116        | $7,358         | 4     |

### Notes:

1. An increasing number of matters subject to appeal are being finalised before coming to trial. This trend began during quarter four of 2002/03 last year and has continued, reducing the proportion of total criminal matters being finalised by trial. The target set for 2003/04 did not reflect this downward trend.

2. Subsequent to 1. above, more complex matters are continuing to trial, increasing the average trial length, most particularly with respect to two particularly long trials.

3. New administrative processes have caused the removal of many matters previously categorised as not completed.

4. Cost per case is less than anticipated because of the effect of 1. above, trials being more resource-requiring than other approaches. It has also been affected by the increase in the number of cases finalised. Further, additional judge resources have been allocated to criminal matters, the trials of which are shorter and cost less than for civil matters.
### District Court

#### Civil

<table>
<thead>
<tr>
<th>Indicator Description</th>
<th>Actual 2002/03</th>
<th>Actual 2003/04</th>
<th>Target 2003/04</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Case finalisation ratio</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Finalised before trial</td>
<td>96%</td>
<td>96%</td>
<td>97%</td>
<td></td>
</tr>
<tr>
<td>- Finalised by trial</td>
<td>4%</td>
<td>4%</td>
<td>3%</td>
<td></td>
</tr>
<tr>
<td>Average length of trials</td>
<td>2.5 days</td>
<td>2.6 days</td>
<td>3.0 days</td>
<td></td>
</tr>
<tr>
<td>Percent of cases finalised within the standard of 70 weeks</td>
<td>75%</td>
<td>70%</td>
<td>75%</td>
<td>1,2</td>
</tr>
<tr>
<td>Backlog</td>
<td>1,719</td>
<td>1,354</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Additional case analysis information:
- Cases received: 3,493/3,418
- Cases finalised: 3,485/3,653
- Cases still to be dealt with: 4,7/3,861

#### Criminal

<table>
<thead>
<tr>
<th>Indicator Description</th>
<th>Actual 2002/03</th>
<th>Actual 2003/04</th>
<th>Target 2003/04</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Case finalisation ratio</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>- Finalised before trial</td>
<td>81%</td>
<td>80%</td>
<td>83%</td>
<td></td>
</tr>
<tr>
<td>- Finalised by trial</td>
<td>19%</td>
<td>20%</td>
<td>17%</td>
<td></td>
</tr>
<tr>
<td>Average length of trials</td>
<td>3.0 days</td>
<td>3.0 days</td>
<td>3.0 days</td>
<td></td>
</tr>
<tr>
<td>Percent of cases finalised within the standard of 52 weeks</td>
<td>75%</td>
<td>71%</td>
<td>83%</td>
<td>1</td>
</tr>
<tr>
<td>Backlog</td>
<td>527</td>
<td>486</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Additional case analysis information:
- Cases received: 2,868/2,920
- Cases finalised: 2,868/2,767
- Cases still to be dealt with: 1,731/1,897

<table>
<thead>
<tr>
<th>Indicator Description</th>
<th>Actual 2002/03</th>
<th>Actual 2003/04</th>
<th>Target 2003/04</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Average cost per case finalised (criminal and civil combined)</td>
<td>$3,755</td>
<td>$3,822</td>
<td>$3,705</td>
<td></td>
</tr>
</tbody>
</table>

#### Notes:

1. The introduction of an automated process to identify inactive civil matters has caused the finalisation of older cases, significantly affecting timeliness.

2. This figure is lower than expected because of the loss of 17 judicial weeks caused by sick leave and retirements. Such interruptions have also caused other variations, such as cases finalised within the standards.

In keeping with national counting standards, bench warrants have been excluded from finalisations from October 2003.
### Key Performance Indicators

**FAMILY COURT**

<table>
<thead>
<tr>
<th></th>
<th>Actual 2002/03</th>
<th>Actual 2003/04</th>
<th>Target 2003/04</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>CIVIL</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.1 Case finalisation ratio</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Finalised before trial</td>
<td>95%</td>
<td>95%</td>
<td>95%</td>
<td></td>
</tr>
<tr>
<td>• Finalised by trial</td>
<td>3%</td>
<td>5%</td>
<td>5%</td>
<td></td>
</tr>
<tr>
<td>2.2 Average length of trials</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Direct track</td>
<td>0.3 days</td>
<td>0.3 days</td>
<td>0.3 days</td>
<td></td>
</tr>
<tr>
<td>• Standard track</td>
<td>1.7 days</td>
<td>1.6 days</td>
<td>2.0 days</td>
<td></td>
</tr>
<tr>
<td>2.3 Percent of cases finalised within time standards</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Dissolutions (10 weeks)</td>
<td>54%</td>
<td>83%</td>
<td>83%</td>
<td>1</td>
</tr>
<tr>
<td>• Direct track (26 weeks)</td>
<td>57%</td>
<td>63%</td>
<td>75%</td>
<td>1</td>
</tr>
<tr>
<td>• Standard track (44 weeks)</td>
<td>39%</td>
<td>33%</td>
<td>35%</td>
<td>1</td>
</tr>
<tr>
<td>2.4 Backlog</td>
<td>393</td>
<td>233</td>
<td></td>
<td>1</td>
</tr>
<tr>
<td>Additional case analysis information</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Cases received</td>
<td>14,164</td>
<td>14,240</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>• Cases finalised</td>
<td>14,528</td>
<td>13,256</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>• Cases still to be dealt with</td>
<td>1,869</td>
<td>3,584</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>2.5 Average cost per case finalised</td>
<td>$917</td>
<td>$1,086</td>
<td>$1,016</td>
<td></td>
</tr>
</tbody>
</table>

**Notes:**

1. Below expectation because the appointment of an additional judge has reduced the backlog (older cases).
### Key Performance Indicators

#### CHILDREN’S COURT

<table>
<thead>
<tr>
<th>CIVIL/CARE AND PROTECTION</th>
<th>Actual 2002/03</th>
<th>Actual 2003/04</th>
<th>Target 2003/04</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>2.1 Case finalisation ratio</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Finalised before trial</td>
<td>61%</td>
<td>66%</td>
<td>60%</td>
<td>1</td>
</tr>
<tr>
<td>• Finalised by trial</td>
<td>39%</td>
<td>34%</td>
<td>40%</td>
<td>1</td>
</tr>
<tr>
<td><strong>2.2 Average length of trials</strong></td>
<td>1.0 day</td>
<td>0.5 days</td>
<td>1.5 days</td>
<td>2</td>
</tr>
<tr>
<td><strong>2.3 Percent of cases finalised within the standard of 52 weeks</strong></td>
<td>87%</td>
<td>78%</td>
<td>85%</td>
<td>1</td>
</tr>
<tr>
<td><strong>2.4 Backlog</strong></td>
<td>88</td>
<td>105</td>
<td></td>
<td>-</td>
</tr>
</tbody>
</table>

Additional case analysis information
- Cases received: 352, 320
- Cases finalised: 310, 336
- Cases still to be dealt with: 234, 222

**CRIMINAL**

| **2.1 Case finalisation ratio** |                |                |                |       |
| • Finalised before trial      | 85%            | 86%            | 85%            |       |
| • Finalised by trial          | 15%            | 14%            | 15%            |       |
| **2.2 Average length of trials** | 0.7 days       | 0.5 days       | 0.8 days       |       |
| **2.3 Percent of cases finalised within the standard of 26 weeks** | 90%            | 89%            | 85%            |       |
| **2.4 Backlog**               | 128            | 223            |                | -     |

Additional case analysis information
- Cases received: 8,119, 8,533
- Cases finalised: 8,964, 9,634
- Cases still to be dealt with: 1,669, 1,868

**2.5 Average cost per case finalised (criminal and civil combined)**: $305, $278, $389

**Notes:**

1. New parenting and counselling programs have reduced the number of trials but have also caused delays in hearing matters which do go to trial.

2. Although some mediations prove unsuccessful, they tend to settle some issues, leaving fewer to be determined through trial and having the effect of shortening the trial length.
### Key Performance Indicators

#### MAGISTRATES’ COURT

<table>
<thead>
<tr>
<th>CIVIL</th>
<th>Actual 2002/03</th>
<th>Actual 2003/04</th>
<th>Target 2003/04</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.1 Case finalisation ratio</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Finalised before trial</td>
<td>95%</td>
<td>96%</td>
<td>94%</td>
<td></td>
</tr>
<tr>
<td>• Finalised by trial</td>
<td>5%</td>
<td>4%</td>
<td>6%</td>
<td>1</td>
</tr>
<tr>
<td>2.2 Average length of trials</td>
<td>0.3 days</td>
<td>0.3 days</td>
<td>0.3 days</td>
<td></td>
</tr>
<tr>
<td>2.3 Percent of cases finalised within the standard of 52 weeks</td>
<td>87%</td>
<td>98%</td>
<td>94%</td>
<td></td>
</tr>
<tr>
<td>2.4 Backlog</td>
<td>8,215</td>
<td>8,374</td>
<td>-</td>
<td>2</td>
</tr>
</tbody>
</table>

Additional case analysis information

• Cases received | 43,711 | 42,578 | - |
• Cases finalised | 20,499 | 21,212 | - | 4 |
• Cases still to be dealt with | 44,703 | 41,074 | - |

#### CRIMINAL

<table>
<thead>
<tr>
<th>CRIMINAL</th>
<th>Actual 2002/03</th>
<th>Actual 2003/04</th>
<th>Target 2003/04</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.1 Case finalisation ratio</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Finalised before trial</td>
<td>79%</td>
<td>80%</td>
<td>78%</td>
<td></td>
</tr>
<tr>
<td>• Finalised by trial</td>
<td>21%</td>
<td>20%</td>
<td>22%</td>
<td></td>
</tr>
<tr>
<td>2.2 Average length of trials</td>
<td>0.18 days</td>
<td>0.2 days</td>
<td>0.2 days</td>
<td></td>
</tr>
<tr>
<td>2.3 Percent of cases finalised within the standard of 26 weeks</td>
<td>92.5%</td>
<td>95%</td>
<td>95%</td>
<td></td>
</tr>
<tr>
<td>2.4 Backlog</td>
<td>6,696</td>
<td>5,378</td>
<td>-</td>
<td></td>
</tr>
</tbody>
</table>

Additional case analysis information

• Cases received | 83,697 | 89,373 | - |
• Cases finalised | 84,093 | 89,758 | - |
• Cases still to be dealt with | 42,263 | 46,802 | - |

2.5 Average cost per case finalised (criminal and civil combined) | $320 | $304 | $341 |

#### Notes:

1. There is a downward trend in the number of pre-trial conferences, indicating that a greater than normal proportion of cases were settled out of court before reaching trial.

2. This figure is the backlog figure for the 5 GENISYS locations only (Armadale, Midland, Joondalup, Fremantle and Perth)

3. This figure is the cases on hand figure for the 5 GENISYS locations only (Armadale, Midland, Joondalup, Fremantle and Perth)

4. Cases finalised is artificially low, as demonstrated when the difference between Cases Received and Cases Finalised are compared with the change over time of Cases Still to be Dealt With. This is because Cases to be Dealt With reflect the impact of automatically finalising cases after 2 years of inactivity but Cases Finalised do not include this figure. The extraction software is currently being reviewed.
## Key Performance Indicators

### CORONER’S COURT

<table>
<thead>
<tr>
<th></th>
<th>Actual 2002/03</th>
<th>Actual 2003/04</th>
<th>Target 2003/04</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.1 Case finalisation ratio</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Finalised before trial</td>
<td>98%</td>
<td>97%</td>
<td>97%</td>
<td></td>
</tr>
<tr>
<td>• Finalised by trial</td>
<td>2%</td>
<td>3%</td>
<td>3%</td>
<td></td>
</tr>
<tr>
<td>2.2 Average length of trials</td>
<td>2.9 days</td>
<td>2.5 days</td>
<td>3.0 days</td>
<td></td>
</tr>
<tr>
<td>2.3 Percent of cases finalised within the standard of 52 weeks</td>
<td>92%</td>
<td>92%</td>
<td>92%</td>
<td></td>
</tr>
<tr>
<td>2.4 Backlog</td>
<td>183</td>
<td>232</td>
<td>-</td>
<td>1</td>
</tr>
<tr>
<td>Additional case analysis information</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Cases received</td>
<td>1,897</td>
<td>1,984</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>• Cases finalised</td>
<td>1,775</td>
<td>1,955</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>• Cases still to be dealt with</td>
<td>802</td>
<td>975</td>
<td>-</td>
<td>1</td>
</tr>
<tr>
<td>2.5 Average cost per case finalised</td>
<td>$3,147</td>
<td>$2,875</td>
<td>$2,596</td>
<td></td>
</tr>
</tbody>
</table>

Notes:
1. Cases on Hand and Backlog figures now include data from country courts.

### GUARDIANSHIP AND ADMINISTRATION BOARD

<table>
<thead>
<tr>
<th></th>
<th>Actual 2002/03</th>
<th>Actual 2003/04</th>
<th>Target 2003/04</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.1 Case finalisation ratio</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Finalised before trial</td>
<td>14%</td>
<td>15%</td>
<td>12%</td>
<td></td>
</tr>
<tr>
<td>• Finalised by trial</td>
<td>86%</td>
<td>85%</td>
<td>88%</td>
<td></td>
</tr>
<tr>
<td>2.3 Percent of cases finalised within the standard of 8 weeks</td>
<td>62%</td>
<td>60%</td>
<td>75%</td>
<td>1</td>
</tr>
<tr>
<td>2.4 Backlog</td>
<td>115</td>
<td>29</td>
<td>-</td>
<td>2</td>
</tr>
<tr>
<td>Additional case analysis information</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Cases received</td>
<td>1,694</td>
<td>1,768</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>• Cases finalised</td>
<td>1,576</td>
<td>1,668</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>• Cases still to be dealt with</td>
<td>286</td>
<td>306</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>2.5 Average cost per case finalised</td>
<td>$1,416</td>
<td>$1,441</td>
<td>$1,630</td>
<td>3</td>
</tr>
</tbody>
</table>

Notes:
1. The percentage of cases finalised within the standard of 8 weeks is still below target but administrative changes have been implemented to increase this proportion.
2. Due to administrative changes.
3. Lower than expected because of the higher than expected number of finalisations.
Key Performance Indicators

LIQUOR LICENSING COURT

<table>
<thead>
<tr>
<th>CIVIL</th>
<th>Actual 2002/03</th>
<th>Actual 2003/04</th>
<th>Target 2003/04</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.1 Case finalisation ratio</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Finalised before trial</td>
<td>34%</td>
<td>47%</td>
<td>29%</td>
<td></td>
</tr>
<tr>
<td>• Finalised by trial</td>
<td>66%</td>
<td>53%</td>
<td>85%</td>
<td></td>
</tr>
<tr>
<td>2.2 Average length of trials</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>2.0 days</td>
<td>2.1 days</td>
<td>1.6 days</td>
<td></td>
</tr>
<tr>
<td>2.3 Percent of cases finalised within the standard of 35 weeks</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>77%</td>
<td>76%</td>
<td>100%</td>
<td></td>
</tr>
<tr>
<td>2.4 Backlog</td>
<td>4</td>
<td>1</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Additional case analysis information</td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>• Cases received</td>
<td>37</td>
<td>35</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>• Cases finalised</td>
<td>44</td>
<td>34</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>• Cases still to be dealt with</td>
<td>16</td>
<td>17</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>2.5 Average cost per case finalised</td>
<td>$12,803</td>
<td>$17,908</td>
<td>$12,486</td>
<td></td>
</tr>
</tbody>
</table>

Note:
1. The small number of cases can make these percentages volatile.
2. Cases finalised by trial are lower than expected due to the implementation of administrative case management practices.
3. Higher than expected because of the lower than expected number of cases finalised. Cost per Case for the Liquor Licensing Court can vary from expectation because of the small numbers processed by the court each year.

ASSESSOR CRIMINAL INJURIES

<table>
<thead>
<tr>
<th>Actual 2002/03</th>
<th>Actual 2003/04</th>
<th>Target 2003/04</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.1 Case finalisation ratio</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Finalised before trial</td>
<td>96%</td>
<td>98%</td>
<td>95%</td>
</tr>
<tr>
<td>• Finalised by trial</td>
<td>4%</td>
<td>2%</td>
<td>5%</td>
</tr>
<tr>
<td>2.3 Percent of cases finalised within the standard of 39 weeks</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>35%</td>
<td>25%</td>
<td>35%</td>
</tr>
<tr>
<td>2.4 Backlog</td>
<td>458</td>
<td>453</td>
<td>-</td>
</tr>
<tr>
<td>Additional case analysis information</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Cases received</td>
<td>1,322</td>
<td>1,115</td>
<td>-</td>
</tr>
<tr>
<td>• Cases finalised</td>
<td>1,119</td>
<td>943</td>
<td>-</td>
</tr>
<tr>
<td>• Cases still to be dealt with</td>
<td>1,496</td>
<td>1,371</td>
<td>-</td>
</tr>
<tr>
<td>2.5 Average cost per case finalised</td>
<td>$15,718</td>
<td>$13,899</td>
<td>$17,500</td>
</tr>
</tbody>
</table>

Note:
1. Lower than anticipated because of the time devoted by the assessor to preparing new legislation.
2. There has been difficulties in obtaining Police Briefs which are taking an average 5-6 months to acquire.
3. The practice of rejecting incomplete applications has continued resulting in a decrease in cases received.
4. A concerted effort by assessors reduced the cases on hand.
5. Lower than expected because of the greater number of cases finalise, mainly due to 4 above.
OTHER TRIBUNALS AND BOARDS

SMALL CLAIMS TRIBUNAL

<table>
<thead>
<tr>
<th></th>
<th>Actual 2002/03</th>
<th>Actual 2003/04</th>
<th>Target 2003/04</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.1 Case finalisation ratio</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Finalised before trial</td>
<td>39%</td>
<td>43%</td>
<td>39%</td>
<td></td>
</tr>
<tr>
<td>• Finalised by trial</td>
<td>61%</td>
<td>57%</td>
<td>61%</td>
<td></td>
</tr>
<tr>
<td>2.3 Percent of cases finalised within the standard of 52 weeks</td>
<td>95%</td>
<td>92%</td>
<td>93%</td>
<td></td>
</tr>
<tr>
<td>2.4 Backlog</td>
<td>204</td>
<td>47</td>
<td>-</td>
<td>1</td>
</tr>
</tbody>
</table>

Additional case analysis information

• Cases received | 1,377 | 1,239 | - |
• Cases finalised | 1,301 | 1,486 | - | 1 |
• Cases still to be dealt with | 603 | 366 | - | 1 |

Note:
1. Due to a year-long concentrated effort to reduce backlog

COMMERCIAL TRIBUNAL

<table>
<thead>
<tr>
<th></th>
<th>Actual 2002/03</th>
<th>Actual 2003/04</th>
<th>Target 2003/04</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.1 Case finalisation ratio</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Finalised before trial</td>
<td>95%</td>
<td>94%</td>
<td>94%</td>
<td></td>
</tr>
<tr>
<td>• Finalised by trial</td>
<td>5%</td>
<td>6%</td>
<td>6%</td>
<td></td>
</tr>
<tr>
<td>2.3 Percent of cases finalised within the standard of 52 weeks</td>
<td>98%</td>
<td>97%</td>
<td>95%</td>
<td></td>
</tr>
<tr>
<td>2.4 Backlog</td>
<td>25</td>
<td>19</td>
<td>-</td>
<td>2</td>
</tr>
</tbody>
</table>

Additional case analysis information

• Cases received | 1,836 | 1,716 | - |
• Cases finalised | 1,810 | 1,746 | - | 1 |
• Cases still to be dealt with | 178 | 148 | - | 2 |

Note:
1. While the Commercial Tribunal was relocated, trials continued to be set and heard to completion. However, over the same period, work on matters destined to be settled before trial slowed considerably because of the need for the Commercial Registrar to spend considerable time contributing to the development of State Administrative Tribunal legislation.
2. The work of an additional part-time Registrar has reduced cases on hand and backlog.
### EQUAL OPPORTUNITY TRIBUNAL

<table>
<thead>
<tr>
<th></th>
<th>Actual 2002/03</th>
<th>Actual 2003/04</th>
<th>Target 2003/04</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>2.1 Case finalisation ratio</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Finalised before trial</td>
<td>85.5%</td>
<td>81%</td>
<td>75%</td>
<td></td>
</tr>
<tr>
<td>• Finalised by trial</td>
<td>14.5%</td>
<td>19%</td>
<td>25%</td>
<td>1</td>
</tr>
<tr>
<td><strong>2.3 Percent of cases finalised within the standard of 52 weeks</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>70%</td>
<td>51%</td>
<td>70%</td>
<td>1</td>
</tr>
<tr>
<td><strong>2.4 Backlog</strong></td>
<td>31</td>
<td>23</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Additional case analysis information</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Cases received</td>
<td>88</td>
<td>68</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>• Cases finalised</td>
<td>55</td>
<td>98</td>
<td>-</td>
<td>1</td>
</tr>
<tr>
<td>• Cases still to be dealt with</td>
<td>99</td>
<td>70</td>
<td>-</td>
<td></td>
</tr>
</tbody>
</table>

**Notes:**
1. The recently reconstituted board has provided increased number of sitting days. This additional resource has been used to hear backlog cases, resulting in the proportion of matters finalised by trial exceeding expectation. In addition, as most of the aged cases have been targeted for completion, the percent finalised within the standard has increased. These figures are also affected by a number of cases lodged from remote areas, which presented difficulties in setting effective sittings.

### PAROLE BOARD

<table>
<thead>
<tr>
<th></th>
<th>Actual 2002/03</th>
<th>Actual 2003/04</th>
<th>Target 2003/04</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>2.1 Case finalisation ratio</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Finalised before trial</td>
<td>9%</td>
<td>9%</td>
<td>11%</td>
<td></td>
</tr>
<tr>
<td>• Finalised by trial</td>
<td>91%</td>
<td>91%</td>
<td>89%</td>
<td></td>
</tr>
<tr>
<td><strong>2.3 Percent of cases finalised within the standard of 14 weeks</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
<td></td>
</tr>
<tr>
<td><strong>2.4 Backlog</strong></td>
<td>0</td>
<td>0</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>Additional case analysis information</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Cases received</td>
<td>4,033</td>
<td>4,172</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>• Cases finalised</td>
<td>4,033</td>
<td>4,172</td>
<td>-</td>
<td></td>
</tr>
<tr>
<td>• Cases still to be dealt with</td>
<td>0</td>
<td>0</td>
<td>-</td>
<td></td>
</tr>
</tbody>
</table>

### TRIBUNALS and BOARDS (Small Claims, Commercial, Equal Opportunity and Parole)

<table>
<thead>
<tr>
<th></th>
<th>Actual 2002/03</th>
<th>Actual 2003/04</th>
<th>Target 2003/04</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>2.5 Average cost per case finalised</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>$433</td>
<td>$447</td>
<td>$470</td>
<td></td>
</tr>
</tbody>
</table>
OUTPUT 3
ENFORCEMENT OF CRIMINAL AND CIVIL COURT ORDERS

Output description:
This output relates to all resources and services provided by the Court Services division to enforce orders handed down by a court. It includes operational and support activities related to the effective and efficient enforcement of both criminal and civil court orders. These activities include the:

- Provision of infrastructure (e.g., accommodation, furniture and equipment) to enable enforcement of orders;
- Provision of services to prepare, process, execute and monitor enforcement orders; and
- Monitoring and auditing of bailiff and sheriff activities.

This information shows how effectively and efficiently Court Services enforce court orders. The output demonstrates, to the community and the judiciary, the practical application of enforcing court orders so that both can have confidence in the enforcement process.

There are differences between criminal and civil enforcement. Criminal enforcement is administered and controlled by the courts by virtue of statute law. Civil enforcement is regulated by the courts, but is otherwise a matter between litigants, that is, the creditor determines how vigorously to pursue the matter.

EFFECTIVENESS INDICATORS

3.1 Percent of fines satisfied by Fines Enforcement Registry (FER)
This indicator measures the percent of satisfied fines, costs and infringements referred to FER by the courts and prosecuting authorities for enforcement within a timeframe of 12 and 24 months.

The Fines Enforcement Registry is the courts’ major enforcement arm for the recovery of unpaid fines and infringement notices. Satisfaction of the penalty can be by various methods including full payment, sale of goods, community work and/or serving of default penalties.

This is a key indicator because it demonstrates to the community and judiciary that the appropriate systems, procedures and resources are in place to enforce fines, costs and infringement penalties in an expeditious and timely manner. It also demonstrates to the community that a court fine is a viable sentencing option.

The indicator is derived by measuring the percent of fines, costs and infringements recovered within 0 to 12 and 0 to 24 months of lodgement with the Fines Enforcement Registry.

Notes:
1. Lower than anticipated because of the impact of legislative amendments associated with time-to-pay.
EFFICIENCY INDICATORS:

3.2 Average cost per order (criminal and civil)

This indicator measures the average cost of producing/actioning civil and criminal orders in the responsible jurisdictions. It is determined by dividing the cost of providing enforcement services within each discrete jurisdiction by the number of orders produced/actioned in the financial year.

Notes:
1. Actual costs for 2003/04 are in keeping with those for 2002/03 and having regard to the differences in the number of the various activities. However, they are high compared to the target figures, suggesting that the targets could be reviewed.
2. Higher than expected because the service of documents for criminal injuries matters are now counted as civil matters.
3. The number of civil orders produced by the Local Court decreased by 10.1%, which is in line with the decrease in the number of cases received (9.7%).
OUTPUT 4
ADMINISTRATION OF VICTIM SUPPORT AND COUNSELLING SERVICES

Output description:
The Victim Support Service and Coroner’s Office counselling service contribute to the outcome of a safe and orderly community by supporting the rights of victims of crime and bereaved people and helping them to restore their well-being.

EFFECTIVENESS INDICATOR:
4.1 Percent of victims of crime responded to within 72 hours
This indicator provides the community with a reasonable and acceptable time period/standard for a response to a referral to the Victim Support Service and demonstrates actual performance level.
It is calculated by comparing the elapsed time between receipt of the referral and the service’s first contact with the client, against the standard.

EFFICIENCY INDICATOR:
4.2 Cost per case to provide victim support and other counselling services
This indicator, which measures the average cost of providing counselling services, is calculated by dividing the total cost of victim support and counselling services by the total number of referrals received.

Note:
1. Due to the increase in available funding arising from the Gordon Inquiry.
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.

OUTPUT 5
LEGAL SERVICES

Output description:
The State Solicitor’s Office provides a broad-based legal service to Government, its departments, instrumentalities and agencies. These services include: the conduct of litigation, the provision of legal advice, representation as counsel in courts and tribunals and preparation of legal documents.

EFFECTIVENESS INDICATOR:

5.1 The extent to which Government departments and agencies are satisfied with the legal services provided

This indicator measures client satisfaction with the quality of legal services provided. It is measured through a client survey and targets chief executive officers (CEOs) of Government departments and agencies. Survey questions are forwarded in advance to CEOs and are followed by an interview conducted by the State Solicitor.

In 2003/2004 a total of 22 client agencies were surveyed.

The total number of agencies surveyed represents approximately 92% of the chargeable work of the State Solicitor’s Office.

The criteria used to assess satisfaction with service included:

• Technical quality of work;
• Relevance of information provided to client’s needs; and
• Timeliness of information provided.

The results show the percent of clients that gave a rating of greater than 80% (ie ratings of good to excellent) and a rating of greater than 60% (ie ratings of satisfactory to excellent).

In previous years, the survey was divided into ‘major’ client agencies and ‘significant’ client agencies. With the amalgamation of a number of departments, it is no longer necessary to make that distinction.

Table 1: Extent to which clients are satisfied with the legal services provided.

<table>
<thead>
<tr>
<th></th>
<th>Actual 2002/03</th>
<th>Actual 2003/04</th>
<th>Target 2003/04</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Rating &gt;60%</td>
<td>Rating &gt;80%</td>
<td>Rating &gt;60%</td>
</tr>
<tr>
<td>Technical quality of work</td>
<td>100%</td>
<td>100%</td>
<td>100%</td>
</tr>
<tr>
<td>Relevance of information</td>
<td>100%</td>
<td>98%</td>
<td>100%</td>
</tr>
<tr>
<td>Timeliness of information</td>
<td>100%</td>
<td>97%</td>
<td>100%</td>
</tr>
</tbody>
</table>

Note:
Survey results for 2003/04 were based on a total population size of 22, of which 22 client agencies were interviewed. In 2002/03 the total population size was 23, of which 23 client agencies were interviewed, and in 2001/02, the total population size was 20, of which 20 client agencies were interviewed.
EFFICIENCY INDICATOR:

5.2 Cost per matter

This indicator measures the average cost of a legal matter, which is defined as an initiating instruction from a client to provide legal services. It also includes work in progress. The services include: provision of legal advice, the conduct of litigation, representation as counsel in courts and tribunals, and preparation of legal documents. The cost of the matter is calculated by dividing the total cost of providing legal services by the number of matters dealt with during the financial year.
**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 also ensures the public is given access to and information about existing legislation.

**OUTPUT 6**

**PREPARATION OF LEGISLATION**

**Output description:**

To prepare legislation for the Government of Western Australia and its departments and agencies to affect the Government’s legislative program.

**EFFECTIVENESS INDICATOR:**

6.1 **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 percent of the total number of Cabinet authorities to which the legislative program relates.

This calculation excludes matters which were not completed on time due to circumstances beyond the control of the Parliamentary Counsel’s Office, such as:

- Lack of action on the part of the instructing agency to progress a Bill; or
- Deferral of a Bill by the instructing agency.

**Note:**

This indicator is reported on a calendar year basis to directly align performance to the Parliamentary year, ie the 2003/04 figure represents the 2003 Parliamentary year. A precise method of assessment is used under which the history of each piece of priority legislation is analysed.

**EFFICIENCY INDICATOR:**

6.2 **Average cost per drafting service provided**

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.
KEY PERFORMANCE INDICATORS

UNAUDITED PERFORMANCE INFORMATION

6.3 Extent to which clients are satisfied with drafting service

It is currently not possible to measure the quality of the actual output of the office, that is the legislation it produces. In one sense, the quality of legislation in terms of its expression, style and presentation depends on the particular likes and dislikes of different readers. In another sense, its quality – in terms of its effectiveness – might not be able to be judged for many years depending on how long it takes for the various situations a piece of legislation is designed to deal with to arise.

The Parliamentary Counsel’s Office, therefore, surveys a random selection of instructing agencies for its own internal management purposes and uses this survey to measure quality in terms of the effectiveness of the interactive relationship with instructing agencies. This indicator is derived from a customer target survey sent to all instructing officers involved in drafting tasks over a two-week period.

Note:
The period selected for the year 2003 was September 2003. There were 35 clients surveyed, of which 24 clients responded (68.57%).
ADULT OFFENDERS

The custody, containment, care, well-being and rehabilitation of offenders and their reintegration into the community is a critical element affecting the community’s sense of safety and security. The quality and effectiveness of Western Australia’s prison system and the rehabilitation programs it offers has a direct bearing on the perception of a safe and orderly community.

OUTPUT 7
ADULT OFFENDERS MANAGED

Output description:
This output includes the provision of remedial programs, further education and employment skills, sentencing reports, assessment reports outlining an offender’s suitability for release or their progress in the community to releasing authorities such as the parole board, providing policy and advice and collaborating with other agencies.

EFFECTIVENESS INDICATORS:

7.1 Rate of re-offending
The rate of re-offending is defined as the rate of return to the offender management system, by distinct adult offenders within two years of release from custody or the termination of a community based order. Changes in the rate of re-offending provide some indication of the effectiveness of personal development activities and rehabilitation programs but effectiveness also depends on other factors such as sentencing legislation, changes in the nature of offences committed and the rate at which community orders are breached for non-compliance.

Research has shown offenders are most likely to re-offend within two years of their release from corrective services. The two-year cut-off period is consistent with standards developed by all national correctional jurisdictions and the independent review and advisory body, the Industry Commission.

To be consistent with the national standards the rate of re-offending excludes fine default sentences, exits to and commencements of post-prison community corrections orders, conditional/monitored bail orders and work and development orders.

Notes:
Distinct offender means an offender is counted only once, even if the offender re-enters the justice system several times.
7.2 **Abscond/escape rate, by security rating**

This indicator measures the abscond / escape rate for prisoners in the custody of prisons by security rating – maximum, medium (including low-medium) and minimum. It is a measure of the protection provided to the community through safe and secure custodial systems. It is also indicative of effective management and assessment policies and practices.

The indicator is derived by calculating the number of absconds/escapes, by security rating, as a percent of the daily average population.

An additional 14 offenders absconded / escaped from Department of Justice facilities whilst in custody of either the WA Police Service or Australian Integrated Management Services.

**Note:**

There was a significant decrease in the escape rate in 2003/04 and reflects successful strategies to address security and care and well being issues (eg during the Christmas period: security improvements together with prisoner visitation program and Christmas activities were implemented).

7.3 **Successful releases from custody at their earliest possible release date**

This measure is based on the ‘loss of remission days’ incurred for successful prison charges. As sentencing amendments introduced on August 31 2003 dispensed with remission, there is no longer any ‘loss of remission days’. Consequently, this indicator is no longer measurable and reported.

7.4 **Successful completion of community corrections orders**

This indicator measures the completion rate of community corrections orders. It is an indicator of offenders’ responsible and law-abiding behaviour while under the supervision of the Department of Justice.

Orders are considered successfully completed if they run their full course without breach action finalised or pending. Types of community corrections orders include:

- Intensive supervision;
- Community based;
- CEO Parole;
- Parole;
- Work release;
- Re-Entry
- Conditional Bail;
- Monitored Bail;
- Pre-Sentence and
- Work and Development.

Intensive Supervision and Community Based Orders were established as a result of the Sentencing Act in 1996 to replace Probation and Community Service Orders. CEO Parole and Re-Entry Orders (which replace the Work Release Orders), as well as Pre-Sentence Orders were established as a result of the Sentencing Legislation effective from August 2004. Home Detention Bail and Community Bail were replaced by Monitored Bail and Conditional Bail.

The indicator is derived by calculating the number of orders completed as a proportion of all orders validly terminated, completed or expired.
EFFICIENCY INDICATORS:

7.5 Cost per day of keeping an offender in custody
This indicator measures the full accrual cost of managing an adult offender in custody per day. It is calculated by dividing the total accrual cost of managing an adult offender in custody by the daily average number of adult offenders, divided by 366 days.

Note:
The cost per day of keeping an adult prisoner in custody is lower than anticipated due to the significant increase in prisoner numbers throughout the year.

7.6 Cost per day of managing an offender through community supervision
This indicator measures the unit cost of managing an adult offender per day through community supervision. It is calculated by dividing the total accrual cost of managing an adult offender through community supervision by the daily average number of offenders supervised, divided by 366 days.

Note:
A lower actual cost for the output combined with a decrease in the average number of persons on community orders by 360 to 5,143 has resulted in a 1.9% higher unit cost against the 2003/04 target.

Budgets are set and monitored according to the functional structure of the Division. Each business unit provides inputs which are used to derive percentage allocations to outputs, reflecting the focus of work effort. The allocated percentages for each unit are recalculated every year to provide a true reflection of the cost of activities.
JUVENILE OFFENDERS

OUTPUT 8

JUVENILE OFFENDERS MANAGED

Output description:
Juvenile offenders are managed in detention and in the community to fulfil the orders of the courts and through diversion from court programs. Juveniles participate in remedial, educational and rehabilitation programs that address their offending behaviour.

EFFECTIVENESS INDICATORS:

8.1 Rate of return to detention

The rate of return to detention is defined as the percent of juvenile offenders who return to sentenced detention within two years of release from sentenced detention. This indicator is measured over two previous financial years.

The rate of return to detention provides an indication of the effectiveness of personal development activities and rehabilitation programs. The rate of return to detention is also dependent on other factors such as sentencing legislation, changes in the nature of offences committed and the rate at which offenders on community orders are breached for non-compliance.

Notes:
Due to a small number of juveniles involved in calculating the rate of return to detention, an increase or decrease in the juvenile numbers has a significant impact on the rate.
A detainee is counted only once, even if the detainee re-enters the system several times.

8.2 Escape rate

This indicator measures the escape rate from all juvenile detention centres. It is a measure of the protection provided to the community through the provision of safe and secure custodial systems. It is also indicative of effective management and assessment policies and practices.

This indicator is derived by calculating the number of escapes as a percent of the daily average population.

Notes:
There was one escape during the third quarter of 2003/04. Due to a small number of juveniles involved in calculating the rate, one escape from detention has a significant impact on the escape rate.

The juvenile escape rate is reported according to national adult correctional standards.
8.3 Successful releases from detention

This indicator measures the proportion of juvenile offenders released from detention at their earliest possible release date. This provides an indication that detainees are adopting a law-abiding lifestyle while in custody and is also indicative of the application of effective management policies, practices and programs.

It is derived by calculating the number of juvenile detainees released at their earliest possible release date and incurring no additional sentences due to behaviour while in custody, as a proportion of all releases from custody.

8.4 Successful completion of community corrections orders

This indicator measures orders having run their full course without breach action finalised or pending. It provides an indication of the completion rate of community corrections orders, and an offender’s responsible and law-abiding behaviour, while under the supervision of the Department of Justice.

It is derived by calculating the number of orders successfully completed as a proportion of all orders validly terminated, completed or expired.

Types of community corrections orders include:
- Youth community-based;
- Intensive youth supervision;
- Intensive youth supervision (with detention); and
- Supervised release orders.

8.5 Juvenile Justice Team action plans

Juvenile Justice Teams are a pre-court diversionary program aimed at ensuring minor offences are dealt with in a way that is commensurate with the offence to ensure young people are not drawn into the formal justice system unnecessarily.

An action plan is a contract established by a Juvenile Justice Team which requires a young person to undertake tasks to make up for an offence. For example, a juvenile who has graffitied a wall may be on an action plan requiring him or her to repaint the wall. The action plan has a due date, which specifies when the plan needs to be finalised.

The coordinator of the Juvenile Justice Team is required to record the outcomes of each referral. The referring authority (ie the court or police) is advised, in writing, when an action plan is either successfully completed or not. Juvenile Justice Teams attempt to encourage and support young people to complete their action plan. The matter only becomes a ‘failed action plan’ when the juvenile does not comply.
Key Performance Indicators

EFFICIENCY INDICATORS:

8.6 Cost per day of keeping a juvenile offender in detention

This indicator measures the unit cost per day of managing a juvenile offender in detention. It is calculated by dividing the total accrual cost of managing a juvenile offender in detention by the daily average population, divided by 366 days.

Note:
The cost per day of keeping a juvenile offender in detention is 9.0% below the 2003/04 target. The major contributing factor to the lower unit cost is an increase in the daily average population by 13 to 133 juveniles.

Budgets are set and monitored according to the functional structure of the Division. Each business unit provides inputs which are used to derive percentage allocations to outputs, reflecting the focus of work effort. The allocated percentages for each unit are recalculated every year to provide a true reflection of the cost of activities.

8.7 Cost per day of managing a juvenile offender through community supervision

This indicator is calculated by dividing the total accrual cost of managing a juvenile offender through community supervision by the daily average number of offenders supervised, divided by 366 days.

Note:
The cost per day of managing a juvenile offender through community supervision is 4.33% below the 2003/04 target. The higher than forecast daily average number of juveniles on community orders combined with a decrease in expenditure for the year are the contributing factors in a lower unit cost.

The above figures exclude action plans

Budgets are set and monitored according to the functional structure of the Division. Each business unit provides inputs which are used to derive percentage allocations to outputs, reflecting the focus of work effort. The allocated percentages for each unit are recalculated every year to provide a true reflection of the cost of activities.
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 protects 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.

OUTPUT 9
ADVOCACY AND GUARDIANSHIP SERVICES

Output Description:
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 to investigate complaints of allegations of abuse, exploitation or neglect. To act as Guardian when appointed by the Guardianship and Administration Board.

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.

EFFECTIVENESS INDICATORS:

9.1 Proportion of customers provided with advocacy relative to the number of referrals from the Guardianship and Administration Board, reviews for people for whom the Public Advocate is Guardian and community referrals

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

The Manager Advocacy and Investigation receives applications referred by the Guardianship and Administration Board and community referrals, and he assesses their priority and allocates the highest priority applications to Investigators. Those applications not able to be allocated are placed on a waitlist.

Prior to 2003/2004, the Office of the Public Advocate received and screened all Guardianship and Administration Board applications and community referrals for advocacy. Highest priority cases were allocated to staff. As from 2003/2004, the Office of the Public Advocate receives only applications referred by the Guardianship and Administration Board and community referred investigations.

The favourable result as compared to the budgeted target has come about due to the change in the way the Public Advocate receives applications for investigations. The actual result of 2003/04 reflects the degree to which the Public Advocate was able to investigate community referral investigations and applications referred by the Board. The Public Advocate is of the view this better represents the extent to which need for investigation / advocacy is being met.
9.2 Extent to which recommendations were accepted by the Guardianship and Administration Board

This indicator is a measure of the extent to which the investigation service meets the needs of people with decision-making disabilities in determining their best interests.

Guardians and Investigators advocate for the best interests of 'proposed' represented persons or represented persons, by providing comprehensive information and proposals to the Guardianship and Administration Board. This enables the Board to make an informed decision in the person’s best interests. A key measure of the success of advocacy is the acceptance of the Office’s recommendations because recommendations are based on ‘best interest’ principles enshrined in the Guardianship and Administration Act 1990.

9.3 Extent to which the problem precipitating the need for the Public Advocate to be appointed as Guardian of Last Resort has been resolved

The Public Advocate is appointed by the Guardianship and Administration Board as Guardian of Last Resort when it is considered necessary and where no one else is suitable or available to take on the role of substitute decision-maker on behalf of a person with a decision-making disability.

This measure is derived by dividing the number of resolved Guardian of Last Resort (GLR) cases by the total number of GLR cases, excluding those cases where the person died during the period of review. Resolution occurs when the Public Advocate’s guardianship services helped to resolve the problem prompting the initial application. Resolutions of problems range from protecting the represented person from neglect, abuse or exploitation, resolving conflict over major lifestyle decisions and providing legal consent.

9.4 Advocacy cases completed within 8 weeks

This indicator measures the performance of the Public Advocate to complete investigations and community referrals within 8 weeks of being allocated.

This measure is based on the Guardianship and Administration Board’s best practice of finalising a matter within 8 weeks from receipt of the application to the hearing.

This indicator is measured by dividing the number of advocacy applications and community referrals completed within 8 weeks by the total number of advocacy applications and community referrals received.

It is to a large extent determined by the Board as the Board alone sets hearing dates for applications.
9.5 Guardian of Last Resort appointments allocated within 1 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 this role.

This indicator is based on the Public Advocate’s best practice to ensure the needs of the represented person are met immediately.

This indicator is measured by the number of appointments of Guardians of Last Resort made by the Guardianship and Administration Board at the hearing and accepted by the Public Advocate’s delegate within one working day of receipt of the Guardianship order.

EFFICIENCY INDICATORS:

9.6 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.

This indicator is calculated by dividing the total number of advocacy and guardianship services by the total cost of providing the service.

In view of the result, two factors should be taken into account:

a) Limited historical information and trend evidence reflecting the new method of calculation created difficulty in forecasting the number of applications that could be expected in 2003/04. Consequently, the estimation of the subsequent Target was set at 1,545 advocacy and guardianship case applications.

In comparison, the actual advocacy and guardianship case applications processed came to 1,172 which reflects an over estimation of some 373 case applications.

b) The business area’s performance came under budget in actual expenditure ($2,021,162) as against budget expenditure ($2,032,119) an amount of $10,957 (1%).

In view of the above, the set target had been under estimated accordingly. Nevertheless as compared to 2002/03, a reduction of $153 per case application can be seen.
TRUSTEE SERVICES

Equitable access to trustee services for all Western Australians is a crucial element in maintaining an orderly environment. 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 operations 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.

OUTPUT 10
TRUSTEE SERVICES

Output 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); and
- Preparing wills and powers of attorney for people who wish to appoint the Public Trustee as their executor or donor (wills).

These services are available to all Western Australians irrespective of profitability or complexity.

EFFECTIVENESS INDICATORS:

10.1 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 2003/04, Patterson Market Research has been engaged to conduct a telephone survey among a random sample of the Public Trustee client base. The sample client base parameters consisted of:

- Clients aged between 18 and 80 years;
- Clients who have a current account in 2003/04; and
- 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.

Based on the above definition, a random sample of 949 clients were generated and selected, representing a cross-section of clients who use the various trustee services provided by the Public Trustee.

Notes:

1. The survey covered several criteria of customer satisfaction, including aspects of reliability and customer attributes.
2. A total of 401 clients were surveyed yielding a sampling precision of +/- 4.9% at 95% confidence interval. The response rate whilst similar to 2002/03 indicated insignificant decreased percentages across most criteria.
10.2 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 work to get assets registered in the survivor or beneficiaries name, e.g. joint assets and/or nominal bank accounts.

This indicator represents the number of estates/deaths reported as a percent of the number of adult deaths in WA.

In 2003/04, 1,815 estates were referred to the office. Of the people who died in 2003/04, 16% of all estates were referred to the Public Trustee, either as executor of the estate or to provide the beneficiaries of the estate with assistance. The Public Trust Office aimed to reach a target of 17%.

10.3 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 percent of the total number of adult deaths in WA.

In 2003/04, the Public Trustee administered 1,535 estates that named the Public Trustee as executor. The Public Trustee’s market share for this period was 13%.

Notes:
1. The reduction in market share is directly attributable to increasing competition from DIY will kits.
Key Performance Indicators

10.4 Percent 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 5.87 months, based on the date of final completion.

Note:
1. The improved result is largely due to increased efficiencies achieved from the computerised Trust and Estate Management system (MATE).

EFFICIENCY INDICATORS:

10.5 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.

This indicator is presented in an index format. The base index of 100 was set in 1994/95.

Note:
1. The Public Trustee’s client demand for Trust Management services is subject to market forces, which directly affects cost efficiencies. For future years the cost apportionment method will be aligned with the OBM sub-out put costs.
10.6 Cost per deceased estate administered and cost per will prepared

The deceased estate administration service comprises two main cost areas, which have been separated in this indicator to provide a clear indication of the costs involved.

This indicator is presented in an index format. The base index of 100 was set in 1994/95.

Note:

1. The Public Trustee’s declining percentage of market share has resulted in a reduced number of estates administered. Market share is declining due to an increase in estate administration options.
REGISTRY SERVICES

The security, integrity and preservation of birth, death and marriage records are an essential component of an orderly community.

OUTPUT 11
REGISTRATION SERVICES

Output 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:

11.1 Extent to which source information is recorded error-free

This indicator measures the percent 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 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 percent. The percent of death registrations for the year that were not corrected is displayed below.

EFFICIENCY INDICATORS:

11.2 Average cost of creating, maintaining, issuing information from and storing each record

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.

Note:
1. The variance between the 2003/04 target and 2003/04 actual is largely a result of under spending of capital funds on registration projects such as the data take-up of historical records. In addition, Corporate overheads were lower than expected.
OUTPUT 12
CIVIL MARRIAGES

Output description:
To provide facilities for civil marriage ceremonies in a registry office, as an alternative to marriage by other celebrants. This output contributes to an orderly community by offering marriage services performed in accordance with the Marriage Act 1961 (Commonwealth).

EFFECTIVENESS INDICATORS:

12.1 Extent to which the registry provides an alternative to marriage by a minister of religion or other civil celebrant
This indicator identifies the percent of couples married in Western Australia who choose a ceremony performed in a registry office rather than a church or private venue.
It is a key performance indicator because it measures the extent to which the registry provides an alternative ceremony and venue. The registry’s objective is not to generate market share or to compete with other marriage celebrants. It exists only to provide an alternative marriage ceremony.
This indicator is calculated by dividing the number of marriages performed in all registry offices by the total number of marriages performed by all types of celebrants. The result is expressed as a percent.

Notes:
Actual numbers:
2002/03 Marriages registered 10,291; Registry ceremonies 809
2003/04 Marriages registered 10,389; Registry ceremonies 819

EFFICIENCY INDICATORS:

12.2 Average cost per marriage performed
This indicator provides a unit cost of performing a marriage in the Perth registry office. Regional registrars rarely perform marriages and the office does not bear any costs associated with registry work in courthouses.
The total cost of providing civil marriage services is divided by the number of marriages performed. The number of marriages performed has been extracted from the registry’s computer database.

Notes:
1. Cost per marriage can vary considerably from year to year simply because of the relatively small number of marriages performed (ie a small variation in the numbers can have a disproportionate effect on the performance indicator). Corporate costs and other overhead expenses that are not directly within the control of the registry can similarly affect the performance indicator outcome.
2. Increased maintenance expenses and higher salary costs largely accounted for the increase in unit cost in 2003/04.
3. The difference between 2003/04 target and the 2003/04 actual is primarily due to an overstatement in the original budget settings.
UNAUDITED PERFORMANCE INFORMATION

OUTPUT 11
REGISTRATION SERVICES

11.1 Extent to which registration services meet the needs of customers

The vision of the Registry of Births, Deaths and Marriages is to be a progressive organisation that provides value-for-money products and services. This indicator measures the percent of registration services customers who believe their needs have been met, by assessing the registry’s performance through a customer survey, which is conducted annually.

Clients are randomly selected and asked to provide feedback on the quality of the registry’s services. They are asked to measure timeliness, accuracy, security, accessibility of staff, facilities, products and services, and to indicate the extent to which these factors are important to them.

During 2003/04, 2,500 randomly selected mail and front counter customers – from approximately 110,000 clients who applied for registration of their child’s birth, searches, certificates, extracts, changes of name and corrections – were surveyed. The response rate was 14%.

The survey methodology is consistent with that used in previous years.

11.2 Extent to which registration and certificate services are provided within time standards

This indicator measures the percent of births, deaths and marriages registered, and certificates issued, within a time standard measured from the creation of a customer service request. This provides insight into the registry’s capacity to satisfy the public need for official and timely evidence of personally important events.

For registration services, the time standards for registering new births, deaths and marriages are four days, three days and six days respectively.

For certificate services, the indicator measures the percent of documents issued from the Perth registry within two days of request.

The indicator is derived from the registry’s computer system, which keeps track of the date a customer’s service request was created and the date the service request was completed. The calculated percent of services that were provided within the four, three and six day time standards are shown below.

11.3 Extent to which confidentiality (privacy) of the records is preserved

This indicator records the extent to which the registry keeps the personal records of individuals private, i.e. the extent to which proper discretion is exercised in the release of information. This is a key performance indicator because it allows the public to assess the degree of risk associated with the registry improperly releasing private information.

The ratio of complaints about such improper (mistaken or un-authorised) release of information, to the total number of documents issued, is expressed as a percent.

Customer complaints are recorded in the registry’s computer system and compared to the total number of electronically counted information issues. This provides a percent of incorrectly issued documents. The table below shows the opposite of that number, i.e. the percent of correctly issued documents.
OUTPUT 12
CIVIL MARRIAGES

12.1 Extent to which marriage services meet the needs of customers

This indicator measures the percent of customers who believe their needs are met by the range of marriage services provided. As feedback is essential to ensure quality marriage services are being provided, the registry assesses its performance through a customer survey.

Clients are requested to provide feedback on the quality of the registry’s services. This is measured by the timeliness, accuracy, security, accessibility of staff, facilities, products and services. Feedback is also given on the extent to which these factors are important to customers.

In 2003/04, 804 couples married at the registry over the period 1 May 2003 to 30 April 2004 were surveyed immediately after their wedding. The response rate was 13%.

This survey period is chosen to ensure enough time is left for the analysis of responses for annual reporting purposes.

The survey methodology is consistent with that used in previous years.
SUPPORT TO OTHER GOVERNMENT AGENCIES

OUTPUT 13
SUPPORT TO OTHER GOVERNMENT AGENCIES

Output Description:
The Department's total costs in 2003/04 were $619.8 million. This included $5.3 million (2002/03 $3.6 million) for services provided to other public agencies and payments made on behalf of the State (e.g., the payment of copyright fees on behalf of all public sector agencies). These costs do not relate to the outputs of the Department. Therefore, in calculating the efficiency indicators for each output, these costs have been excluded in order to fairly represent the cost of providing justice services.
LEGAL AID

OUTPUT 14
LEGAL AID SERVICES

Output Description:
Services are provided through Legal Aid WA to ensure the community and target groups have access to, and are provided quality legal services.

This outcome 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, for example, via a telephone information service, or where necessary, via a duty lawyer service;
- legal assistance, for example, offering self-help advice to clients to help them resolve a legal problem, or providing an outreach preliminary consultation service; an
- legal representation, where in special circumstances and when no other solution is considered appropriate, a person may be recognised as in need of assistance.

The form and extent of assistance provided is regulated by policies and procedures relating to clients means, the nature and seriousness of their legal problem and the availability of resources.

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”.

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.

EFFECTIVENESS INDICATORS:

14.1 The extent to which legal services are accessible to the general community and target groups.

Access to legal services is measured by Legal Aid WA in terms of:

- The extent to which legal services are made available to the general community and to target groups.
- The extent to which the general community and target groups use the available services.
The outcome of services provided through Legal Aid WA is to ensure the community and target groups have access to, and are provided, quality legal services.

| To indicate extent to which legal services are accessible to the general community and target groups. |
|---------------------------------------------------|---------------------------------------------------|---------------------------------------------------|---------------------------------------------------|---------------------------------------------------|
| The extent to which legal services are made available to the general community and to target groups (based on occasions of service) | | | | |
| Community Services | Percentage of all services where no eligibility restrictions apply to regulate access | 70% | 71% | 76% | 75% |
| Target Group Services | Applications approved for a grant of aid as a percentage of all applications received | 65% | 65% | 65% | 68% |
| | Applications approved for a grant of aid to pursue non litigation resolution as a percentage of all grants of aid approved (family law only) | 40%** | 23%** | 13%*** | 18%*** |
| Community Services | Usage rate for telephone information and community education services | 34.9 | 34.6 | 37.0 | 37.7 |
| | Usage rate for duty lawyer services | 17.6 | 14.4 | 15.5 | 15.8 |
| Target Group Services | Usage rate for legal advice services | 16.5 | 13.8 | 13.0 | 13.2 |
| | Usage rate for legal representation services | 4.3 | 4.2 | 4.8 | 4.7 |

** Figure does not include Child Support grants of aid
*** Figure includes Child Support grants of aid

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 the 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.
14.2 Percentage of clients satisfied with service provided.

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.

<table>
<thead>
<tr>
<th></th>
<th>Actual 2003/04</th>
<th>Actual 2002/03</th>
<th>Actual 2001/02</th>
<th>Actual 2000/01</th>
</tr>
</thead>
<tbody>
<tr>
<td>To indicate a quality legal service % of clients satisfied with service provided</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Criminal</td>
<td>-</td>
<td>71% (+/-4%)</td>
<td>-</td>
<td>83% (+/-4%)</td>
</tr>
<tr>
<td>Family</td>
<td>74% (+/-4%)</td>
<td>-</td>
<td>74% (+/-4%)</td>
<td>-</td>
</tr>
<tr>
<td>Website</td>
<td>80%</td>
<td>90%</td>
<td>75% (+/-4%)</td>
<td>-</td>
</tr>
</tbody>
</table>

Technical Notes for Effectiveness Indicators

Survey Methodology

Where possible, the Family Law client surveys were designed to allow meaningful comparisons to be made to the most recent Family Law customer satisfaction surveys, which were last conducted for inclusion in the 2001-2002 Annual Report. The CLC survey was implemented to make it consistent with the 2003/04 survey.

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, with some additional questions incorporated into the Legal Advice and ADR surveys. The additional questions were drafted by Legal Aid WA and were modified where appropriate by Data Analysis Australia with the agreement of Legal Aid WA. Although the changes mean that care must be taken when comparing this year’s results to last year’s, it was felt that the changes would provide more information and improve the interpretability of the results.

This was the third year that the Online and Print Publications Users Community Legal Centres Survey was run. The questionnaire was not changed from last year.

Survey Population

The target populations for Legal Advice, Grants of Aid and ADR surveys were those clients who received these types of assistance from Legal Aid WA in between 1 May 2003 and 30 April 2004. The target population sizes were 3653 for Legal Advice, 406 for Grants of Aid and 252 for ADR.

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. For each centre, Legal Aid WA also provided a contact name of the most appropriate person to answer the questionnaire on the Centre’s behalf.

Sample Sizes

The sample sizes for the 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 in total also had to be satisfied.

The sample of 400 was allocated proportional to the square root of the population size between ADR, Legal Advice and Grants of Aid. Each of the samples was selected randomly. The in-scope clients for each survey were randomly ordered, and given an index of 1,…,N. The first n clients in each list were then selected to be included in the survey.

The following table shows the breakdown of the sample into the four survey areas...
Table 1: Sample sizes and resulting levels of accuracy.

<table>
<thead>
<tr>
<th>Client Group</th>
<th>Population size (N)</th>
<th>Sample size (n)</th>
<th>Level of Accuracy</th>
</tr>
</thead>
<tbody>
<tr>
<td>ADR</td>
<td>252</td>
<td>66</td>
<td>±9.9%</td>
</tr>
<tr>
<td>Legal Advice</td>
<td>3,641</td>
<td>250</td>
<td>±5.7%</td>
</tr>
<tr>
<td>Grants of Aid</td>
<td>406</td>
<td>84</td>
<td>±9.1%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>4,299</strong></td>
<td><strong>400</strong></td>
<td><strong>±4.4%</strong></td>
</tr>
</tbody>
</table>

The estimated level of accuracy obtained from this design is 4.4%, assuming a satisfaction level of 65% for each client group. The accuracy levels for the individual surveys are higher, but still within acceptable error bounds. The achieved overall level was 4.3%.

There were 28 Community Legal Centres to be surveyed in the Online and Print Publications Users Community Legal Centres Survey.

Survey Implementation

Telephone interviewing was adopted to implement the surveys, using a Computer Aided Telephone Interviewing (CATI) system, as it had been used successfully previously, and in order to sustain comparability in methodology to past client satisfaction surveys. 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.

Since the Online and Print Publications User’s questionnaire was targeted at agencies instead of individual respondents, pre-contact was made in the form of a letter which included an explanatory page and a copy of the questionnaire, in order to allow them time to consider their answers to the survey and discuss them with colleagues. To target the best person to respond on the CLC’s behalf, the explanatory page asked for the name of the most appropriate person to be passed on to Data Analysis Australia. This contact name was then passed onto the fieldwork company. If a name was not provided, the fieldwork company established the best person to speak to through the phone call itself.

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 which had not heard of or used the Legal Aid WA online and print publications were screened out of the survey.

Estimation Methodology

Satisfaction levels were calculated as the sum of the non-missing responses on the positive side of neutral (that is, 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 2002.

Where multiple responses were allowed, percentages were calculated as the number of clients who gave that response divided by the total number of respondents for that question. Thus, the sum of the percentages could sum to greater than 100%.

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.

EFFICIENCY INDICATORS

The efficiency of Legal Aid WA in providing services is measured in terms of the cost per occasion of service for each of the following business service outputs.

Business service outputs provided to the general community

Telephone advice line services
Face to face legal advisory services
Duty lawyer services
Key Performance Indicators

Business service outputs provided to specific target groups

Legal advice services
Minor assistance services
Assessment services for a grant of aid
Legal representation
Child support services

The cost per occasion of service for each business service output of Legal Aid

<table>
<thead>
<tr>
<th>Service Output</th>
<th>Actual 2003/04</th>
<th>Actual 2002/03</th>
<th>Actual 2001/02</th>
<th>Actual 2000/01</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>To indicate the extent to which legal services are provided in a cost efficient manner</strong>¹</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Cost ($ per occasion of service for service outputs to the general community</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Telephone Information Line Services</td>
<td>$15.92</td>
<td>$14.51</td>
<td>$17.54</td>
<td>$18.95</td>
</tr>
<tr>
<td>Face to Face Advisory Services</td>
<td>$20.59</td>
<td>$22.29</td>
<td>$28.22</td>
<td>$36.30</td>
</tr>
<tr>
<td>Duty Lawyer Services</td>
<td>$69.56</td>
<td>$69.38</td>
<td>$61.10</td>
<td>$56.67</td>
</tr>
<tr>
<td><strong>Cost ($ per occasion of service for service outputs to specific target groups</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Legal Advice Services</td>
<td>$83.84</td>
<td>$73.06</td>
<td>$67.26</td>
<td>$58.75</td>
</tr>
<tr>
<td>Minor Assistance Services</td>
<td>$158.59</td>
<td>$174.38</td>
<td>$219.99</td>
<td>$177.82</td>
</tr>
<tr>
<td>Assessment and File Management Costs in Terms of the Number of Applications for a Grant of Aid</td>
<td>$217.91</td>
<td>$286.28</td>
<td>$216.90</td>
<td>$191.60</td>
</tr>
<tr>
<td>Legal Representation</td>
<td>$1,835.77</td>
<td>$1,876.12</td>
<td>$1,634.20</td>
<td>$1,779.32</td>
</tr>
<tr>
<td>Child Support Assistance</td>
<td>$1,010.16</td>
<td>$1,081.76</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Expensive Cases</td>
<td>$45,174.45</td>
<td>$29,262.96</td>
<td>$20,461.29</td>
<td>-</td>
</tr>
<tr>
<td>Finance Brokers</td>
<td>$9,833.35</td>
<td>$9,770.97</td>
<td>$998.61</td>
<td>-</td>
</tr>
</tbody>
</table>

¹ Total expenditure for 2003/04 is $29,891,092. Of this, $2,086,432 could not be reliably attributed to specific service outputs (see table “Community service expenditure not attributed to specific outputs”.)
### Key Performance Indicators

#### Service Costs According to State and Commonwealth Law Matters

<table>
<thead>
<tr>
<th>Service outputs to the General Community</th>
<th>Actual 2003/04 State Law Matters</th>
<th>Actual 2003/04 Commonwealth Law Matters</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Total Cost</td>
<td>Occasions of Service</td>
</tr>
<tr>
<td>Telephone Information Line Services</td>
<td>$481,653</td>
<td>34,070</td>
</tr>
<tr>
<td>Face to Face Advisory Services</td>
<td>$66,029</td>
<td>3,094</td>
</tr>
<tr>
<td>Duty Lawyer Services</td>
<td>$2,379,857</td>
<td>33,980</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Service outputs to Specific Target Groups</th>
<th>Actual 2003/04 State Law Matters</th>
<th>Actual 2003/04 Commonwealth Law Matters</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Total Cost</td>
<td>Occasions of Service</td>
</tr>
<tr>
<td>Legal Advice Services</td>
<td>$1,023,448</td>
<td>10,584</td>
</tr>
<tr>
<td>Minor Assistance Services</td>
<td>$555,561</td>
<td>2,822</td>
</tr>
<tr>
<td>Assessment and File Management Costs in Terms of Applications for a Grant of Aid</td>
<td>$1,106,890</td>
<td>8,988</td>
</tr>
<tr>
<td>Legal Representation</td>
<td>$9,765,926</td>
<td>6,202</td>
</tr>
<tr>
<td>Child Support Assistance</td>
<td>$879,024</td>
<td>799</td>
</tr>
<tr>
<td>Expensive Cases</td>
<td>$953,166</td>
<td>21</td>
</tr>
<tr>
<td>Finance Brokers</td>
<td>$226,167</td>
<td>23</td>
</tr>
</tbody>
</table>

\[1 \text{ Total expenditure for 2003/04 is $29,891,092. Of this, $2,086,432 could not be reliably attributed to specific service outputs (see table “Community service expenditure not attributed to specific outputs’).} \]

#### Community Service Expenditure not Attributed to Specific Service Outputs

<table>
<thead>
<tr>
<th></th>
<th>State Law Matters</th>
<th>Commonwealth Law Matters</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Counselling (DVU only)</td>
<td>$28,985</td>
<td></td>
<td>$28,985</td>
</tr>
<tr>
<td>Community Legal Education</td>
<td>$124,474</td>
<td>$108,180</td>
<td>$232,654</td>
</tr>
<tr>
<td>Policy Advice</td>
<td>$41,711</td>
<td>$24,914</td>
<td>$66,625</td>
</tr>
<tr>
<td>Publications</td>
<td>$235,426</td>
<td>$149,370</td>
<td>$384,796</td>
</tr>
<tr>
<td>Community Development</td>
<td>$139,825</td>
<td>$160,834</td>
<td>$300,659</td>
</tr>
<tr>
<td>Services to Indian Ocean Territories</td>
<td>$188,709</td>
<td></td>
<td>$188,709</td>
</tr>
<tr>
<td>Refugee Tenders</td>
<td>$54,591</td>
<td>$54,591</td>
<td>$54,591</td>
</tr>
<tr>
<td>Community Legal Centres</td>
<td>$353,875</td>
<td>$353,875</td>
<td>$353,875</td>
</tr>
<tr>
<td>ADR Program</td>
<td>$597,015</td>
<td></td>
<td>$597,015</td>
</tr>
<tr>
<td>Police Royal Commission – File Management</td>
<td>$475,538</td>
<td></td>
<td>$475,538</td>
</tr>
</tbody>
</table>

### ACKNOWLEDGEMENTS

Survey data used to access the quality of legal services were collected and analysed by Data Analysis Australia.
Financial Statements
STATEMENT OF CERTIFICATION

The accompanying financial statements of the Department of Justice have been prepared in compliance with the provisions 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 2004 and the financial position as at 30 June 2004.

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

Peter Robinson
A/Director Financial Management
Principal Accounting Officer
31 August 2004

Alan Piper
Accountable Officer
31 August 2004
INDEPENDENT AUDIT OPINION

To the Parliament of Western Australia

DEPARTMENT OF JUSTICE
FINANCIAL STATEMENTS FOR THE YEAR ENDED JUNE 30, 2004

Audit Opinion
In my opinion,

(i) the controls exercised by the Department of Justice 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

(ii) the financial statements are based on proper accounts and present fairly in accordance with applicable Accounting Standards and other mandatory professional reporting requirements in Australia and the Treasurer’s Instructions, the financial position of the Department at June 30, 2004 and its financial performance and cash flows for the year ended on that date.

Scope

The Director General’s Role
The Director General is responsible for keeping proper accounts and maintaining adequate systems of internal control, preparing the financial statements, and complying with the Financial Administration and Audit Act 1985 (the Act) and other relevant written law. The financial statements consist of the Statement of Financial Performance, Statement of Financial Position, Statement of Cash Flows, Output Schedule of Expenses and Revenues, Summary of Consolidated Fund Appropriations and Revenue Estimates, and the Notes to the Financial Statements.

Summary of my Role
As required by the Act, I have independently audited the accounts and financial statements to express an opinion on the controls and financial statements. This was done by looking at a sample of the evidence.

An audit does not guarantee that every amount and disclosure in the financial statements 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.

D D R PEARSON
AUDITOR GENERAL
September 30, 2004
Statement of Financial Performance
FOR THE YEAR ENDED 30 JUNE 2004

COST OF SERVICES
Expenses from ordinary activities

<table>
<thead>
<tr>
<th>Item</th>
<th>2004 $’000</th>
<th>2003 $’000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Employee expenses</td>
<td>299,532</td>
<td>277,758</td>
</tr>
<tr>
<td>Supplies and services</td>
<td>124,448</td>
<td>119,481</td>
</tr>
<tr>
<td>Depreciation and amortisation</td>
<td>24,039</td>
<td>24,345</td>
</tr>
<tr>
<td>Borrowing costs expense</td>
<td>1,406</td>
<td>1,421</td>
</tr>
<tr>
<td>Accommodation expenses</td>
<td>18,560</td>
<td>17,178</td>
</tr>
<tr>
<td>Grants and subsidies</td>
<td>40,314</td>
<td>37,727</td>
</tr>
<tr>
<td>Capital user charge</td>
<td>53,046</td>
<td>47,379</td>
</tr>
<tr>
<td>Other expenses from ordinary activities</td>
<td>58,456</td>
<td>60,282</td>
</tr>
<tr>
<td><strong>Total cost of services</strong></td>
<td><strong>619,801</strong></td>
<td><strong>585,571</strong></td>
</tr>
</tbody>
</table>

Revenues from ordinary activities

<table>
<thead>
<tr>
<th>Revenue from operating activities</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>User charges and fees</td>
<td>39,952</td>
<td>38,094</td>
</tr>
<tr>
<td>Commonwealth grants and contributions</td>
<td>12,011</td>
<td>10,579</td>
</tr>
</tbody>
</table>

Revenue from non-operating activities

| Proceeds from disposal of non-current assets | 102 | 69 |
| Other revenues from ordinary activities    | 17,572 | 15,128 |
| **Total revenues from ordinary activities** | **69,637** | **63,870** |

NET COST OF SERVICES

<table>
<thead>
<tr>
<th>2004 $’000</th>
<th>2003 $’000</th>
</tr>
</thead>
<tbody>
<tr>
<td>550,164</td>
<td>521,701</td>
</tr>
</tbody>
</table>

REVENUES FROM STATE GOVERNMENT

<table>
<thead>
<tr>
<th>2004 $’000</th>
<th>2003 $’000</th>
</tr>
</thead>
<tbody>
<tr>
<td>526,367</td>
<td>504,448</td>
</tr>
</tbody>
</table>

Output appropriations

<table>
<thead>
<tr>
<th>2004 $’000</th>
<th>2003 $’000</th>
</tr>
</thead>
<tbody>
<tr>
<td>16,673</td>
<td>15,310</td>
</tr>
</tbody>
</table>

Liabilities assumed by the Treasurer

<table>
<thead>
<tr>
<th>2004 $’000</th>
<th>2003 $’000</th>
</tr>
</thead>
<tbody>
<tr>
<td>3,927</td>
<td>3,411</td>
</tr>
</tbody>
</table>

Total revenues from State Government

<table>
<thead>
<tr>
<th>2004 $’000</th>
<th>2003 $’000</th>
</tr>
</thead>
<tbody>
<tr>
<td>546,967</td>
<td>523,169</td>
</tr>
</tbody>
</table>

CHANGE IN NET ASSETS RESULTING FROM OPERATIONS

<table>
<thead>
<tr>
<th>2004 $’000</th>
<th>2003 $’000</th>
</tr>
</thead>
<tbody>
<tr>
<td>(3,197)</td>
<td>1,468</td>
</tr>
</tbody>
</table>

Net increase in asset revaluation reserve

<table>
<thead>
<tr>
<th>2004 $’000</th>
<th>2003 $’000</th>
</tr>
</thead>
<tbody>
<tr>
<td>13,422</td>
<td>41,558</td>
</tr>
</tbody>
</table>

Total revenues, expenses and valuation adjustments recognised directly in equity

<table>
<thead>
<tr>
<th>2004 $’000</th>
<th>2003 $’000</th>
</tr>
</thead>
<tbody>
<tr>
<td>13,422</td>
<td>41,558</td>
</tr>
</tbody>
</table>

TOTAL CHANGES IN EQUITY OTHER THAN THOSE RESULTING FROM TRANSACTIONS WITH WA STATE GOVERNMENT AS OWNERS

<table>
<thead>
<tr>
<th>2004 $’000</th>
<th>2003 $’000</th>
</tr>
</thead>
<tbody>
<tr>
<td>10,225</td>
<td>43,026</td>
</tr>
</tbody>
</table>

The Statement of Financial Performance should be read in conjunction with the accompanying notes.
### Statement of Financial Position

**AS AT 30 JUNE 2004**

<table>
<thead>
<tr>
<th>Note</th>
<th>2004 $’000</th>
<th>2003 $’000</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Current assets</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cash assets</td>
<td>27</td>
<td>24,452</td>
</tr>
<tr>
<td>Restricted cash assets</td>
<td>17</td>
<td>9,163</td>
</tr>
<tr>
<td>Receivables</td>
<td>18</td>
<td>6,759</td>
</tr>
<tr>
<td>Amounts receivable for outputs</td>
<td>19</td>
<td>23,345</td>
</tr>
<tr>
<td>Other assets</td>
<td>20</td>
<td>650</td>
</tr>
<tr>
<td><strong>Total Current Assets</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Non-Current Assets</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Restricted cash assets</td>
<td>17</td>
<td>-</td>
</tr>
<tr>
<td>Amounts receivable for outputs</td>
<td>19</td>
<td>28,588</td>
</tr>
<tr>
<td>Property, plant, equipment and vehicles</td>
<td>21</td>
<td>670,096</td>
</tr>
<tr>
<td><strong>Total Non-Current Assets</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>TOTAL ASSETS</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Current Liabilities</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Payables</td>
<td>22</td>
<td>24,750</td>
</tr>
<tr>
<td>Interest bearing liabilities</td>
<td>23</td>
<td>171</td>
</tr>
<tr>
<td>Provisions</td>
<td>24</td>
<td>45,222</td>
</tr>
<tr>
<td>Other liabilities</td>
<td>25</td>
<td>8,867</td>
</tr>
<tr>
<td><strong>Total Current Liabilities</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Non-Current Liabilities</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Interest bearing liabilities</td>
<td>23</td>
<td>12,999</td>
</tr>
<tr>
<td>Provisions</td>
<td>24</td>
<td>26,538</td>
</tr>
<tr>
<td><strong>Total Non-Current Liabilities</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total Liabilities</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Equity</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Contributed equity</td>
<td>26</td>
<td>31,733</td>
</tr>
<tr>
<td>Reserves</td>
<td></td>
<td>508,626</td>
</tr>
<tr>
<td>Accumulated surplus</td>
<td></td>
<td>111,147</td>
</tr>
<tr>
<td><strong>Total Equity</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>TOTAL LIABILITIES AND EQUITY</strong></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The Statement of Financial Position should be read in conjunction with the accompanying notes.
## Statement of Cash Flows

FOR THE YEAR ENDED 30 JUNE 2004

<table>
<thead>
<tr>
<th>Note</th>
<th>2004 $'000</th>
<th>2003 $'000</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>CASH FLOWS FROM STATE GOVERNMENT</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Output appropriations</td>
<td>500,366</td>
<td>475,410</td>
</tr>
<tr>
<td>Capital contributions</td>
<td>4,689</td>
<td>6,880</td>
</tr>
<tr>
<td>Holding account drawdowns</td>
<td>19,936</td>
<td>11,361</td>
</tr>
<tr>
<td><strong>Net cash provided by State Government</strong></td>
<td>524,991</td>
<td>493,651</td>
</tr>
</tbody>
</table>

**Utilised as follows:**

<table>
<thead>
<tr>
<th>Note</th>
<th>2004 $'000</th>
<th>2003 $'000</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>CASH FLOWS FROM OPERATING ACTIVITIES</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Payments</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Payments to employees</td>
<td>(239,974)</td>
<td>(225,278)</td>
</tr>
<tr>
<td>Payments to suppliers</td>
<td>(272,249)</td>
<td>(261,000)</td>
</tr>
<tr>
<td>Borrowing costs</td>
<td>(1,408)</td>
<td>(1,423)</td>
</tr>
<tr>
<td>Capital user charge</td>
<td>(53,047)</td>
<td>(47,379)</td>
</tr>
<tr>
<td>GST payments</td>
<td>(23,750)</td>
<td>(21,969)</td>
</tr>
<tr>
<td>Receipts</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Receipts from services</td>
<td>70,695</td>
<td>66,434</td>
</tr>
<tr>
<td>GST receipts</td>
<td>22,747</td>
<td>21,488</td>
</tr>
<tr>
<td><strong>Net cash used in operating activities</strong></td>
<td>(496,986)</td>
<td>(469,127)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Note</th>
<th>2004 $'000</th>
<th>2003 $'000</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>CASH FLOWS FROM INVESTING ACTIVITIES</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Proceeds from sale of non-current physical assets</td>
<td>102</td>
<td>69</td>
</tr>
<tr>
<td>Purchase of non-current physical assets</td>
<td>(28,082)</td>
<td>(16,984)</td>
</tr>
<tr>
<td><strong>Net cash used in investing activities</strong></td>
<td>(27,980)</td>
<td>(16,915)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Note</th>
<th>2004 $'000</th>
<th>2003 $'000</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>CASH FLOWS FROM FINANCING ACTIVITIES</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Finance lease payments</td>
<td>(153)</td>
<td>(139)</td>
</tr>
<tr>
<td><strong>Net cash used in financing activities</strong></td>
<td>(153)</td>
<td>(139)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Note</th>
<th>2004 $'000</th>
<th>2003 $'000</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Net (decrease)/increase in cash held</strong></td>
<td>(128)</td>
<td>7,470</td>
</tr>
<tr>
<td>Cash assets at the beginning of the financial year</td>
<td>33,743</td>
<td>26,273</td>
</tr>
<tr>
<td>Cash assets transferred from other sources</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td><strong>CASH ASSETS AT THE END OF THE FINANCIAL YEAR</strong></td>
<td>33,615</td>
<td>33,743</td>
</tr>
</tbody>
</table>

The Statement of Cash Flows should be read in conjunction with the accompanying notes.
### Output Schedule of Expenses and Revenues

**FOR THE YEAR ENDED 30 JUNE 2004**

<table>
<thead>
<tr>
<th></th>
<th>OUTPUT 1</th>
<th></th>
<th>OUTPUT 2</th>
<th></th>
<th>OUTPUT 3</th>
<th></th>
<th>OUTPUT 4</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Judiciary &amp; Judicial Support</td>
<td>Case Processing</td>
<td>Enforcement of Criminal &amp; Civil Court Orders</td>
<td>Admin of Victim Support &amp; Counselling Services</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>COST OF SERVICES</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Expenses from ordinary activities</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Employee expenses</td>
<td>49,251</td>
<td>45,108</td>
<td>30,728</td>
<td>29,620</td>
<td>3,984</td>
<td>3,657</td>
<td>2,884</td>
<td>1,818</td>
</tr>
<tr>
<td>Depreciation and amortisation expense</td>
<td>1</td>
<td>1</td>
<td>6,368</td>
<td>6,703</td>
<td>309</td>
<td>322</td>
<td>4</td>
<td>3</td>
</tr>
<tr>
<td>Borrowing costs expense</td>
<td>-</td>
<td>-</td>
<td>1,293</td>
<td>1,307</td>
<td>113</td>
<td>114</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Capital user charge</td>
<td>-</td>
<td>-</td>
<td>14,570</td>
<td>12,420</td>
<td>840</td>
<td>716</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Other expenses from ordinary activities</td>
<td>2,719</td>
<td>2,665</td>
<td>61,517</td>
<td>62,626</td>
<td>4,687</td>
<td>4,687</td>
<td>1,400</td>
<td>1,352</td>
</tr>
<tr>
<td>Corporate overheads reallocated to outputs</td>
<td>41</td>
<td>37</td>
<td>10,566</td>
<td>9,053</td>
<td>756</td>
<td>821</td>
<td>336</td>
<td>268</td>
</tr>
<tr>
<td><strong>Total cost of services</strong></td>
<td>52,012</td>
<td>47,811</td>
<td>125,042</td>
<td>121,729</td>
<td>10,689</td>
<td>10,317</td>
<td>4,624</td>
<td>3,441</td>
</tr>
<tr>
<td><strong>Revenue from ordinary activities</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Revenues</td>
<td>2</td>
<td>40</td>
<td>27,604</td>
<td>27,573</td>
<td>11,559</td>
<td>9,909</td>
<td>3</td>
<td>88</td>
</tr>
<tr>
<td>Corporate overheads reallocated to outputs</td>
<td>1</td>
<td>1</td>
<td>231</td>
<td>219</td>
<td>17</td>
<td>20</td>
<td>7</td>
<td>7</td>
</tr>
<tr>
<td>Proceeds from disposal of non-current assets</td>
<td>-</td>
<td>-</td>
<td>2</td>
<td>10</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td><strong>Total revenues from ordinary activities</strong></td>
<td>3</td>
<td>41</td>
<td>27,837</td>
<td>27,802</td>
<td>11,576</td>
<td>9,929</td>
<td>10</td>
<td>95</td>
</tr>
<tr>
<td><strong>NET COST OF SERVICES</strong></td>
<td>52,009</td>
<td>47,770</td>
<td>97,205</td>
<td>93,927</td>
<td>(887)</td>
<td>388</td>
<td>4,614</td>
<td>3,346</td>
</tr>
<tr>
<td><strong>REVENUES FROM STATE GOVERNMENT</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Output Appropriations</td>
<td>32,481</td>
<td>32,444</td>
<td>102,135</td>
<td>91,895</td>
<td>885</td>
<td>439</td>
<td>3,951</td>
<td>3,593</td>
</tr>
<tr>
<td>Liabilities assumed by the Treasurer</td>
<td>15,510</td>
<td>13,213</td>
<td>219</td>
<td>338</td>
<td>16</td>
<td>24</td>
<td>8</td>
<td>13</td>
</tr>
<tr>
<td>Resources received free of charge</td>
<td>-</td>
<td>-</td>
<td>2,189</td>
<td>2,051</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Corporate overheads reallocated to outputs</td>
<td>-</td>
<td>-</td>
<td>23</td>
<td>32</td>
<td>2</td>
<td>3</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td><strong>Total revenues from State Government</strong></td>
<td>47,991</td>
<td>45,657</td>
<td>104,566</td>
<td>94,316</td>
<td>903</td>
<td>466</td>
<td>3,960</td>
<td>3,607</td>
</tr>
<tr>
<td><strong>Change in net assets resulting from operations</strong></td>
<td>(4,018)</td>
<td>(2,113)</td>
<td>7,361</td>
<td>389</td>
<td>1,790</td>
<td>78</td>
<td>(654)</td>
<td>261</td>
</tr>
</tbody>
</table>

The Output Schedule of Expenses and Revenues should be read in conjunction with the accompanying notes.
### Output Schedule of Expenses and Revenues

**FOR THE YEAR ENDED 30 JUNE 2004**

<table>
<thead>
<tr>
<th>Output</th>
<th>Legal Services</th>
<th>Preparation of Legislation</th>
<th>Adult Offenders Managed</th>
<th>Juvenile Offenders Managed</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>2004 $’000</td>
<td>2003 $’000</td>
<td>2004 $’000</td>
<td>2003 $’000</td>
</tr>
<tr>
<td>COST OF SERVICES</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Expenses from ordinary activities</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Employee expenses</td>
<td>13,872</td>
<td>13,015</td>
<td>3,120</td>
<td>2,837</td>
</tr>
<tr>
<td>Depreciation and amortisation expense</td>
<td>34</td>
<td>36</td>
<td>9</td>
<td>9</td>
</tr>
<tr>
<td>Borrowing costs expense</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Capital user charge</td>
<td>11</td>
<td>10</td>
<td>2</td>
<td>3</td>
</tr>
<tr>
<td>Other expenses from ordinary activities</td>
<td>5,266</td>
<td>5,304</td>
<td>737</td>
<td>895</td>
</tr>
<tr>
<td>Corporate overheads reallocated to outputs</td>
<td>1,215</td>
<td>1,560</td>
<td>495</td>
<td>464</td>
</tr>
<tr>
<td>Total cost of services</td>
<td>20,398</td>
<td>19,925</td>
<td>4,363</td>
<td>4,208</td>
</tr>
<tr>
<td>Revenue from ordinary activities</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Revenues</td>
<td>4,355</td>
<td>3,810</td>
<td>6</td>
<td>-</td>
</tr>
<tr>
<td>Corporate overheads reallocated to outputs</td>
<td>33</td>
<td>37</td>
<td>13</td>
<td>8</td>
</tr>
<tr>
<td>Proceeds from disposal of non-current assets</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Total revenues from ordinary activities</td>
<td>4,388</td>
<td>3,859</td>
<td>19</td>
<td>8</td>
</tr>
<tr>
<td>NET COST OF SERVICES</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Output Appropriations</td>
<td>17,771</td>
<td>18,431</td>
<td>4,307</td>
<td>3,985</td>
</tr>
<tr>
<td>Liabilities assumed by the Treasurer</td>
<td>67</td>
<td>123</td>
<td>12</td>
<td>25</td>
</tr>
<tr>
<td>Resources received free of charge</td>
<td>14</td>
<td>14</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>Corporate overheads reallocated to outputs</td>
<td>4</td>
<td>6</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Total revenues from State Government</td>
<td>17,856</td>
<td>18,574</td>
<td>4,323</td>
<td>4,014</td>
</tr>
<tr>
<td>Change in net assets resulting from operations</td>
<td>1,846</td>
<td>2,508</td>
<td>(21)</td>
<td>(186)</td>
</tr>
</tbody>
</table>

The Output Schedule of Expenses and Revenues should be read in conjunction with the accompanying notes.
### Output Schedule of Expenses and Revenues

FOR THE YEAR ENDED 30 JUNE 2004

<table>
<thead>
<tr>
<th>COST OF SERVICES</th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Employee expenses</strong></td>
<td>1,390</td>
<td>1,283</td>
<td>7,423</td>
<td>7,169</td>
<td>1,862</td>
<td>1,941</td>
<td>99</td>
<td>79</td>
</tr>
<tr>
<td><strong>Depreciation and amortisation expense</strong></td>
<td>31</td>
<td>31</td>
<td>254</td>
<td>261</td>
<td>319</td>
<td>342</td>
<td>13</td>
<td>13</td>
</tr>
<tr>
<td><strong>Borrowing costs expense</strong></td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td><strong>Capital user charge</strong></td>
<td>4</td>
<td>5</td>
<td>56</td>
<td>76</td>
<td>63</td>
<td>95</td>
<td>3</td>
<td>5</td>
</tr>
<tr>
<td><strong>Other expenses from ordinary activities</strong></td>
<td>335</td>
<td>363</td>
<td>2,706</td>
<td>2,733</td>
<td>1,186</td>
<td>1,089</td>
<td>48</td>
<td>32</td>
</tr>
<tr>
<td><strong>Corporate overheads reallocated to outputs</strong></td>
<td>267</td>
<td>191</td>
<td>1,019</td>
<td>619</td>
<td>587</td>
<td>547</td>
<td>28</td>
<td>26</td>
</tr>
<tr>
<td><strong>Total cost of services</strong></td>
<td>2,027</td>
<td>1,873</td>
<td>11,458</td>
<td>10,858</td>
<td>4,017</td>
<td>4,014</td>
<td>191</td>
<td>155</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Revenue from ordinary activities</th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Revenues</strong></td>
<td>17</td>
<td>28</td>
<td>8,918</td>
<td>8,824</td>
<td>4,421</td>
<td>3,431</td>
<td>188</td>
<td>179</td>
</tr>
<tr>
<td><strong>Corporate overheads reallocated to outputs</strong></td>
<td>7</td>
<td>4</td>
<td>22</td>
<td>20</td>
<td>16</td>
<td>11</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td><strong>Proceeds from disposal of non-current assets</strong></td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td><strong>Total revenues from ordinary activities</strong></td>
<td>24</td>
<td>32</td>
<td>8,940</td>
<td>8,844</td>
<td>4,437</td>
<td>3,442</td>
<td>189</td>
<td>180</td>
</tr>
</tbody>
</table>

| NET COST OF SERVICES | 2,003 | 1,841 | 2,518 | 2,014 | (420) | 572 | 2 | (25) |

<table>
<thead>
<tr>
<th>REVENUES FROM STATE GOVERNMENT</th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Output Appropriations</strong></td>
<td>2,070</td>
<td>1,903</td>
<td>3,657</td>
<td>2,962</td>
<td>729</td>
<td>579</td>
<td>35</td>
<td>28</td>
</tr>
<tr>
<td><strong>Liabilities assumed by the Treasurer</strong></td>
<td>7</td>
<td>13</td>
<td>-</td>
<td>-</td>
<td>10</td>
<td>18</td>
<td>-</td>
<td>1</td>
</tr>
<tr>
<td><strong>Resources received free of charge</strong></td>
<td>1</td>
<td>1</td>
<td>-</td>
<td>2</td>
<td>4</td>
<td>3</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td><strong>Corporate overheads reallocated to outputs</strong></td>
<td>1</td>
<td>1</td>
<td>3</td>
<td>6</td>
<td>1</td>
<td>2</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td><strong>Total revenues from State Government</strong></td>
<td>2,079</td>
<td>1,918</td>
<td>3,660</td>
<td>2,970</td>
<td>744</td>
<td>602</td>
<td>35</td>
<td>29</td>
</tr>
</tbody>
</table>

| Change in net assets resulting from operations | 76 | 77 | 1,142 | 956 | 1,164 | 30 | 33 | 54 |

The Output Schedule of Expenses and Revenues should be read in conjunction with the accompanying notes.
## DEPARTMENT OF JUSTICE
### 2003/04 ANNUAL REPORT

#### Output Schedule of Expenses and Revenues
FOR THE YEAR ENDED 30 JUNE 2004

<table>
<thead>
<tr>
<th></th>
<th>OUTPUT 13 Support Services</th>
<th>OUTPUT 14 Legal Aid</th>
<th>OVERHEADS Corporate</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Other Govt Agencies</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>2004 $'000</td>
<td>2003 $'000</td>
<td>2004 $'000</td>
<td>2003 $'000</td>
</tr>
<tr>
<td><strong>COST OF SERVICES</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Expenses from ordinary activities</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Employee expenses</td>
<td>2,026</td>
<td>1,475</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Depreciation and amortisation expense</td>
<td>68</td>
<td>88</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Borrowing costs expense</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Capital user charge</td>
<td>6</td>
<td>17</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Other expenses from ordinary activities</td>
<td>3,215</td>
<td>2,027</td>
<td>15,473</td>
<td>13,371</td>
</tr>
<tr>
<td>Corporate overheads reallocated to outputs</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td><strong>Total cost of services</strong></td>
<td>5,315</td>
<td>3,607</td>
<td>15,473</td>
<td>13,371</td>
</tr>
<tr>
<td>Revenue from ordinary activities</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Revenues</td>
<td>29</td>
<td>13</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Corporate overheads reallocated to outputs</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Proceeds from disposal of non-current assets</td>
<td>3</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td><strong>Total revenues from ordinary activities</strong></td>
<td>32</td>
<td>13</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td><strong>NET COST OF SERVICES</strong></td>
<td>5,283</td>
<td>3,594</td>
<td>15,473</td>
<td>13,371</td>
</tr>
<tr>
<td><strong>REVENUES FROM STATE GOVERNMENT</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Output Appropriations</td>
<td>242</td>
<td>-</td>
<td>14,529</td>
<td>13,360</td>
</tr>
<tr>
<td>Liabilities assumed by the Treasurer</td>
<td>4</td>
<td>3</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Resources received free of charge</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Corporate overheads reallocated to outputs</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td><strong>Total revenues from State Government</strong></td>
<td>246</td>
<td>3</td>
<td>14,529</td>
<td>13,360</td>
</tr>
<tr>
<td>Change in net assets resulting from operations</td>
<td>(5,037)</td>
<td>(3,591)</td>
<td>(944)</td>
<td>(11)</td>
</tr>
</tbody>
</table>

The Output Schedule of Expenses and Revenues should be read in conjunction with the accompanying notes.
## Summary of Consolidated Fund Appropriations and Revenue Estimates

**FOR THE YEAR ENDED 30 JUNE 2004**

<table>
<thead>
<tr>
<th></th>
<th>2004 Estimate</th>
<th>2004 Actual</th>
<th>Variation</th>
<th>2004 Actual</th>
<th>2003 Actual</th>
<th>Variation</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>PURCHASE OF OUTPUTS</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Item 61 Net amount appropriated to deliver outputs</td>
<td>489,580</td>
<td>483,848</td>
<td>(5,732)</td>
<td>483,848</td>
<td>462,039</td>
<td>21,809</td>
</tr>
<tr>
<td>Amount Authorised by Other Statutes</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Salaries and Allowances Act 1975</td>
<td>15,111</td>
<td>14,700</td>
<td>(411)</td>
<td>14,700</td>
<td>13,830</td>
<td>870</td>
</tr>
<tr>
<td>Children's Court of Western Australia Act 1988</td>
<td>260</td>
<td>280</td>
<td>20</td>
<td>280</td>
<td>231</td>
<td>49</td>
</tr>
<tr>
<td>Criminal Injuries Compensation Act 1985</td>
<td>16,445</td>
<td>15,300</td>
<td>(1,145)</td>
<td>15,300</td>
<td>16,690</td>
<td>(1,390)</td>
</tr>
<tr>
<td>District Court of Western Australia Act 1969</td>
<td>6,330</td>
<td>6,100</td>
<td>(230)</td>
<td>6,100</td>
<td>5,798</td>
<td>302</td>
</tr>
<tr>
<td>Judge's Salaries and Pensions Act 1950</td>
<td>5,500</td>
<td>5,840</td>
<td>340</td>
<td>5,840</td>
<td>5,502</td>
<td>338</td>
</tr>
<tr>
<td>Solicitor General Act 1969</td>
<td>269</td>
<td>269</td>
<td>-</td>
<td>269</td>
<td>328</td>
<td>(59)</td>
</tr>
<tr>
<td>Suitors Fund Act 1964</td>
<td>30</td>
<td>30</td>
<td>-</td>
<td>30</td>
<td>30</td>
<td>-</td>
</tr>
<tr>
<td>Town Planning and Development Act 1928</td>
<td>405</td>
<td>-</td>
<td>(405)</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td><strong>Total appropriations provided to deliver outputs</strong></td>
<td>533,930</td>
<td>526,367</td>
<td>(7,563)</td>
<td>526,367</td>
<td>504,448</td>
<td>21,919</td>
</tr>
<tr>
<td><strong>CAPITAL</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Item 139 Capital Contribution</td>
<td>4,689</td>
<td>4,689</td>
<td>-</td>
<td>4,689</td>
<td>6,880</td>
<td>(2,191)</td>
</tr>
<tr>
<td><strong>GRAND TOTAL OF APPROPRIATIONS</strong></td>
<td>538,619</td>
<td>531,056</td>
<td>(7,563)</td>
<td>531,056</td>
<td>511,328</td>
<td>19,728</td>
</tr>
</tbody>
</table>

### Details of Expenses by Outputs

<table>
<thead>
<tr>
<th>Output</th>
<th>Description</th>
<th>2004 Estimate</th>
<th>2004 Actual</th>
<th>Variation</th>
<th>2004 Actual</th>
<th>2003 Actual</th>
<th>Variation</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Judiciary and judicial support</td>
<td>49,310</td>
<td>52,012</td>
<td>2,702</td>
<td>52,012</td>
<td>47,811</td>
<td>4,201</td>
</tr>
<tr>
<td>2</td>
<td>Case processing</td>
<td>130,390</td>
<td>125,042</td>
<td>(5,348)</td>
<td>125,042</td>
<td>121,729</td>
<td>3,313</td>
</tr>
<tr>
<td>3</td>
<td>Enforcement of criminal and civil court orders</td>
<td>10,352</td>
<td>10,689</td>
<td>337</td>
<td>10,689</td>
<td>10,317</td>
<td>372</td>
</tr>
<tr>
<td>4</td>
<td>Administration of victim support and counselling services</td>
<td>4,371</td>
<td>4,624</td>
<td>253</td>
<td>4,624</td>
<td>3,441</td>
<td>1,183</td>
</tr>
<tr>
<td>5</td>
<td>Legal services</td>
<td>21,887</td>
<td>20,398</td>
<td>(1,489)</td>
<td>20,398</td>
<td>19,925</td>
<td>473</td>
</tr>
<tr>
<td>6</td>
<td>Preparation of legislation</td>
<td>4,299</td>
<td>4,363</td>
<td>64</td>
<td>4,363</td>
<td>4,208</td>
<td>155</td>
</tr>
<tr>
<td>7</td>
<td>Adult offenders managed</td>
<td>314,491</td>
<td>316,764</td>
<td>2,273</td>
<td>316,764</td>
<td>299,339</td>
<td>17,425</td>
</tr>
<tr>
<td>8</td>
<td>Juvenile offenders managed</td>
<td>46,988</td>
<td>47,428</td>
<td>440</td>
<td>47,428</td>
<td>44,923</td>
<td>2,505</td>
</tr>
<tr>
<td>9</td>
<td>Advocacy and guardianship services</td>
<td>2,043</td>
<td>2,027</td>
<td>(16)</td>
<td>2,027</td>
<td>1,873</td>
<td>154</td>
</tr>
<tr>
<td>10</td>
<td>Trustee services</td>
<td>11,960</td>
<td>11,458</td>
<td>(502)</td>
<td>11,458</td>
<td>10,858</td>
<td>600</td>
</tr>
<tr>
<td>11</td>
<td>Registration services</td>
<td>4,915</td>
<td>4,017</td>
<td>(898)</td>
<td>4,017</td>
<td>4,014</td>
<td>3</td>
</tr>
<tr>
<td>12</td>
<td>Civil marriages</td>
<td>210</td>
<td>191</td>
<td>(19)</td>
<td>191</td>
<td>155</td>
<td>36</td>
</tr>
<tr>
<td>13</td>
<td>Support services to other Government agencies</td>
<td>4,376</td>
<td>5,315</td>
<td>939</td>
<td>5,315</td>
<td>3,607</td>
<td>1,708</td>
</tr>
<tr>
<td>14</td>
<td>Legal aid assistance</td>
<td>16,473</td>
<td>15,473</td>
<td>(1,000)</td>
<td>15,473</td>
<td>13,371</td>
<td>2,102</td>
</tr>
<tr>
<td><strong>Total cost of outputs</strong></td>
<td>622,065</td>
<td>619,801</td>
<td>(2,264)</td>
<td>619,801</td>
<td>585,571</td>
<td>34,230</td>
<td></td>
</tr>
<tr>
<td><strong>Less total revenues from ordinary activities</strong></td>
<td>(65,545)</td>
<td>(69,637)</td>
<td>(4,092)</td>
<td>(69,637)</td>
<td>(63,870)</td>
<td>(5,767)</td>
<td></td>
</tr>
<tr>
<td><strong>Net cost of outputs</strong></td>
<td>556,520</td>
<td>550,164</td>
<td>(6,356)</td>
<td>550,164</td>
<td>521,701</td>
<td>28,463</td>
<td></td>
</tr>
<tr>
<td><strong>Adjustments (II)</strong></td>
<td>(22,590)</td>
<td>(23,797)</td>
<td>(1,207)</td>
<td>(23,797)</td>
<td>(17,253)</td>
<td>(6,544)</td>
<td></td>
</tr>
<tr>
<td><strong>Total appropriations provided to purchase outputs</strong></td>
<td>533,930</td>
<td>526,367</td>
<td>(7,563)</td>
<td>526,367</td>
<td>504,448</td>
<td>21,919</td>
<td></td>
</tr>
</tbody>
</table>
Capital Expenditure

<table>
<thead>
<tr>
<th>Description</th>
<th>2004 Estimate $'000</th>
<th>2004 Actual $'000</th>
<th>Variation $'000</th>
<th>2003 Actual $'000</th>
<th>Variation $'000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Purchase of non-current assets</td>
<td>16,984</td>
<td>16,984</td>
<td>-</td>
<td>16,984</td>
<td>-</td>
</tr>
<tr>
<td>Adjustment for other funding sources</td>
<td>12,295</td>
<td>12,295</td>
<td>-</td>
<td>12,295</td>
<td>10,104</td>
</tr>
<tr>
<td>Capital Contribution (appropriation)</td>
<td>4,689</td>
<td>4,689</td>
<td>-</td>
<td>4,689</td>
<td>6,880</td>
</tr>
</tbody>
</table>

DETAILS OF REVENUE ESTIMATES

FINES

<table>
<thead>
<tr>
<th>Description</th>
<th>2004 Estimate $'000</th>
<th>2004 Actual $'000</th>
<th>Variation $'000</th>
<th>2003 Actual $'000</th>
<th>Variation $'000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Judicial fines and penalties</td>
<td>16,406</td>
<td>17,744</td>
<td>1,338</td>
<td>17,744</td>
<td>16,974</td>
</tr>
<tr>
<td>Infringement penalties</td>
<td>250</td>
<td>355</td>
<td>105</td>
<td>355</td>
<td>245</td>
</tr>
<tr>
<td><strong>Total Administered Revenue Estimates</strong></td>
<td><strong>16,656</strong></td>
<td><strong>18,099</strong></td>
<td><strong>1,443</strong></td>
<td><strong>18,099</strong></td>
<td><strong>17,219</strong></td>
</tr>
</tbody>
</table>

(I) Adjustments related to movements in cash balances and other accrual items such as receivables, payables and superannuation.

Explanations of variations between the current year estimates and actual results, and the actual results compared with the immediately preceding year, are set out in Note 42.

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

FOR THE YEAR ENDED 30 JUNE 2004

1 DEPARTMENT OF JUSTICE MISSION AND FUNDING

The Department 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; and
- 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 SIGNIFICANT ACCOUNTING POLICIES

The following accounting policies have been adopted in the preparation of the financial statements. Unless otherwise stated these polices 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 is disclosed in individual notes to these 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.

(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 is described above for the financial statements of the Department. The administered assets, liabilities, expenses and revenues are those which the Government requires the Department to administer on its behalf. The assets do not render any service potential or future economic benefits to the Department, the liabilities do not require any future sacrifice of service potential or future economic benefits of the Department, and the expenses and revenues are not attributable to the Department.
As the administered assets, liabilities, expenses and revenues are not recognised in the principal financial statements of the Department, the disclosure requirements of Accounting Standard AASB 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) District and Supreme Court and those which are referred to the Fines Enforcement Registry (FER) for action and are outstanding as at 30 June; and
(b) Petty Sessional 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 Crown 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.

**Output appropriations**
Output 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 16 for further commentary on output appropriations.

**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 Statement of Financial Position. Capital appropriations which are repayable to the Treasurer are recognised as liabilities. Refer to note 26 for further commentary on the application of UIG 38 and TI 955.

**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 $69.63m in 2004 ($63.87m in 2003). Retained revenues may only be applied to the outputs specified in the 2003/2004 Budget Statements.

**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 2004 were $57.6m (2003 - $44.7m).

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

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

Depreciation is calculated on the straight line basis, using rates which are reviewed annually. 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 1041 (5)(b). The annual revaluations are undertaken by the DLI and movements are recognised in the financial statements. See notes 21 and 26.

(k) **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 Statement of Financial Performance over the lease term as this is representative of the pattern of benefits to be derived from the leased property.

Refer to notes 7, 23 and 29 (b).

(l) **Cash**

For the purposes of the Statement of Cash Flows, cash includes cash assets and restricted cash assets.
Notes to the Financial Statements

FOR THE YEAR ENDED 30 JUNE 2004

(m) **Accrued salaries**

The accrued salaries suspense account (refer note 17) 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 25) represent the amount due to staff but unpaid at the end of the financial year, as 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.

(n) **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.

(o) **Expenditure carried forward**

(i) 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.

(ii) 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.

(p) **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.

(q) **Employee entitlements**

**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 2002. This was reviewed as adequate for 2004 by Price Waterhouse Coopers Actuaries.

The method of measurement of the liability is consistent with the requirements of Australian Accounting Standards Board AASB 1028 "Employee Benefits:"

(r) **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).
Notes to the Financial Statements
FOR THE YEAR ENDED 30 JUNE 2004

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”.

(s) 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 Judges’ pension entitlement on the Judges’ death. The liability for Judge’s pensions as at 30 June 2004 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.

(t) 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.

(u) Comparative figures

Comparative figures are, where appropriate, reclassified so as to be comparable with the figures presented in the current financial year.

(v) Rounding of Amounts

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

3 OUTPUTS OF THE DEPARTMENT

Information about the Department’s outputs and, the expenses and revenues which are reliably attributable to those outputs is set out in the Output Schedule. Information about expenses, revenues, assets and liabilities administered by the Department are given in notes 39 to 41.

The outputs of the Department are:

(1) Judiciary and judicial support

Output 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) **Case processing**  
Case processing refers to all resources and services provided by the Court Services division (the administrative arm of courts) to advance cases from lodgement to the point of finalisation. This includes up to the point of trial before a judicial officer.

(3) **Enforcement of criminal and civil court orders**  
The enforcement of criminal and civil orders demonstrates to the community and the judiciary, the practical application of enforcing orders of the court. This allows clients and the community in general to have confidence in Court Services to effectively and efficiently enforce orders made in criminal and civil jurisdictions. This includes the services of the Fines Enforcement Registry, the Sheriff’s Office and also other jurisdictional enforcement officers.

(4) **Administration of victim support and counselling services**  
The Court Services Division has responsibility to the wider community for providing support and counselling services through the Victim Support Service and the Coroner’s Office. Counselling information and support is provided to victims of crime who are traumatised by a criminal event that they have experienced and to people who have experienced an unexpected loss of a loved one due to a sudden death.

(5) **Legal services**  
The State Solicitor’s Office provides a broad-based legal service to the Government, its departments, instrumentalities and agencies. This includes the conduct of litigation, the provision of legal advice, representation as counsel in courts and tribunals and preparation of legal documents.

(6) **Preparation of legislation**  
This output contributes to an orderly community through the preparation of legislation for the Government of Western Australia and its departments and agencies in order to give effect to the Government’s legislative program.

(7) **Adult offenders managed**  
The custody, containment, care, well being and rehabilitation of adult offenders and their reintegration into and reparation to the community, managed through prisons and the supervision of offenders in the community. This includes the provision of remedial programs, further education and employment skills, sentencing reports, assessment reports outlining offender’s suitability for release or their progress in the community to releasing authorities such as the parole board, providing policy advice, infrastructure management and planning and collaborating with other agencies.

(8) **Juvenile offenders managed**  
Juvenile offenders are managed in custody, and in the community to fulfil the orders of the courts and through diversion from court programs. Juveniles participate in remedial, educational and rehabilitation programs that address their offending behaviour.

(9) **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.

(10) **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.
Notes to the Financial Statements
FOR THE YEAR ENDED 30 JUNE 2004

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

(12) Civil marriages
The provision of facilities for the conduct of civil marriages as an alternative to marriage by other celebrants.

(13) Support services to other Government agencies
This output specifies those services directly provided by the Department of Justice which support outcomes and outputs of other Government Agencies.

(14) Legal aid assistance
The Community and target groups require access to and the provision of quality legal services. This output 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.

CORPORATE SERVICES
Corporate services costs have been allocated on a proportional basis for services provided to Outputs.

<table>
<thead>
<tr>
<th></th>
<th>2004 $'000</th>
<th>2003 $'000</th>
</tr>
</thead>
<tbody>
<tr>
<td>EMPLOYEE EXPENSES</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wages and salaries</td>
<td>217,734</td>
<td>201,101</td>
</tr>
<tr>
<td>Superannuation</td>
<td>23,815</td>
<td>22,781</td>
</tr>
<tr>
<td>Long Service Leave</td>
<td>7,161</td>
<td>9,085</td>
</tr>
<tr>
<td>Annual Leave</td>
<td>21,627</td>
<td>19,173</td>
</tr>
<tr>
<td>Judges pensions - liability assumed by the Treasurer</td>
<td>15,373</td>
<td>13,002</td>
</tr>
<tr>
<td>Other related staff expenses (i)</td>
<td>13,822</td>
<td>12,616</td>
</tr>
<tr>
<td></td>
<td>299,532</td>
<td>277,758</td>
</tr>
<tr>
<td>(i) Includes superannuation and other employment on-costs associated with the recognition of annual and long service leave liability. The related on-costs liability is included in employee entitlement liabilities at note 24.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>SUPPLIES AND SERVICES</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Services and contracts</td>
<td>92,000</td>
<td>91,696</td>
</tr>
<tr>
<td>Resources free of charge</td>
<td>3,926</td>
<td>3,411</td>
</tr>
<tr>
<td>Goods and supplies purchased</td>
<td>28,522</td>
<td>24,374</td>
</tr>
<tr>
<td></td>
<td>124,448</td>
<td>119,481</td>
</tr>
</tbody>
</table>
6 DEPRECIATION AND AMORTISATION

**Depreciation**
- Buildings: 16,145
- IT systems: 4,882
- Plant, equipment and vehicles: 1,931
- **Total depreciation**: 22,958

**Amortisation**
- Leased buildings: 215
- Leasehold improvements: 866
- **Total amortisation**: 1,081

7 BORROWING COSTS EXPENSE

- Finance lease finance charges: 1,406

8 ACCOMMODATION EXPENSES

- Building rental operating lease expenses: 18,560

9 GRANTS AND SUBSIDIES

- Criminal injuries: 15,736
- Offenders gratuities: 4,095
- Government organisations: 15,856
- Other grants and subsidies: 4,627
- **Total grants and subsidies**: 40,314

10 CAPITAL USER CHARGE

- Capital user charge expense for the year: 53,046

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 outputs. 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.

11 NET (LOSS)/GAIN ON DISPOSAL OF NON-CURRENT ASSETS

**Profit on Sale of Non-Current Assets**
- Plant, equipment and vehicles: 17
- Gross proceeds on disposal: 69

**Losses on Sale of Non-Current Assets**
- Plant, equipment and vehicles: (60)
- Gross proceeds on disposal: 102
- **Net (loss)/profit**: (60)
12 OTHER EXPENSES FROM ORDINARY ACTIVITIES

<table>
<thead>
<tr>
<th>Description</th>
<th>2004 $'000</th>
<th>2003 $'000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building repairs and maintenance</td>
<td>13,903</td>
<td>14,134</td>
</tr>
<tr>
<td>Electricity and water</td>
<td>5,277</td>
<td>5,079</td>
</tr>
<tr>
<td>Communication expenses</td>
<td>8,296</td>
<td>7,782</td>
</tr>
<tr>
<td>Plant, equipment and vehicle operating lease expenses</td>
<td>3,870</td>
<td>3,830</td>
</tr>
<tr>
<td>Plant, equipment and vehicle repairs and maintenance</td>
<td>4,812</td>
<td>4,475</td>
</tr>
<tr>
<td>Vehicle hire, fuel, registration and management fees</td>
<td>2,036</td>
<td>2,091</td>
</tr>
<tr>
<td>Insurance</td>
<td>1,399</td>
<td>1,213</td>
</tr>
<tr>
<td>Carrying amount of disposed non-current assets</td>
<td>162</td>
<td>52</td>
</tr>
<tr>
<td>Other expenses</td>
<td>18,701</td>
<td>21,626</td>
</tr>
</tbody>
</table>

Total: 58,456

13 USER CHARGES AND FEES

<table>
<thead>
<tr>
<th>Description</th>
<th>2004 $'000</th>
<th>2003 $'000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Legal Services State Solicitors Office</td>
<td>2,933</td>
<td>2,617</td>
</tr>
<tr>
<td>Public Trust Office fees</td>
<td>7,180</td>
<td>7,146</td>
</tr>
<tr>
<td>Births, deaths and marriage fees</td>
<td>4,608</td>
<td>3,531</td>
</tr>
<tr>
<td>Licenses</td>
<td>150</td>
<td>147</td>
</tr>
<tr>
<td>Court fees</td>
<td>24,894</td>
<td>24,452</td>
</tr>
<tr>
<td>Miscellaneous fees and charges</td>
<td>187</td>
<td>201</td>
</tr>
</tbody>
</table>

Total: 39,952

14 COMMONWEALTH GRANTS AND CONTRIBUTIONS

<table>
<thead>
<tr>
<th>Description</th>
<th>2004 $'000</th>
<th>2003 $'000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commonwealth recoup for Family Court and court fees</td>
<td>10,788</td>
<td>9,746</td>
</tr>
<tr>
<td>Commonwealth recoup other</td>
<td>1,223</td>
<td>833</td>
</tr>
</tbody>
</table>

Total: 12,011

The Department received contributions from various sources for specific purposes. As at 30 June 2004, contributions of $415,000 recognised as revenues in the operating statement have yet to be spent in the manner specified by the contributor.

15 OTHER REVENUES FROM ORDINARY ACTIVITIES

<table>
<thead>
<tr>
<th>Description</th>
<th>2004 $'000</th>
<th>2003 $'000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sale of produce and goods</td>
<td>2,024</td>
<td>1,691</td>
</tr>
<tr>
<td>Canteen sales</td>
<td>3,517</td>
<td>3,213</td>
</tr>
<tr>
<td>Public Trust Office - common fund surplus</td>
<td>1,632</td>
<td>1,671</td>
</tr>
<tr>
<td>Recoup of salaries and workers compensation</td>
<td>4,418</td>
<td>3,391</td>
</tr>
<tr>
<td>Residential recoveries</td>
<td>1,145</td>
<td>1,061</td>
</tr>
<tr>
<td>Recoup of telephones, postage and other reimbursements</td>
<td>911</td>
<td>884</td>
</tr>
<tr>
<td>Criminal injuries - recoups</td>
<td>1,171</td>
<td>993</td>
</tr>
<tr>
<td>Detainee recoups</td>
<td></td>
<td>32</td>
</tr>
<tr>
<td>Other miscellaneous revenue</td>
<td>2,754</td>
<td>2,192</td>
</tr>
</tbody>
</table>

Total: 17,572

FINANCIAL STATEMENTS
16  REVENUES FROM STATE GOVERNMENT

Appropriation revenue received during the year:
Output appropriations (1)

<table>
<thead>
<tr>
<th></th>
<th>2004 $'000</th>
<th>2003 $'000</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Liabilities assumed by the Treasurer during the financial year (2)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Superannuation - employees</td>
<td>1,300</td>
<td>2,308</td>
</tr>
<tr>
<td>Judges pensions</td>
<td>15,373</td>
<td>13,002</td>
</tr>
<tr>
<td>Resources received free of charge (3)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Office of the Auditor General - notional audit fee (see note 4 below)</td>
<td>-</td>
<td>112</td>
</tr>
<tr>
<td>Office of the Auditor General - notional management fee</td>
<td>109</td>
<td>78</td>
</tr>
<tr>
<td>Department of Land Information - services for valuation services, land registration and information</td>
<td>173</td>
<td>135</td>
</tr>
<tr>
<td>Health Department of Western Australia - provision of medical, health, dental services and forensic services for post mortems.</td>
<td>3,645</td>
<td>3,086</td>
</tr>
<tr>
<td>Resources received free of charge (3)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Department of Housing &amp; Works (Commercial Property Branch)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Department of Housing &amp; Works (Commercial Property Branch) - notional management fee</td>
<td>109</td>
<td>78</td>
</tr>
<tr>
<td>Department of Housing &amp; Works (Commercial Property Branch) - services for valuation services, land registration and information</td>
<td>173</td>
<td>135</td>
</tr>
<tr>
<td>Office of the Auditor General - notional audit fee (see note 4 below)</td>
<td>-</td>
<td>112</td>
</tr>
<tr>
<td>Office of the Auditor General - notional management fee</td>
<td>109</td>
<td>78</td>
</tr>
<tr>
<td>Department of Land Information - services for valuation services, land registration and information</td>
<td>173</td>
<td>135</td>
</tr>
<tr>
<td>Health Department of Western Australia - provision of medical, health, dental services and forensic services for post mortems.</td>
<td>3,645</td>
<td>3,086</td>
</tr>
</tbody>
</table>

(1) Output appropriations are accrual amounts reflecting the full price cost of outputs 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 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.

(4) Commencing with the 2003/04 audit, the Office of the Auditor General will be charging a fee for auditing the accounts, financial statements and performance indicators. The fee for the 2003/04 audit ($142,000) will be due and payable in the 2004/05 financial year.
17 **RESTRICTED CASH ASSETS**

**Current**
- Accrued salaries suspense: 9,163

**Non-current**
- Accrued salaries suspense: 9,163

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.

18 **RECEIVABLES**

**Current**
- Trade debtors: 2,970
- GST Receivable: 3,789

Total: 6,759

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

19 **AMOUNTS RECEIVABLE FOR OUTPUTS**

**Current**
- 23,345

**Non-current**
- 28,588

Total: 51,933

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

20 **OTHER ASSETS**

**Current**
- Prepayments: 650
## 21 PROPERTY, PLANT, EQUIPMENT AND VEHICLES

<table>
<thead>
<tr>
<th></th>
<th>2004 $’000</th>
<th>2003 $’000</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Land</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>At fair value (1)</td>
<td>95,015</td>
<td>85,600</td>
</tr>
<tr>
<td></td>
<td>95,015</td>
<td>85,600</td>
</tr>
<tr>
<td><strong>Buildings</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>At fair value (1)</td>
<td>815,239</td>
<td>802,066</td>
</tr>
<tr>
<td>Accumulated depreciation</td>
<td>(285,859)</td>
<td>(274,456)</td>
</tr>
<tr>
<td></td>
<td>529,380</td>
<td>527,610</td>
</tr>
<tr>
<td><strong>Leased buildings</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>At cost</td>
<td>10,739</td>
<td>10,739</td>
</tr>
<tr>
<td>Accumulated depreciation</td>
<td>(652)</td>
<td>(437)</td>
</tr>
<tr>
<td></td>
<td>10,087</td>
<td>10,302</td>
</tr>
<tr>
<td><strong>Leasehold improvements</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>At cost</td>
<td>10,378</td>
<td>9,950</td>
</tr>
<tr>
<td>Accumulated depreciation</td>
<td>(6,155)</td>
<td>(5,289)</td>
</tr>
<tr>
<td></td>
<td>4,223</td>
<td>4,661</td>
</tr>
<tr>
<td><strong>IT systems</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>At cost</td>
<td>33,878</td>
<td>28,761</td>
</tr>
<tr>
<td>Accumulated depreciation</td>
<td>(21,194)</td>
<td>(16,311)</td>
</tr>
<tr>
<td></td>
<td>12,684</td>
<td>12,450</td>
</tr>
<tr>
<td><strong>Plant, equipment and vehicles</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>At cost</td>
<td>26,506</td>
<td>26,599</td>
</tr>
<tr>
<td>Accumulated depreciation</td>
<td>(17,420)</td>
<td>(18,009)</td>
</tr>
<tr>
<td></td>
<td>9,086</td>
<td>8,590</td>
</tr>
<tr>
<td><strong>Work in progress</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Buildings</td>
<td>13,460</td>
<td>9,855</td>
</tr>
<tr>
<td>IT systems</td>
<td>3,161</td>
<td>2,415</td>
</tr>
<tr>
<td></td>
<td>16,621</td>
<td>12,270</td>
</tr>
<tr>
<td><strong>Total property, plant, equipment and vehicles</strong></td>
<td>677,096</td>
<td>661,483</td>
</tr>
</tbody>
</table>

(1) The revaluation of land and buildings was performed in June 2004 in accordance with an independent valuation by the DLI. 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, equipment and vehicles at the beginning and end of the current and previous financial year are set out below.

<table>
<thead>
<tr>
<th>Reconciliation Category</th>
<th>2004 $'000</th>
<th>2003 $'000</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Land</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Carrying amount at beginning of year</td>
<td>85,600</td>
<td>83,131</td>
</tr>
<tr>
<td>Additions</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Disposals</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Contributions to owners</td>
<td>(1,690)</td>
<td>-</td>
</tr>
<tr>
<td>Revaluation increments</td>
<td>11,105</td>
<td>2,469</td>
</tr>
<tr>
<td>Carrying amount at end of year</td>
<td>95,015</td>
<td>85,600</td>
</tr>
<tr>
<td><strong>Buildings</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Carrying amount at beginning of year</td>
<td>527,610</td>
<td>500,541</td>
</tr>
<tr>
<td>Additions</td>
<td>15,597</td>
<td>3,970</td>
</tr>
<tr>
<td>Disposals</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Revaluation increments</td>
<td>2,317</td>
<td>39,089</td>
</tr>
<tr>
<td>Depreciation</td>
<td>(16,144)</td>
<td>(15,990)</td>
</tr>
<tr>
<td>Carrying amount at end of year</td>
<td>529,380</td>
<td>527,610</td>
</tr>
<tr>
<td><strong>Leased buildings</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Carrying amount at beginning of year</td>
<td>10,302</td>
<td>10,517</td>
</tr>
<tr>
<td>Additions</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Depreciation</td>
<td>(215)</td>
<td>(215)</td>
</tr>
<tr>
<td>Carrying amount at end of year</td>
<td>10,087</td>
<td>10,302</td>
</tr>
<tr>
<td><strong>Leasehold improvements</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Carrying amount at beginning of year</td>
<td>4,661</td>
<td>5,647</td>
</tr>
<tr>
<td>Additions</td>
<td>428</td>
<td>-</td>
</tr>
<tr>
<td>Depreciation</td>
<td>(866)</td>
<td>(986)</td>
</tr>
<tr>
<td>Carrying amount at end of year</td>
<td>4,223</td>
<td>4,661</td>
</tr>
<tr>
<td><strong>IT systems</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Carrying amount at beginning of year</td>
<td>12,450</td>
<td>16,724</td>
</tr>
<tr>
<td>Additions</td>
<td>5,116</td>
<td>708</td>
</tr>
<tr>
<td>Disposals</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Depreciation</td>
<td>(4,882)</td>
<td>(4,982)</td>
</tr>
<tr>
<td>Carrying amount at end of year</td>
<td>12,684</td>
<td>12,450</td>
</tr>
<tr>
<td><strong>Plant, equipment and vehicles</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Carrying amount at beginning of year</td>
<td>8,590</td>
<td>8,631</td>
</tr>
<tr>
<td>Additions</td>
<td>2,590</td>
<td>2,184</td>
</tr>
<tr>
<td>Disposals</td>
<td>(162)</td>
<td>(52)</td>
</tr>
<tr>
<td>Depreciation</td>
<td>(1,932)</td>
<td>(2,173)</td>
</tr>
<tr>
<td>Carrying amount at end of year</td>
<td>9,086</td>
<td>8,590</td>
</tr>
<tr>
<td><strong>Work in progress</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Carrying amount at beginning of year</td>
<td>12,270</td>
<td>2,216</td>
</tr>
<tr>
<td>Additions</td>
<td>24,575</td>
<td>14,354</td>
</tr>
<tr>
<td>Transfers to non current assets</td>
<td>(20,224)</td>
<td>(4,300)</td>
</tr>
<tr>
<td>Carrying amount at end of year</td>
<td>16,621</td>
<td>12,270</td>
</tr>
</tbody>
</table>
22 **PAYABLES**

**Current**
Trade and other creditors

<table>
<thead>
<tr>
<th>2004</th>
<th>2003</th>
</tr>
</thead>
<tbody>
<tr>
<td>24,750</td>
<td>22,938</td>
</tr>
</tbody>
</table>

23 **INTEREST BEARING LIABILITIES**

**Finance lease liabilities**

<table>
<thead>
<tr>
<th>2004</th>
<th>2003</th>
</tr>
</thead>
<tbody>
<tr>
<td>Current</td>
<td></td>
</tr>
<tr>
<td>171</td>
<td>154</td>
</tr>
<tr>
<td>Non current</td>
<td></td>
</tr>
<tr>
<td>12,999</td>
<td>13,170</td>
</tr>
</tbody>
</table>

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

24 **PROVISIONS**

**Employee entitlements**

<table>
<thead>
<tr>
<th>2004</th>
<th>2003</th>
</tr>
</thead>
<tbody>
<tr>
<td>Current</td>
<td></td>
</tr>
<tr>
<td>Annual leave</td>
<td>19,927</td>
</tr>
<tr>
<td>Long service leave</td>
<td>25,295</td>
</tr>
<tr>
<td>Non-current</td>
<td></td>
</tr>
<tr>
<td>Long service leave</td>
<td>26,538</td>
</tr>
</tbody>
</table>

**Employee Benefit Liabilities**

The aggregate employee benefit liability recognised and included in the financial statements as a provision is as follows:

<table>
<thead>
<tr>
<th>Provision for employee benefits</th>
<th>2004</th>
<th>2003</th>
</tr>
</thead>
<tbody>
<tr>
<td>Current</td>
<td>45,222</td>
<td>43,048</td>
</tr>
<tr>
<td>Non-current</td>
<td>26,538</td>
<td>25,238</td>
</tr>
<tr>
<td>Total</td>
<td>71,760</td>
<td>68,286</td>
</tr>
</tbody>
</table>

25 **OTHER LIABILITIES**

<table>
<thead>
<tr>
<th>2004</th>
<th>2003</th>
</tr>
</thead>
<tbody>
<tr>
<td>Current</td>
<td></td>
</tr>
<tr>
<td>Accrued salaries and wages</td>
<td>8,757</td>
</tr>
<tr>
<td>Accrued interest</td>
<td>110</td>
</tr>
</tbody>
</table>

Salaries and wages payable for 9 working days from 18 June to 30 June 2004, (2003; 7 working days).

Accrued salaries and wages are settled within a few days of the financial year end. The carrying amount is equivalent to the net fair value.
Notes to the Financial Statements
FOR THE YEAR ENDED 30 JUNE 2004

26 EQUITY

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

**Contributed equity**

<table>
<thead>
<tr>
<th></th>
<th>2004 $’000</th>
<th>2003 $’000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Opening balance</td>
<td>28,733</td>
<td>21,853</td>
</tr>
<tr>
<td>Capital contributions</td>
<td>4,690</td>
<td>6,880</td>
</tr>
<tr>
<td>Contributions to owner</td>
<td>(1,690)</td>
<td>-</td>
</tr>
<tr>
<td>Closing balance</td>
<td>31,733</td>
<td>28,733</td>
</tr>
</tbody>
</table>

Contributions to owner represents non reciprocal transfers of land assets from the Department of Justice to other Government Agencies.

**Reserves**

**Asset Revaluation Reserve**

**Land**

<table>
<thead>
<tr>
<th></th>
<th>2004 $’000</th>
<th>2003 $’000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Opening balance</td>
<td>80,875</td>
<td>78,406</td>
</tr>
<tr>
<td>Net revaluation increment</td>
<td>11,105</td>
<td>2,469</td>
</tr>
<tr>
<td>Closing balance</td>
<td>91,980</td>
<td>80,875</td>
</tr>
</tbody>
</table>

**Buildings**

<table>
<thead>
<tr>
<th></th>
<th>2004 $’000</th>
<th>2003 $’000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Opening balance</td>
<td>414,329</td>
<td>375,240</td>
</tr>
<tr>
<td>Net revaluation increment</td>
<td>2,317</td>
<td>39,089</td>
</tr>
<tr>
<td>Closing balance</td>
<td>416,646</td>
<td>414,329</td>
</tr>
<tr>
<td>Total asset revaluation reserve</td>
<td>508,626</td>
<td>495,204</td>
</tr>
</tbody>
</table>

The asset revaluation reserve is used to record increments and decrements on the revaluation of non-current assets, as described in accounting policy note 2 (j).

**Accumulated surplus/(deficiency)**

<table>
<thead>
<tr>
<th></th>
<th>2004 $’000</th>
<th>2003 $’000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Opening balance</td>
<td>114,344</td>
<td>112,876</td>
</tr>
<tr>
<td>Operating Surplus / (Deficit)</td>
<td>(3,197)</td>
<td>1,468</td>
</tr>
<tr>
<td>Closing balance</td>
<td>111,147</td>
<td>114,344</td>
</tr>
<tr>
<td>Total equity</td>
<td>651,506</td>
<td>638,281</td>
</tr>
</tbody>
</table>
27  NOTES TO THE STATEMENT OF CASH FLOWS

(a)  Reconciliation of cash
Cash at the end of the financial year as shown in the Statement of Cash Flows is reconciled to the related items in the Statement of Financial Position as follows:

| Cash assets - operating account | 23,968 | 25,492 |
| Cash assets - permanent and temporary advances | 484 | 558 |
| Restricted cash assets (note 17) | 9,163 | 7,693 |

Total Cash | 33,615 | 33,743 |

(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 Statement of Cash Flows.

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 Statement of Cash Flows.

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

Net cost of services (Statement of Financial Performance) | (550,164) | (521,701) |
Non-cash items:
- Depreciation expense | 24,039 | 24,345 |
- Superannuation and judges pensions expense | 16,673 | 15,310 |
- Resources received free of charge | 3,927 | 3,411 |
- Loss on disposal of property, plant and equipment | 60 | 52 |

(Increase)/decrease in assets:
- Receivables | 1,057 | 2,564 |
- Other current assets | 66 | (122) |

Increase/(decrease) in liabilities:
- Payables | 1,811 | 3,417 |
- Provisions | 3,477 | 4,702 |
- Other liabilities | 3,071 | (624) |
- Change in GST in receivables/payables | (1,003) | (481) |

Net cash used in operating activities | (496,986) | (469,127) |

(d)  At the reporting date, the Department had fully drawn on all financing facilities, details of which are disclosed in the financial statements.
28 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:
- Law Reform Commission: 61
- Office of the Director of Public Prosecutions: 792
- Equal Opportunity Commissioner: 97
- Office of the Information Commissioner: 39
- Parliamentary Inspector CCC: 24

Legal services provided by the State Solicitor’s Office to:
- Other Government Agencies: 15,421

<table>
<thead>
<tr>
<th>2004 ($'000)</th>
<th>2003 ($'000)</th>
</tr>
</thead>
<tbody>
<tr>
<td>28 RESOURCES PROVIDED FREE OF CHARGE</td>
<td></td>
</tr>
<tr>
<td>Law Reform Commission</td>
<td>61</td>
</tr>
<tr>
<td>Office of the Director of Public Prosecutions</td>
<td>792</td>
</tr>
<tr>
<td>Equal Opportunity Commissioner</td>
<td>97</td>
</tr>
<tr>
<td>Office of the Information Commissioner</td>
<td>39</td>
</tr>
<tr>
<td>Parliamentary Inspector CCC</td>
<td>24</td>
</tr>
<tr>
<td>Other Government Agencies</td>
<td>15,421</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>16,434</strong></td>
</tr>
</tbody>
</table>

29 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: 12,840
- Later than 1 year and not later than 5 years: 3,500
- **Total**: 16,340

The capital commitments include amounts for:
- Land and buildings: 7,940
- Other: 8,400

**CBD Courts Complex**

The Department of Justice 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.

(b) Lease commitments

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

- Within 1 year: 22,518
- Later than 1 year and not later than 5 years: 46,853
- Later than 5 years: 25,763
- **Total**: 95,134

Representing:
- Operating leases: 61,567
- Finance leases: 33,567
- **Total**: 95,134
### Notes to the Financial Statements

FOR THE YEAR ENDED 30 JUNE 2004

<table>
<thead>
<tr>
<th></th>
<th>2004</th>
<th>2003</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$'000</td>
<td>$'000</td>
</tr>
<tr>
<td>(i) Finance leases</td>
<td></td>
<td></td>
</tr>
<tr>
<td>The Department of Justice, in March 2001, entered into a 25 year lease agreement for the procurement of the Fremantle Justice Centre. 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.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Within 1 year</td>
<td>1,561</td>
<td>1,561</td>
</tr>
<tr>
<td>Later than 1 year and not later than 5 years</td>
<td>6,245</td>
<td>6,245</td>
</tr>
<tr>
<td>Later than 5 years</td>
<td>25,761</td>
<td>27,322</td>
</tr>
<tr>
<td>Minimum finance lease payments</td>
<td>33,567</td>
<td>35,128</td>
</tr>
<tr>
<td>Less future finance charges</td>
<td>20,397</td>
<td>21,804</td>
</tr>
<tr>
<td>Finance lease liability</td>
<td>13,170</td>
<td>13,324</td>
</tr>
<tr>
<td>Included in the financial statements as:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Current</td>
<td>171</td>
<td>154</td>
</tr>
<tr>
<td>Non-current</td>
<td>12,999</td>
<td>13,170</td>
</tr>
<tr>
<td></td>
<td>13,170</td>
<td>13,324</td>
</tr>
<tr>
<td>(ii) Non cancellable operating leases</td>
<td></td>
<td></td>
</tr>
<tr>
<td>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.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Within 1 year</td>
<td>20,957</td>
<td>19,880</td>
</tr>
<tr>
<td>Later than 1 year and not later than 5 years</td>
<td>40,608</td>
<td>53,927</td>
</tr>
<tr>
<td>Later than 5 years</td>
<td>2</td>
<td>152</td>
</tr>
<tr>
<td></td>
<td>61,567</td>
<td>73,959</td>
</tr>
<tr>
<td>(c) Other expenditure commitments</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Contracted for at the reporting date but not recognised as liabilities are as follows:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Within 1 year</td>
<td>48,558</td>
<td>45,643</td>
</tr>
<tr>
<td>Later than 1 year and not later than 5 years</td>
<td>-</td>
<td>48,558</td>
</tr>
<tr>
<td>Later than 5 years</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td></td>
<td>48,558</td>
<td>94,201</td>
</tr>
<tr>
<td>30 CONTINGENT LIABILITIES</td>
<td></td>
<td></td>
</tr>
<tr>
<td>In addition to the liabilities incorporated into the financial statements the Department has the following contingent liabilities.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(i) Litigations in progress</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Claims against the Department of Justice from the general public and offenders.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>None of the claims are covered by an insurance policy and any claims settled will have to be met by the Department.</td>
<td>510</td>
<td>611</td>
</tr>
<tr>
<td>(ii) Disclosure regarding criminal injuries compensation.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Claims yet to be assessed</td>
<td>19,807</td>
<td>19,397</td>
</tr>
</tbody>
</table>
31  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:

<table>
<thead>
<tr>
<th>Band</th>
<th>2004</th>
<th>2003</th>
</tr>
</thead>
<tbody>
<tr>
<td>$ 60,001 - $ 70,000</td>
<td>1</td>
<td>-</td>
</tr>
<tr>
<td>$ 90,001 - $ 100,000</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>$ 100,001 - $ 110,000</td>
<td>-</td>
<td>1</td>
</tr>
<tr>
<td>$ 110,001 - $ 120,000</td>
<td>2</td>
<td>-</td>
</tr>
<tr>
<td>$ 120,001 - $ 130,000</td>
<td>1</td>
<td>3</td>
</tr>
<tr>
<td>$ 130,001 - $ 140,000</td>
<td>2</td>
<td>-</td>
</tr>
<tr>
<td>$ 140,001 - $ 150,000</td>
<td>-</td>
<td>1</td>
</tr>
<tr>
<td>$ 220,001 - $ 230,000</td>
<td>1</td>
<td>-</td>
</tr>
<tr>
<td>$ 240,001 - $ 250,000</td>
<td>-</td>
<td>1</td>
</tr>
<tr>
<td>$ 260,001 - $ 270,000</td>
<td>1</td>
<td>-</td>
</tr>
<tr>
<td>$ 280,001 - $ 290,000</td>
<td>-</td>
<td>1</td>
</tr>
<tr>
<td>$ 290,001 - $ 300,000</td>
<td>-</td>
<td>1</td>
</tr>
<tr>
<td>$ 310,001 - $ 320,000</td>
<td>1</td>
<td>-</td>
</tr>
<tr>
<td>$ 480,001 - $ 490,000</td>
<td>1</td>
<td>-</td>
</tr>
</tbody>
</table>

The total remuneration of senior officers is:

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).

32  RELATED BODIES

The Department had no related bodies during the financial year.

33  AFFILIATED BODIES

The Department provided more than 50% of the total operational funds to the Legal Aid Commission of Western Australia during the 2004 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.
34 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.

<table>
<thead>
<tr>
<th></th>
<th>2004</th>
<th>2003</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accountable Officer</td>
<td>20,203</td>
<td>24,950</td>
</tr>
<tr>
<td>Minister</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

Total losses and write offs

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

<table>
<thead>
<tr>
<th></th>
<th>2004</th>
<th>2003</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>20,203</td>
<td>24,950</td>
</tr>
<tr>
<td></td>
<td>1</td>
<td>2</td>
</tr>
</tbody>
</table>

35 REMUNERATION OF AUDITOR
Commencing with the 2003/04 audit, the Office of the Auditor General will be charging a fee for auditing the financial statements and performance indicators. The fee for the 2003/04 audit is $142,000 (2002/2003; $111,500) and will be due and payable in the 2004/05 financial year.

36 THE IMPACT OF ADOPTING INTERNATIONAL ACCOUNTING STANDARDS
The transition to Australian equivalents to International Accounting Standards is being managed by keeping abreast of changes through the review of available information, such as publications on CPA and DTF websites. Finance staff within the Department are to be briefed on findings through workshops. The adoption of Australian equivalents to International Accounting Standards is expected to have minimal impact on future financial reporting requirements of the Department.

The application of IAS 36 (Impairment of Assets) requires an annual assessment be carried out for impairment. Department of Justice already has land and building assets revalued on an annual basis, with the buildings being revalued at depreciated replacement cost and land at current use value or market value. Revaluation increments and decrements on land and buildings are recognised on an individual asset basis. Other assets (non land and buildings) will be assessed for impairment on a regular basis.

AASB 119, the Australian version of the IFRS covering employee benefits, will be effective from 1 January 2005. This will replace the current standard for employee benefits, AASB 1028. For the long service leave liability, the only significant difference under AASB 119 is that a high quality corporate bond yield will be used for the discount rate (rather than the Government bond yield). This would normally result in a lower liability.

Under AASB 117, assets and liabilities under finance leases will be recognised at the lower of fair value of the lease property or the present value of the minimum lease payments.

37 EVENTS OCCURRING AFTER REPORTING DATE
A retrospective pay adjustment of 3.8%, effective 26 February 2004, for staff on the Public Sector General Agreement was announced by Government after the 30 June reporting date. The payment is estimated to be in the region of $1,700,000. The financial effect of this event was not recognised in the 30 June 2004 financial statements.
(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:

<table>
<thead>
<tr>
<th>Fixed interest rate maturities</th>
<th>Weighted average interest rate</th>
<th>Floating interest rate</th>
<th>1 year or less</th>
<th>2 to 5 years</th>
<th>Over 5 years</th>
<th>Non interest bearing</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>2004</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Financial assets</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cash assets</td>
<td></td>
<td>24,452</td>
<td>24,452</td>
<td>24,452</td>
<td>9,163</td>
<td>9,163</td>
<td></td>
</tr>
<tr>
<td>Restricted cash assets</td>
<td></td>
<td>6,759</td>
<td>6,759</td>
<td>6,759</td>
<td>51,933</td>
<td>51,933</td>
<td></td>
</tr>
<tr>
<td>Receivables</td>
<td></td>
<td>24,452</td>
<td>24,452</td>
<td>24,452</td>
<td>9,163</td>
<td>9,163</td>
<td></td>
</tr>
<tr>
<td>Other assets</td>
<td></td>
<td>6,759</td>
<td>6,759</td>
<td>6,759</td>
<td>51,933</td>
<td>51,933</td>
<td></td>
</tr>
<tr>
<td>Total financial assets</td>
<td></td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>92,307</td>
</tr>
<tr>
<td>Liabilities</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Payables</td>
<td></td>
<td>24,750</td>
<td>24,750</td>
<td>24,750</td>
<td>10.6</td>
<td>171</td>
<td>13,170</td>
</tr>
<tr>
<td>Finance lease liabilities</td>
<td></td>
<td>71,760</td>
<td>71,760</td>
<td>71,760</td>
<td>8,867</td>
<td>8,867</td>
<td></td>
</tr>
<tr>
<td>Provisions</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Other liabilities</td>
<td></td>
<td>171</td>
<td>895</td>
<td>895</td>
<td>12,104</td>
<td>12,104</td>
<td>105,377</td>
</tr>
<tr>
<td>Total financial liabilities</td>
<td></td>
<td>-</td>
<td>171</td>
<td>895</td>
<td>12,104</td>
<td>12,104</td>
<td>118,547</td>
</tr>
<tr>
<td>Net financial asset/(liabilities)</td>
<td></td>
<td>-</td>
<td>(171)</td>
<td>(895)</td>
<td>(12,104)</td>
<td>(13,070)</td>
<td>(26,240)</td>
</tr>
<tr>
<td><strong>2003</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Financial assets</td>
<td></td>
<td>86,425</td>
<td>86,425</td>
<td></td>
<td>154</td>
<td>806</td>
<td>12,364</td>
</tr>
<tr>
<td>Financial liabilities</td>
<td></td>
<td>-</td>
<td>-</td>
<td>154</td>
<td>806</td>
<td>12,364</td>
<td>97,019</td>
</tr>
<tr>
<td>Net financial assets/(liabilities)</td>
<td></td>
<td>-</td>
<td>-</td>
<td>(154)</td>
<td>(806)</td>
<td>(12,364)</td>
<td>(10,594)</td>
</tr>
</tbody>
</table>

(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.
39  ADMINISTERED EXPENSES AND REVENUES

Expenses
Payments to Consolidated Fund 17,248 16,335
Transfer payments - Family court 10,791 9,751
Transfer payments - other government agencies 44,890 35,603
Other 180 103
Total administered expenses 73,109 61,792

Revenues
Judicial fines and penalties 17,744 16,974
Infringement penalties 355 245
Revenue for transfer - Family court 10,895 9,859
Revenue for transfer - other government agencies 45,751 35,491
Other 77 64
Total administered revenues 74,822 62,633

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 39 67
- Departmental receipts in suspense 913 1
- Family Court 415 320
- Crime & Corruption -
- Treasurer’s Advance 109 -
1,486 388

Receivables
- Petty Sessions - fines and costs 6,080 9,013
- Supreme and District Court fines & forfeitures 2,254 2,111
- Fines Enforcement Registry 65,468 63,705
- Children’s Court 144 148
73,946 74,977

Less: provision for doubtful debts
- Unrecoverable fees & fines - note 2 (c)
(39,627) (41,511)
34,319 33,466

Total administered current assets 35,805 33,854

Current liabilities
- Payables 11 23
- Amounts due to the Treasurer (Appeals Cost Board) 1,100 850
1,111 873

Net administered assets 34,694 32,981
**41 CASHFLOWS FROM ADMINISTERED TRANSACTIONS**

Cash inflows from administered transactions
Administered revenues received 75,855 61,905
Cash outflows from administered transactions
Transfer and other payments (57,758) (45,698)
Administered revenues credited to Consolidated Fund (17,248) (16,335)
Receipt of Treasurer’s Advance 250 -
Net cash inflow/outflow from administered transactions 1,099 (128)

**42 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.

<table>
<thead>
<tr>
<th>Purchase of Outputs</th>
<th>2004 $’000</th>
<th>2003 $’000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Capital contribution</td>
<td>(8,711)</td>
<td>(8,767)</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Purchase of output appropriation limits were increased for:**

- Additional funding as a result of the growth in prisoner numbers; 5,418
- Cabinet approved funding for certain expensive cases undertaken by the Legal Aid Commission; 945
- Movement in expensed capital as a result of movements in capital balances; 524
- Movement in Capital User Charge as a result of movements in capital balances; and 2,896
- Adjustment to output funding associated with the Criminal Injury Compensation Act. 30

**These increases were offset by:**

- Movement in depreciation as a result of movements in capital balances; (2,244)
- Reduction in appropriation due to the increase of departmental fee and charge revenue; (395)
- Reduction in appropriation due to the increase of criminal injury recoveries; (270)
- Savings as a result of the introduction of the State’s new Recruitment and Advertising Management System (RAMS); (68)
- Return of funds to government due to the delay in the commencement of the proposed State Administration Tribunal (SAT); and (1,160)
- Return of appropriation to government at year end. (5,732)

**Decrease in net amount appropriated to deliver outputs** (56)
Notes to the Financial Statements
FOR THE YEAR ENDED 30 JUNE 2004

(b) **Significant variations between actual outputs and budget estimates for 2003/2004**

### RECURRENT

<table>
<thead>
<tr>
<th>Output Description</th>
<th>Variance</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Output 1 - Judiciary and Judicial Support</strong></td>
<td>Excess</td>
<td>10,915</td>
</tr>
<tr>
<td>Increase in expenditure is due mainly to an increase of $9.4m in the provision for Judicial Pensions and also a further increase of $2.0m in judicial remuneration increases under the Salaries and Allowances Tribunal.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Output 2 - Case Processing</strong></td>
<td>Saving</td>
<td>7,830</td>
</tr>
<tr>
<td>Decrease in expenditure is due mainly to a delay in the implementation of the State Administrative Tribunal, and change in output allocation cost methodology for budgets during the 2003/04 year.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Output 3 - Enforcement of Criminal and Civil Court Orders</strong></td>
<td>Excess</td>
<td>4,803</td>
</tr>
<tr>
<td>Increase in expenditure is due mainly to higher salary and wages costs allocated to this output from within the Courts division.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Output 4 - Administration of victim support and counselling services</strong></td>
<td>Excess</td>
<td>741</td>
</tr>
<tr>
<td>Increased expenditure is due mainly to higher salary and wages costs allocated to this output from within the Courts division.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Output 5 - Legal Services</strong></td>
<td>Saving</td>
<td>569</td>
</tr>
<tr>
<td>The under spending is due mainly to savings in Legal Briefing Fees and corporate overhead expenses.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Output 7 - Adult offenders managed</strong></td>
<td>Excess</td>
<td>11,938</td>
</tr>
</tbody>
</table>
| The increased expenditure is due mainly to:  
  (a) Higher prisoner load in the public prison system than budget position reflected in additional prisoner variable costs.  
  (b) Higher salary costs than budgeted.  
  (c) Higher than forecast workers compensation payments.  
  (d) Contracted nursing services costs above budget.  
  (e) Increased building maintenance costs. |
| **Output 11 - Registration Services**                                            | Saving   | 629     |
| Decreased expenditure is due mainly to lower than expected spending on the new WARS system. |
| **Output 13 - Support Services to Other Government Agencies**                   | Excess   | 2,107   |
| Increase in expenditure is due mainly to increase in ex-gratia payments, carry over of Police Royal Commission expenditure and Special Acts Salary determination for legal officers from 1 January 2004 not in the original budget. |
| **Output 14 - Legal Aid**                                                        | Excess   | 945     |
| Increase in expenditure is due to additional expensive case funding approved by Cabinet. |
| **Retained revenue**                                                             | Excess   | 9,848   |
| A variety of reasons account for the additional revenue in 2003/04. These include:  
  (a) Prison services sale of industry goods were above budget by 34% due to increased activity.  
  (b) Public Trust Fees were above budget by 6% due to increased activity. |
(c) State Solicitor legal fees were 28% above budget due to higher chargeable work business activity.
(d) Court Fees were 10% above the original budget due to court fee increases.
(e) Family Court Grants from the Commonwealth were 22% higher than budget reflecting activity and cost increases.
(f) Registry of Births, Deaths & Marriages Fees were above budget by 10% due to increased activity.
(g) Recoups of Prisoner telephones (Arunta), salaries & wages, workers compensation, criminal injury, legal costs and residential recovery were above budget settings.

**CAPITAL**
The Capital Works Program budget was $54.8m and was financed from:

<table>
<thead>
<tr>
<th>Description</th>
<th>2004 $’000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Appropriation for outputs</td>
<td>49,552</td>
</tr>
<tr>
<td>Capital contribution</td>
<td>4,689</td>
</tr>
<tr>
<td>Internal funds and balances</td>
<td>545</td>
</tr>
</tbody>
</table>

Details of authorisation to expend in advance of appropriation are reflected in note 42.

**Capital Contribution**
Reflow of the Capital Works Program to outyears due to the delay in the commencement of certain capital works projects until 2004/05. As a result there is a reduction in the capital contribution for 2003/04.

<table>
<thead>
<tr>
<th>Description</th>
<th>2004 $’000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Appropriation for outputs</td>
<td>(8,711)</td>
</tr>
<tr>
<td>Capital Contribution</td>
<td>(8,711)</td>
</tr>
</tbody>
</table>

Total payments for 2003/2004 were $48.3m and this was financed from:

<table>
<thead>
<tr>
<th>Description</th>
<th>2004 $’000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Appropriation for outputs</td>
<td>43,587</td>
</tr>
<tr>
<td>Capital Contribution</td>
<td>4,689</td>
</tr>
</tbody>
</table>

**Microsoft Licensing**
Funds not required for 2003/04 and therefore returned to Treasury.

<table>
<thead>
<tr>
<th>Description</th>
<th>2004 $’000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Saving</td>
<td>2,100</td>
</tr>
</tbody>
</table>

**Corporate Operational System - IT Maintenance**
Under expenditure is the result of a delay in the commencement in the new contract for outsourced IT services.

<table>
<thead>
<tr>
<th>Description</th>
<th>2004 $’000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Saving</td>
<td>1,800</td>
</tr>
</tbody>
</table>

**Electronic Document Management System**
The primary focus on developing the Record Keeping Plan has delayed the commencement of the Electronic Document Management System and its associated cost.

<table>
<thead>
<tr>
<th>Description</th>
<th>2004 $’000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Saving</td>
<td>800</td>
</tr>
</tbody>
</table>

**WA Registration System**
The delay in planning around E-enabling of RBDM services have deferred the resulting expenditure to 2004/05.

<table>
<thead>
<tr>
<th>Description</th>
<th>2004 $’000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Saving</td>
<td>700</td>
</tr>
</tbody>
</table>

**Metropolitan Low Security Prison for Women - Construction**
Furniture and equipment purchased in late 2003/04 was not received and invoiced by year’s end.

<table>
<thead>
<tr>
<th>Description</th>
<th>2004 $’000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Saving</td>
<td>700</td>
</tr>
</tbody>
</table>
Infrastructure Upgrade
With the delay in the new IT maintenance contract certain aspects of the IT infrastructure project have had to be deferred until 2004/05.

Financial Management Information System
With the imminent introduction of new shared service arrangements across government expenditure on the Finance System Maintenance contract has been curtailed.

State Administrative Tribunal
Delays in the formation of SAT have resulted in lower than expected spending in 2003/04.

Community Based Service Information System
The updated cash flows for this project reflect the revised project plan that has the second payment for the software package initially planned for 2003/04 now not occurring until 2004/05.

Albany Justice Complex
Project has been progressing slower than anticipated due to statutory delays and environment conditions.

Kimberley Prison Strategy
Delay in planning and land acquisition.

Juvenile Accommodation Strategy
Planning decision delayed - balance of contract will not be invoiced until July/August 2004.

Supreme Court - Upgrade of Building Services & Fitout
Works progressing slower than planned.

Bandyup Visits Centre
Delays in securing statutory approvals have delayed forward works.

CBD Courts Complex - Planning & Management
Certain consulting services planned for 2004/05 have had to be brought forward to 2003/04.

Building Infrastructure
Overspend agreed with the DG back in April 2004. To be offset 2004/05 budget.

Owned/Leased Office Fitouts - 2003/04
Additional demand for building works than planned including works at Belmont CJS Office and Katanning Courthouse.

Human Resources Information System
The Plan for this project was reviewed in the context of the FRIT developments (i.e. effect on what still needs to be done and when).

ICMS - Systems Development
Revised schedule of deliverables for this project due to technical issues and integration of State Administration Tribunals, resulted in a revised allocation of the ICMS budget being brought forward from 2004/05 into 2003/04.

ADMINISTERED REVENUES
Judicial fines and penalties - Under budget revenue reflects the current performance levels in fines enforcement.
## Significant variations between actual outputs for the financial year and outputs for the immediately preceding financial year

### RECURRENT

<table>
<thead>
<tr>
<th>Output Description</th>
<th>Excess</th>
<th>$'000</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Output 1 - Judiciary and Judicial Support</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Increase in expenditure is due mainly to an increase in the provision for Judicial Pensions and also reflects judicial remuneration increases under the Salaries and Allowances Tribunal.</td>
<td></td>
<td>4,200</td>
</tr>
<tr>
<td><strong>Output 2 - Case Processing</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Increase in expenditure is due mainly to an increase in Criminal Injury Compensation payments, the Bell Resources trial and additional costs for the Court Security &amp; Custodial Services contract.</td>
<td></td>
<td>3,312</td>
</tr>
<tr>
<td><strong>Output 3 - Enforcement of Criminal &amp; Civil Court Orders</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Increase in expenditure is due mainly to capital user charge and the ICMS system.</td>
<td></td>
<td>372</td>
</tr>
<tr>
<td><strong>Output 4 - Administration of Victim Support &amp; Counselling Services</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Increase in expenditure is due to employee costs associated with staffing of the Counselling and Support Services for the Family Court which was transferred to the Department in January 2003.</td>
<td></td>
<td>1,183</td>
</tr>
<tr>
<td><strong>Output 7 - Adult offenders managed</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Increase in expenditure is mainly due to increases in the prisoner population, CSCS Contract, additional workers compensation costs, increased contracted nursing services expenses and increased capital user charge.</td>
<td></td>
<td>17,425</td>
</tr>
<tr>
<td><strong>Output 8 - Juvenile offenders managed</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Increase in expenditure is mainly due to increases in the juveniles in custody and on community orders. In addition, in 2003/04 more resources were allocated towards research, policy and information in juveniles.</td>
<td></td>
<td>2,505</td>
</tr>
<tr>
<td><strong>Output 10 - Trustee Services</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Increase in expenditure is due mainly to carried over expenses including building renovations and trust accounting system enhancements.</td>
<td></td>
<td>600</td>
</tr>
<tr>
<td><strong>Output 13 - Support Services to Other Government Agencies</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Increase in expenditure is due mainly to an increase in ex-gratia payments, carry over of Police Royal Commission expenditure and Special Acts Salary determination for legal officers from 1 January 2004.</td>
<td></td>
<td>1,708</td>
</tr>
<tr>
<td><strong>Output 14 - Legal Aid</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Increase in expenditure is due mainly to additional expensive case funding and the ATLAS project.</td>
<td></td>
<td>2,102</td>
</tr>
</tbody>
</table>

### CAPITAL

Variations between actual expenditure for the current financial year and previous year is due to the nature of the capital works program in that allocations and project scope vary from year to year. An explanation on variations does not provide information that is useful for decision making and has therefore not been provided.

### ADMINISTERED REVENUES

**Judicial fines and penalties** - Current year's actual result reflects the current performance levels in fines enforcement.

<table>
<thead>
<tr>
<th></th>
<th>Excess</th>
<th>$'000</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Administrated Revenues</strong></td>
<td></td>
<td>880</td>
</tr>
</tbody>
</table>
### TRUST AND TREASURER’S ADVANCE ACCOUNTS

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Juvenile Justice Trust Account</td>
<td>1 $'000</td>
<td>- $'000</td>
<td>- $'000</td>
<td>1 $'000</td>
<td>3 $'000</td>
<td>1 $'000</td>
<td>3 $'000</td>
<td>1 $'000</td>
</tr>
<tr>
<td>2 Civil Court Judgement - Government Account</td>
<td>52 $'000</td>
<td>851 $'000</td>
<td>799 $'000</td>
<td>104 $'000</td>
<td>163 $'000</td>
<td>111 $'000</td>
<td>52 $'000</td>
<td></td>
</tr>
<tr>
<td>3 Land Acquisition Account</td>
<td>14,713 $'000</td>
<td>150,064 $'000</td>
<td>155,039 $'000</td>
<td>9,738 $'000</td>
<td>75,488 $'000</td>
<td>65,289 $'000</td>
<td>14,713 $'000</td>
<td></td>
</tr>
<tr>
<td>4 Suitor’s Fund Account</td>
<td>1 $'000</td>
<td>142 $'000</td>
<td>104 $'000</td>
<td>39 $'000</td>
<td>15 $'000</td>
<td>64 $'000</td>
<td>78 $'000</td>
<td>1 $'000</td>
</tr>
<tr>
<td>5 Clerk of Courts Trust Account</td>
<td>3,152 $'000</td>
<td>34,636 $'000</td>
<td>35,178 $'000</td>
<td>2,610 $'000</td>
<td>35,498 $'000</td>
<td>35,153 $'000</td>
<td>3,152 $'000</td>
<td></td>
</tr>
<tr>
<td>6 Departmental Receipts in Suspense</td>
<td>44 $'000</td>
<td>46,681 $'000</td>
<td>45,820 $'000</td>
<td>905 $'000</td>
<td>157 $'000</td>
<td>35,927 $'000</td>
<td>36,040 $'000</td>
<td>44 $'000</td>
</tr>
<tr>
<td>7 Sheriff’s and District Bailiff’s Trust Account</td>
<td>181 $'000</td>
<td>1,446 $'000</td>
<td>1,535 $'000</td>
<td>92 $'000</td>
<td>295 $'000</td>
<td>1,189 $'000</td>
<td>1,303 $'000</td>
<td>181 $'000</td>
</tr>
<tr>
<td>8 Civil Action - Supreme and District Courts Account</td>
<td>2,516 $'000</td>
<td>2,374 $'000</td>
<td>2,078 $'000</td>
<td>2,812 $'000</td>
<td>2,428 $'000</td>
<td>2,477 $'000</td>
<td>2,389 $'000</td>
<td>2,516 $'000</td>
</tr>
<tr>
<td>9 Companies Liquidation Account</td>
<td>732 $'000</td>
<td>142 $'000</td>
<td>40 $'000</td>
<td>732 $'000</td>
<td>725 $'000</td>
<td>9 $'000</td>
<td>2 $'000</td>
<td>732 $'000</td>
</tr>
<tr>
<td>10 Prisoners Private Cash Trust Fund*</td>
<td>10 $'000</td>
<td>2,182 $'000</td>
<td>2,082 $'000</td>
<td>110 $'000</td>
<td>37 $'000</td>
<td>1,987 $'000</td>
<td>2,014 $'000</td>
<td>10 $'000</td>
</tr>
<tr>
<td>11 Department of Justice - Settlement Payments Account</td>
<td>3 $'000</td>
<td>8 $'000</td>
<td>8 $'000</td>
<td>3 $'000</td>
<td>9 $'000</td>
<td>13 $'000</td>
<td>19 $'000</td>
<td>3 $'000</td>
</tr>
<tr>
<td>12 Family Court - Commonwealth Advance Account</td>
<td>320 $'000</td>
<td>11,044 $'000</td>
<td>10,948 $'000</td>
<td>416 $'000</td>
<td>211 $'000</td>
<td>9,859 $'000</td>
<td>9,750 $'000</td>
<td>320 $'000</td>
</tr>
<tr>
<td>13 Appeal Costs Board - Treasurer’s Advance Account</td>
<td>(850) $'000</td>
<td>(150) $'000</td>
<td>(1,000) $'000</td>
<td>(825) $'000</td>
<td>- $'000</td>
<td>25 $'000</td>
<td>(850) $'000</td>
<td></td>
</tr>
<tr>
<td>14 Crime and Corruption Commission</td>
<td>- $'000</td>
<td>(100) $'000</td>
<td>(100) $'000</td>
<td>- $'000</td>
<td>- $'000</td>
<td>- $'000</td>
<td>- $'000</td>
<td>- $'000</td>
</tr>
</tbody>
</table>

* This does not include Acacia Prison which is managed under contract by AIMS Corporation.

### STATEMENT OF RECEIPTS AND PAYMENTS

FOR THE YEAR ENDED 30 JUNE 2004

1 **Juvenile Justice Trust Account**
   - To hold monies in trust for children under the care of the Juvenile Justice Program and such other monies as are received from any person or organisation for the provision of amenities in Program facilities which house children, and for such other specific purposes as directed by the donors.

2 **Civil Court Judgements - Government Account**
   - To hold moneys arising from Civil Court Judgements made in favour of Government departments and authorities.

3 **Land Acquisition Account**
   - To hold moneys for and on behalf of Government departments and authorities pending settlement of land acquisition.

4 **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.

5 **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.

6 **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 2004

7 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.

8 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.

9 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.

10 Prisoners Private Cash Trust Fund
To hold monies for and on behalf of prisoners.

11 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.

12 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.

13 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.

14 Crime and Corruption Commission
 Temporary advance of $100,000. To be repaid in July 2004.

44 COMMONWEALTH GRANT - CHRISTMAS AND COCOS ISLAND

<table>
<thead>
<tr>
<th></th>
<th>2004</th>
<th>2003</th>
</tr>
</thead>
<tbody>
<tr>
<td>Opening Balance</td>
<td></td>
<td>19,114</td>
</tr>
<tr>
<td>RECEIPTS</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Commonwealth reimbursements</td>
<td>237,407</td>
<td>-</td>
</tr>
<tr>
<td>Court fees</td>
<td></td>
<td>-</td>
</tr>
<tr>
<td>Total receipts</td>
<td>237,407</td>
<td>-</td>
</tr>
<tr>
<td>PAYMENTS</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Operating costs</td>
<td>198,251</td>
<td>259,269</td>
</tr>
<tr>
<td>Additional Services for Prisoner Costs</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Total payments</td>
<td>198,251</td>
<td>259,269</td>
</tr>
<tr>
<td>Closing Balance</td>
<td>58,270</td>
<td>19,114</td>
</tr>
</tbody>
</table>

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.
CONTRACTS

Contracts awarded between 1 July 2003 and 30 June 2004:

<table>
<thead>
<tr>
<th>Value</th>
<th>Number of Contracts</th>
</tr>
</thead>
<tbody>
<tr>
<td>$0 - $19,999</td>
<td>45</td>
</tr>
<tr>
<td>$20,000 - $49,999</td>
<td>33</td>
</tr>
<tr>
<td>$50,000 - $99,999</td>
<td>26</td>
</tr>
<tr>
<td>$100,000 - $499,999</td>
<td>25</td>
</tr>
<tr>
<td>$500,000 - $999,999</td>
<td>7</td>
</tr>
<tr>
<td>$1,000,000 +</td>
<td>11</td>
</tr>
</tbody>
</table>

Contracts awarded between 1 July 2003 and 30 June 2004 valued at more than $100,000:

<table>
<thead>
<tr>
<th>No</th>
<th>Contract Description</th>
<th>Vendors Recommended</th>
<th>Contract Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>2024</td>
<td>Victim Support Services – Geraldton</td>
<td>Centrecare</td>
<td>$102,960</td>
</tr>
<tr>
<td>2053</td>
<td>Evaluation of services funded through Community and Juvenile Justice</td>
<td>Social Systems and Evaluation</td>
<td>$106,651</td>
</tr>
<tr>
<td>2025</td>
<td>Victim Support Services – Albany</td>
<td>Susan Tevake</td>
<td>$108,108</td>
</tr>
<tr>
<td>1888</td>
<td>Implementation of e-Government services for the Registry of Births, Deaths and Marriages</td>
<td>Deloitte Touche Tohmatsu</td>
<td>$110,000</td>
</tr>
<tr>
<td>1896</td>
<td>Review of management, administration and work practices for Bandyup</td>
<td>John Mitchell And Assoc</td>
<td>$110,000</td>
</tr>
<tr>
<td>1925</td>
<td>Development and delivery of therapeutic programs</td>
<td>Dr David Indermaur; Safecare Inc and William Montgomery Pty Ltd</td>
<td>$120,000</td>
</tr>
<tr>
<td>2013</td>
<td>Psychiatry services to Banksia Hill Detention Centre and Rangeview Remand Centre</td>
<td>Dr Gosia Wojnarowska</td>
<td>$120,120</td>
</tr>
<tr>
<td>2064</td>
<td>Victim Support Services – Bunbury</td>
<td>Kris Csillag and Assoc</td>
<td>$149,175</td>
</tr>
<tr>
<td>1924</td>
<td>Development of a record keeping plan</td>
<td>Junipers Pty Ltd; Stamfords Advisers</td>
<td>$167,920</td>
</tr>
<tr>
<td>1986</td>
<td>Service for perpetrators of family and domestic violence in the Pilbara</td>
<td>Port Hedland Sobering Up Centre</td>
<td>$176,000</td>
</tr>
<tr>
<td>2055</td>
<td>Printer hardware repairs</td>
<td>Servicewest</td>
<td>$176,000</td>
</tr>
<tr>
<td>104003</td>
<td>SCM supply and delivery of fresh fruit and vegetables</td>
<td>G &amp; B Bendotti</td>
<td>$179,998</td>
</tr>
<tr>
<td>1923</td>
<td>Employment training and life skills program</td>
<td>Centrecare</td>
<td>$196,080</td>
</tr>
<tr>
<td>2127</td>
<td>Development of an actuarial risk assessment model for juvenile offenders</td>
<td>Crime Research Centre</td>
<td>$198,602</td>
</tr>
<tr>
<td>1833</td>
<td>Web-based compliance management system</td>
<td>Lawlex</td>
<td>$226,000</td>
</tr>
<tr>
<td>1950</td>
<td>Microsoft premier support services</td>
<td>Microsoft</td>
<td>$230,896</td>
</tr>
<tr>
<td>1825</td>
<td>Project management training</td>
<td>Australian Institute of Management</td>
<td>$240,000</td>
</tr>
<tr>
<td>1981</td>
<td>Project leader for Unix/Oracle</td>
<td>Penrod Pty Ltd</td>
<td>$249,750</td>
</tr>
<tr>
<td>12103</td>
<td>Cash collection services</td>
<td>Matrix Group Enterprises Pty Ltd</td>
<td>$290,127</td>
</tr>
</tbody>
</table>
## Appendices

<table>
<thead>
<tr>
<th>No</th>
<th>Contract Description</th>
<th>Vendors Recommended</th>
<th>Contract Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>23103</td>
<td>Air charter services – Courts Gascoyne region</td>
<td>Tropicair Services Pty Ltd</td>
<td>$294,120</td>
</tr>
<tr>
<td>14103</td>
<td>Support for Oracle Version 11i</td>
<td>ASG (Asia Pacific) Pty Ltd</td>
<td>$400,000</td>
</tr>
<tr>
<td>2203</td>
<td>ASC project management for development and implementation of information systems for Court Services</td>
<td>Chiltern Technology Pty Ltd</td>
<td>$400,000</td>
</tr>
<tr>
<td>7503</td>
<td>Re-Entry co-ordination for the Midwest Murchison Gascoyne region</td>
<td>Geraldton Resource Centre</td>
<td>$400,000</td>
</tr>
<tr>
<td>23203</td>
<td>Air charter services – Courts Kimberley region</td>
<td>Golden Eagle Airlines</td>
<td>$400,400</td>
</tr>
<tr>
<td>99202/01</td>
<td>Psychological assessment reports</td>
<td>Various</td>
<td>$450,000</td>
</tr>
<tr>
<td>12503</td>
<td>Project management for the Community-Business Information System</td>
<td>Quadrant Group</td>
<td>$537,600</td>
</tr>
<tr>
<td>9103</td>
<td>Maintenance of Sun servers</td>
<td>CSC Australia Pty Ltd</td>
<td>$615,000</td>
</tr>
<tr>
<td>98502</td>
<td>Footwear components Casuarina Prison bootshop</td>
<td>Parkinson and Mann Pty Ltd; Citycourt Pty Ltd WA Shoe Care</td>
<td>$637,500</td>
</tr>
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<td>Support and maintenance services to the WA Registration System</td>
<td>Trilogy Resources Pty Ltd</td>
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<td>Re-entry Co-ordination Services – Perth</td>
<td>Ruah Community Services</td>
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<td>Men’s Outreach Service (Inc)</td>
<td>$946,160</td>
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<td>Security/reception services at Community Justice Services centre</td>
<td>Group 4 Securitas Pty Ltd</td>
<td>$965,473</td>
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<td>Notebook computers</td>
<td>Stott and Hoare</td>
<td>$1,001,684</td>
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<td>10403</td>
<td>Supply and delivery of fresh fruit and vegetables</td>
<td>Vision Produce Pty Ltd; Ga Zimbulis; G&amp;B Bendotti; Bell-Vista Fruit and Veg and Freshcorp</td>
<td>$1,695,420</td>
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<td>Specialist provider to maintain support and develop corporate data warehouse</td>
<td>Aurora Consulting Pty Ltd</td>
<td>$1,360,000</td>
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<td>Software package to meet the information system requirements of Community and Juvenile Justice</td>
<td>Automon Corporation</td>
<td>$1,588,950</td>
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<td>Re-entry co-ordination services for Perth metro area</td>
<td>Outcare Inc</td>
<td>$2,400,000</td>
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<td>Personal Computers</td>
<td>Volante Systems</td>
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<td>PABX technical support services</td>
<td>NEC Business Solutions</td>
<td>$2,735,810</td>
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<td>Execution of fines enforcement warrants</td>
<td>Repcol (WA) Pty Ltd</td>
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<td>ASC system services in support of business information systems</td>
<td>Unisys West Pty Ltd</td>
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<td>Groceries, beverages and dairy products</td>
<td>Foodland Assoc</td>
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<td>86102</td>
<td>IT infrastructure services</td>
<td>CSC Australia Pty Ltd</td>
<td>$42,770,000</td>
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LEGISLATION

Administered by the Department of Justice

Companies (Acquisition of Shares) (Application of Laws) Act 1981
Companies (Acquisition of Shares) (Western Australia) Code
Companies (Administration) Act 1982
Companies (Application of Laws) Act 1981
Companies (Western Australia) Code
Companies Act 1961
Companies and Securities (Interpretation and Miscellaneous Provisions) (Western Australia) Code
Co-operative and Provident Societies Act 1903
Corporations (Taxing) Act 1990
Corporations (Western Australia) Act 1990
Declarations and Attestations Act 1913
Foreign Judgments Act 1963
Professional Standards Act 1997
Sale of Land Act 1970 (Part IVA)
Securities Industry (Release of Sureties) Act 1977
Securities Industry (Western Australia) Code
Securities Industry Act 1975
Statutory Corporations (Liability of Directors) Act 1996
Stipendiary Magistrates Act 1957
Trustee Companies Act 1987
Western Australian Trustees Limited (Mergers)Act 1989

Administer and comply with

Bail Act 1982
Births, Deaths And Marriages Registration Act 1998
Children's Court of Western Australia Act 1988
Coroners Act 1996
Court Security and Custodial Services Act 1999
Criminal Law (Mentally Impaired Defendants) Act 1996
Crown Suits Act 1947
District Court of Western Australia Act 1969
Enforcement Act 1994
Family Court Act 1997
Fines, Penalties & Infringement Notices
Guardianship & Administration Act 1990
Interpretation Act 1984
Juries Act 1957
Justices Act 1902
Liquor Licensing Act 1988 (part of)
Local Courts Act 1904
Magisterial Districts Act 1886
Married Women's Property Act 1892
Prisoners (Release For Deportation) Act 1989
Prisons Act 1981
Prostitution Act 2000 (part of)
Recording of Proceedings Act 1980
Reprints Act 1984
Restraining Orders Act 1997
Restraint of Debtors Act 1984
Sentence Administration Act 1995
Small Claims Tribunals Act 1974
Spent Convictions Act 1988
Suitors Fund Act 1964
Young Offenders Act 1994

Comply with only

Aboriginal Affairs Planning Authority Act 1972
Administration Act 1903
Adoption Act 1994
Age of Majority Act 1972
Anatomy Act 1930
Archives Act 1983
Artificial Conception Act 1985
Associations Incorporations Act 1987
Auction Sales Act 1973
Bail Act 1982
Bills of Sale Act 1899
Births Deaths and Marriages Registration Act 1998
Business Names Act 1962
C'wealth Admiralty Act 1988
C'wealth Bankruptcy Act 1966
C'wealth Cheques Act 1986
C'wealth Child Support (Assessment) Act 1999
C'wealth Child Support (Registration and Collection) Act 1998
C'wealth Corporations Law (to Feb 2001)
C'wealth Crimes Act 1914
C'wealth Currency Act 1965
C'wealth Disabilities Discrimination Act
C'wealth Electronic Transactions Act 1999
C'wealth Family Law Act 1975
C'wealth Fringe Benefits Tax Act 1986
C'wealth GST Act
C'wealth GST Act and Regulations
C'wealth Income Tax Assessment Act 1936
C'wealth Insurance Act 1973
C'wealth International Transfer Of Prisoners Act 1997
C'wealth Life Insurance Act 1995
C'wealth Marriage Act 1961
C'wealth Migration Act 1968
C'wealth Native Title Act 1993
C'wealth Patents Act 1990
C'wealth Racial Discrimination Act 1975
C'wealth Trade Practices Act 1974
C'wealth Transfer Of Prisoners Act 1983
C'wealth Veterans Entitlements Act 1986
C'wealth Witness Protection Act 1994
C'wealth Workplace Relations Act 1996
C'wealth/Int'l Chemical Munitions Treaty 1997
Censorship Act 1996
Charitable Trusts Act 1962
### Appendices

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<td>Electoral Act 1907</td>
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<td>Fair Trading Act 1987</td>
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<td>Legal Representation of Infants Act 1977</td>
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<td>Library Board of Western Australia Act 1951</td>
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<td>Metropolitan Region Town Planning Scheme Act 1959</td>
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<td>Minimum Conditions of Employment Act 1993</td>
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<td>Misuse Of Drugs Act 1981</td>
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<td>Native Title (State Provisions) Act 1999</td>
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<td>Occupational Safety and Health Act 1984</td>
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### PUBLICATIONS

The Department of Justice has developed a comprehensive collection of publications, brochures and videos. In most cases, these are available from the Department at no cost or can be downloaded from J-Net at www.justice.wa.gov.au. A complete list of publications is contained in the Department of Justice’s 2004 Handbook, available by telephoning 9264 1832 or by downloading from J-Net.
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