



Government of **Western Australia**
Department of **Justice**

Annual Report 2017/18



Statement of Compliance



Hon John Quigley MLA
Attorney General



Hon Francis Logan MLA
Minister for Corrective Services

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In accordance with Section 61 of the *Financial Management Act 2006*, I hereby submit for your information and presentation to Parliament, the Annual Report of the Department of Justice for the financial year ended 30 June 2018.

This Annual Report has been prepared in accordance with the provisions of the *Financial Management Act 2006*.

A handwritten signature in black ink, appearing to read 'Adam Tomison'.

Dr Adam Tomison
Director General
Department of Justice
19 September 2018

The Department of Justice chose this artwork “Seven Sisters Standing In a Line” to be the front cover of its inaugural Reconciliation Action Plan. Painted by a prisoner from Boronia Pre-Release Centre for Women, it also represents this year’s NAIDOC Week theme – “Because of Her, We Can.” This is how the artist describes the painting:

“When I was a girl I slept out under the stars and that’s when I learned about a group of stars called the seven sisters. The seven sisters is one of my favourite stories. The seven sisters are women that are attacked many times on their way across country. But they fight back and escape to the night sky to become stars. The women of the story are strong and free and make me think of how strong Aboriginal women are.”

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Executive Summary

The Department of Justice administers the State's justice system and works towards making our community a fairer and safer place to live.

The Department has approximately 6,500 staff and a budget of \$1.4 billion, and the justice-related services it provides to the people of Western Australia are many and varied – from registering a birth, administering the State's courts, providing legal advice and legislative drafting, guardianship and trustee services, helping Aboriginal people gain their drivers' licence, recouping outstanding fines, managing a rapidly growing prison population, developing new drug and alcohol rehabilitation programs for offenders, to monitoring and managing offenders in the community.

Greater collaboration

The year 2017/18 was our first full year of operation as the Department of Justice, formed as part of the State government's Machinery of Government changes.

The aim of the merger between the former Departments of the Attorney General and Corrective Services was to allow a more "joined up", seamless approach to justice, from an accused person's first contact with the courts and, as appropriate, an offender's path through the range of non-custodial sentencing options or a term of imprisonment, through to rehabilitation and release back into community.

The merger has led to greater synergies across the courts and corrective services functions, and the leveraging of the Department's specialist skills/areas to enhance service delivery. I am pleased to see opportunities being identified by justice areas that have improved our services and functions.

This has included making better use of policy assets and other areas of the Department of Justice to develop legislation, and by creating opportunities at Courts, in Corrective Services and out in remote communities, to better assist people to obtain their personal identification documentation produced by the Registry of Births, Deaths and Marriages.

Overall, I believe the Department is developing in the right direction and is harnessing the opportunities presented by our new organisational structure.

Increasing demand for services

Of great credit to our staff is that these changes took place while we experienced a substantial increase in service demand across all work areas while leading significant policy and practice reforms for the sector.

This was the case for the Public Trustee and the Office of the Public Advocate, who continued to experience an increase in demand for services, due in part to the State's growing and ageing population and the increasing prevalence of dementia in the elderly.

Similarly, the State Solicitor's Office expanded its staff complement to manage a range of new projects, such as the significant involvement SSO had in the removal of civil limitations for seeking restitution for historical child sexual abuse offences and work in preparation to manage the cases which will result from this change.

Our courts and tribunals experienced increased demand and there has been an increase in sentenced prisoners in our custodial facilities and in community corrections.

In April 2018 we reached 6,957 adult prisoners housed in our prisons – the highest prisoner numbers on record.

A key focus during the financial year was to therefore develop new infrastructure plans and to obtain funding to provide for more prison beds and court facilities and to deliver more services.

In collaboration with the WA Police Force we have begun the development of a new \$78.8 million police and justice complex for the Armadale community, which will bring local police and court staff together on a single co-located site.

In December 2017, the State Government announced \$120 million to fund an additional 884 prison beds, which includes an immediate 212 bed increase across the prison estate and 672 beds and infrastructure upgrades at Casuarina and Bunbury prisons by the end of 2019.

Achievements

As well as addressing these challenges, in the past 12 months we:

- Advanced a substantial legislative reform agenda on behalf of our Ministers. This involved the Strategic Policy division teams together with a number of other business areas including the State Solicitor's Office and Parliamentary Counsel's Office, Strategic Reform and the Office for the Commissioner for Victims of Crime. The Department progressed landmark legislation over this period including non-consensual sharing of intimate images, redress for child victims of sexual assault, the expungement of historic homosexual convictions and the introduction of new national violence restraining orders.
- Created the first of two new Alcohol and Other Drug Rehabilitation prisons by repurposing of the Wandoo Reintegration Facility and returning this facility into public hands.
- Continued to progress the eCourts Plan with the implementation of a case management system for the Office of Criminal Injuries Compensation and started developing a case management system for the Coroner's Court. Further enhancements were also made to the eCourts Portal to enable further online functionality and information for the public and registered users.
- Drove significant new initiatives through the State Solicitor's Office including the removal of civil limitations for historical child sexual abuse matters. The State Solicitor's Office also continued to represent the State in applications to register six Indigenous

land use agreements as part of the historic south west native title settlement, and also acted in respect of the procurement and contractual documentation for Metronet's Yanchep rail extension and Thornlie-Cockburn Link.

The words I used a year ago when we became one Department on 1 July are worth noting again:

"Our new Department structure provides an opportunity to explore new ways to strengthen the justice system. I encourage all staff to innovate, to identify ways to work smarter and to be part of creating a more effective, efficient system."

Although much of our first year has been spent establishing synergies between two formerly separate agencies, significant steps have been taken to develop a more inclusive approach to delivering justice.

With the support of our staff, the Department has made a real difference to the way legal and justice services are provided in this State and has driven real change across many of our services; this work will continue in 2019.

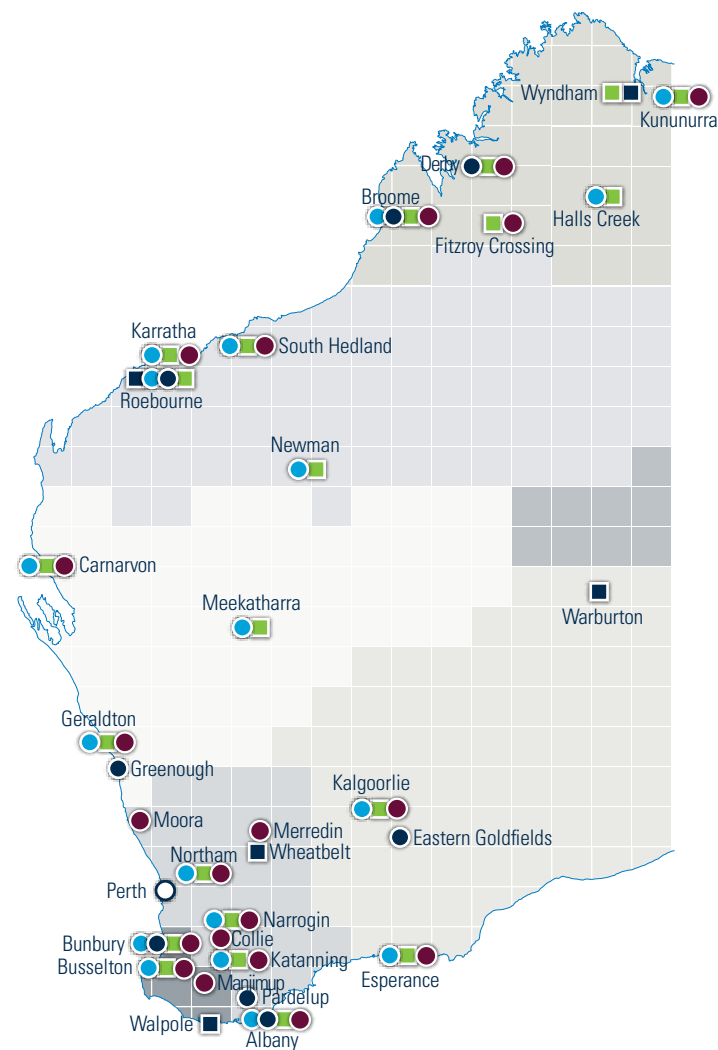
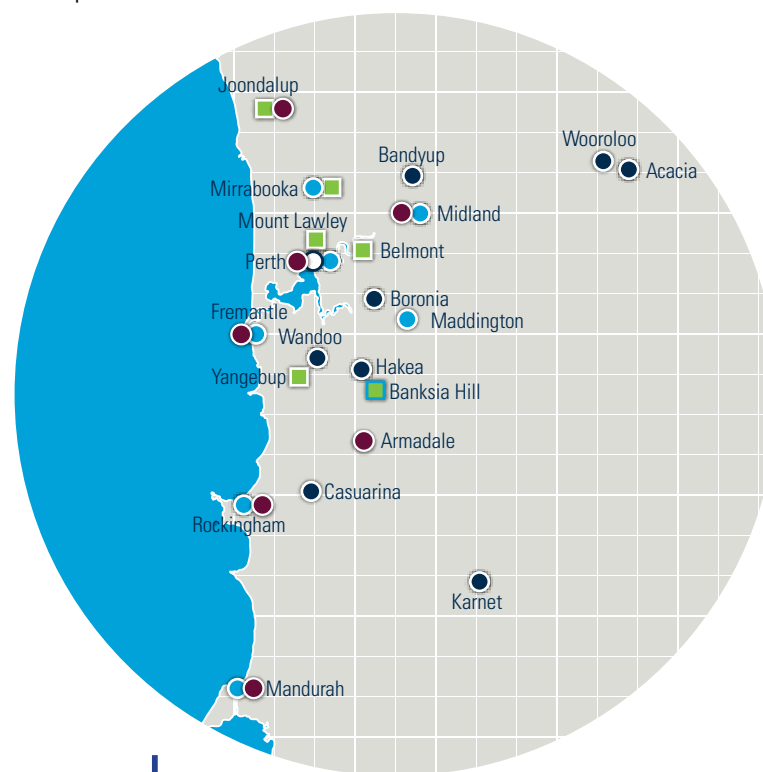
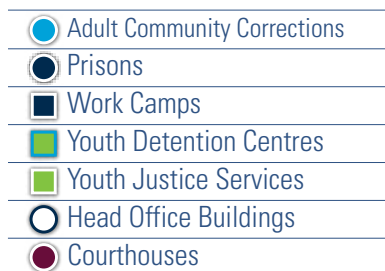
Finally, I would like to thank the Attorney General, the Hon John Quigley and the Minister for Corrective Services, the Hon Francis Logan and the for their strategic direction and ongoing support of the Department.



Dr Adam Tomison
Director General

Operating Locations

The Department of Justice head office operates from David Malcolm Justice Centre, 28 Barrack Street, Perth.
The Department provides services throughout metropolitan and regional locations in Western Australia.



Acts Administered

For a list of Acts administered through the Department of Justice, refer to Appendix 1.

Strategic Framework

Mission

A fair, just and safe community for all Western Australians

Principles

- High performing and professional
- Ethical and accountable
- Trained, safe and supported

Values

- Respecting rights and diversity
- Fostering service excellence
- Being fair and reasonable

Our roles and services

The Department of Justice supports the community, Western Australian Government, judiciary and Parliament through the provision of access to high quality justice, legal and corrective services, information and products.

The Department is the agency principally responsible for assisting the Attorney General and Minister for Corrective Services in developing and implementing policy and the administration and compliance of approximately 200 Acts.

The Department has a diverse range of services, which have the potential to affect all Western Australians. These include:

Justice Services

- court and tribunal services
- corrective services
- offender management and community safety
- victim support

Services to the Community

- advocacy, guardianship and administration services
- trustee services
- birth, death and marriage services

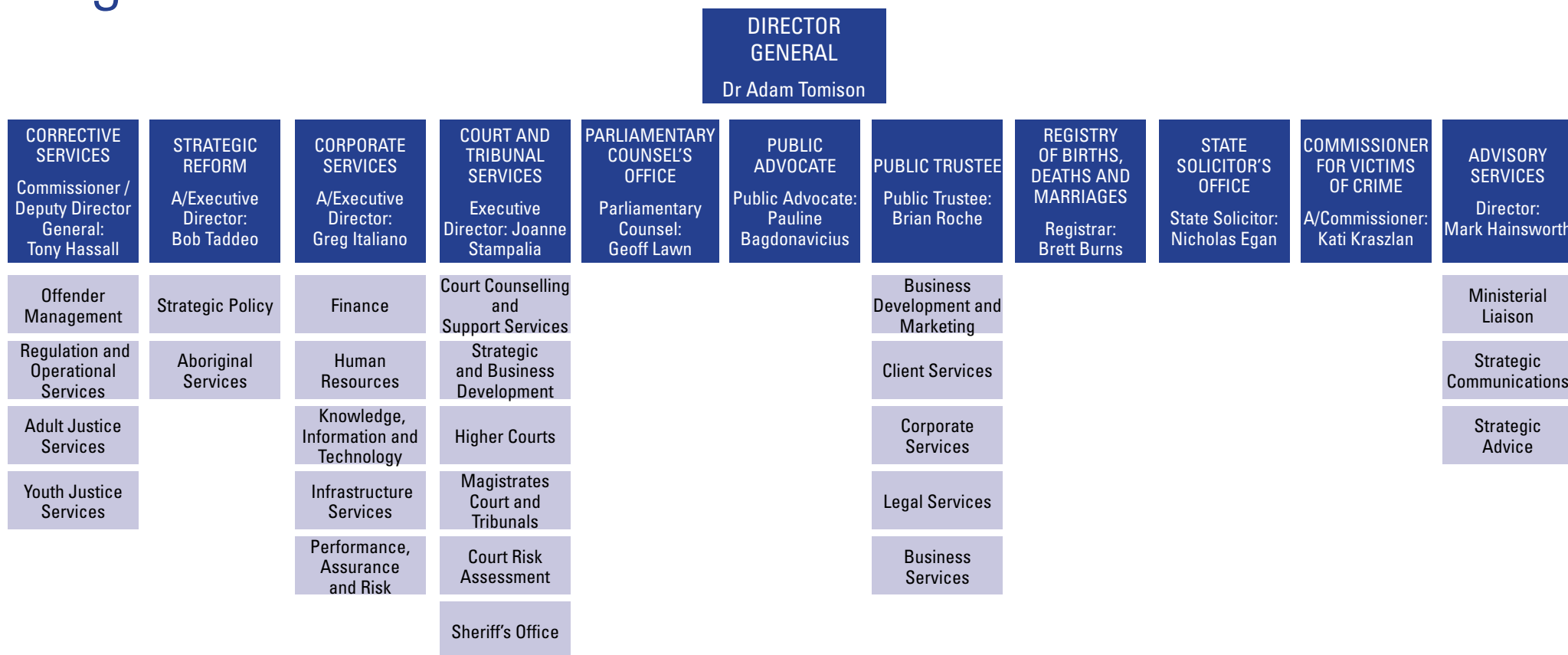
Services to Government

- policy advice
- legal advice and representation
- legislative drafting and related services

Key Result Areas

- Responsive to Government
- Improved data, analytical and evaluative capability
- Targeted and strategic policy development and legislative reform
- Improved service delivery and collaboration
- Improved community safety and security
- Sustainable strategies and outcomes

Organisational Structure



There have been three key appointments to the Department's Executive Team:

- Tony Hassall Commissioner Corrective Services / Deputy Director General.
- Nicholas Egan, State Solicitor.
- Joanne Stampalia, Executive Director, Court and Tribunal Services.

Performance Management Framework

Government Goals

Strong communities

Safe communities and supported families

Outcomes and Services

Department of Justice Desired Outcomes		Services	
1.	An efficient, accessible court and tribunal system	1.	Court and Tribunal Services
2.	Administration services are accessible to all Western Australians	2.	Advocacy, Guardianship and Administration Services
		3.	Trustee Services
3.	Western Australian birth, death and marriage certificates are accurate and accessible	4.	Births, Deaths and Marriages
4.	Government receives quality, timely legal and legislative drafting services	5.	Services to Government
5.	Equitable access to legal services and information*	6.	Legal Aid Assistance*
6.	A safe, secure and decent corrective services which contributes to community safety and reduces offenders' involvement in the justice system	7.	Adult Corrective Services
		8.	Youth Justice Services

* This outcome and service is delivered by the Legal Aid Commission. The Legal Aid Commission is partly funded through the Department of Justice but prepares a separate annual report including reporting against Key Performance Indicators.

Changes to the Department's Outcome Based Management Structure

The Department's Outcome Based Management (OBM) structure for 2017/18 reflects outcomes, services and key performance information following the amalgamation of the Departments of the Attorney General and Corrective Services due to Machinery of Government changes on 1 July 2017.

Financial Summary

Expenses	Original Budget 2017/18 \$000	Revised Budget 2017/18 \$000	Actual Expenditure 2017/18 \$000
1. Court and Tribunal Services	395,281	400,200	417,412
2. Advocacy, Guardianship and Administration Services	7,306	7,724	7,881
3. Trustee Services	22,899	23,807	23,632
4. Births, Deaths and Marriages	8,697	9,067	8,067
5. Services to Government	51,125	62,834	67,407
6. Legal Aid Assistance	41,708	46,057	47,772
7. Adult Offender Services	879,463	859,822	905,159
8. Juvenile Offender Services	101,298	100,939	99,413
Total Cost of Services	1,507,777	1,510,450	1,576,743

Financial Targets

	Original Target 2017/18 \$000	Revised Target 2017/18 \$000	Actual 2017/18 \$000	Variation (Revised vs Actual)	Comment
Total Cost of Services (expense limit)	1,507,777	1,510,450	1,576,743	4.4%	The majority of the variances between actual and target is due to a \$68 million loss on revaluation of Land and Buildings.
Net Cost of Services	1,339,937	1,343,238	1,412,992	5.2%	The machinery of government changes that amalgamated the former Department of Corrective Services and the Department of Attorney General meant that there was no Asset Revaluation Reserve available to offset the movement.
Total Equity	2,265,820	2,149,862	2,081,738	(3.2%)	
Cash Assets	47,394	44,423	72,722	63.7%	Cash Assets are higher than budget mainly as a result of increased payables at 30 June 2018 to be paid in the 2018-19 financial year.

Key Performance Indicators

The key performance indicator results showed the Department continued to work towards achieving the KPI targets set in the 2017/18 budget statements.

The Coroner's Court achieved more positive results. The median time to first inquest was eight weeks better than the target of 128 weeks and was 45 weeks better than the result achieved in 2016/17. The significant improvement is due to a concerted focus on the finalisation of older inquest cases.

The State Administrative Tribunal's time to finalise a matter was 12 weeks, which was three weeks better than target. This is attributed to various ongoing process changes including improvements in listing and case management practices.

The time to finalise non-trial matters within the civil jurisdiction of the Supreme Court was on target at 19 weeks, whereas the time to trial for criminal matters in the Supreme Court criminal jurisdiction was 32 weeks, four weeks above the 28 week target, due to a large and complex criminal trial workload being managed within operational constraints.

In the District Court criminal jurisdiction, the median time to trial for criminal matters was 36 weeks, four weeks above the target of 32 weeks. This was due to a consistent increase in the number of cases committed to trial.

The Magistrates Court's time to trial for combined criminal and civil matters was 25 weeks, six weeks above the target of 19 weeks, due to growth in criminal case lodgments and an increase in charges per case over the past three years.

The Fines Enforcement Registry (FER) result of 33 per cent of fines and costs satisfied within 12 months of referral was slightly below the target by two per cent. The result of infringements satisfied within the same period was 52 per cent, which was below the target by five per cent. Overall, FER collected \$128 million which is a \$7 million increase compared with the previous financial year.

The time to finalise non-trial matters KPI is used in the Family Court to measure the capacity of the court to resolve applications for final order by methods other than by a formal trial.

In 2017/18 the time to finalise non-trial matters continued to increase, reaching 19 weeks above target. This was due to the reallocation of magistrates to trial work, and the continuous growth in the complexity and volume of final order parenting applications and court ordered finalisations. Applications seeking parenting orders take longer to finalise and represent more than 65 per cent of the Family Court's finalisations.

The Office of the Public Advocate continued to experience ongoing and increasing demand for its services to vulnerable adults with a decision-making disability.

Through the tireless efforts of staff the percentage of guardians of last resort allocated in one day was only slightly below the target of 95 per cent (by 1 per cent).

The percentage of clients who cannot afford the services provided by the Public Trustee and receives them free of charge, or at a reduced cost, has been steadily increasing over the past three years and exceeded the target by six per cent in 2017/18.

The Registry of Births, Deaths and Marriages performed slightly better than target for both the accuracy of its source records (by 1 per cent) to reach 98 per cent and timeliness of the delivery of certificates (by 2 per cent) to 92 per cent.

The Parliamentary Counsel's Office continued its strong support for the State Government's legislative and reform agenda, meeting 98 per cent of the Government's timeframes.

Twenty-four government agencies participated in a survey on the delivery of services by the State Solicitor's Office and the responses showed a 100 per cent satisfaction rating.

Positive results were achieved in relation to the objective of providing safe, secure and decent corrective services; there was a decrease in the serious assault rate, with fewer serious assaults occurring despite a 4.3 per cent increase in the adult prisoner population.

The rate of return of adult prisoners (either to prison or community corrections) was 36.7 per cent. This was lower than the 39 per cent reported in the previous financial year. There was an increase in the successful completion rate of community corrections orders, from 61.4 per cent to 63.8 per cent. This includes improved compliance with attendance, community work and supervision conditions.

The complete details of key performance indicators are provided on page 124.

Corrective Services

The prison population has experienced continued and sustained growth, leading to unprecedented demand for capacity. Since, 2012/13, the daily average prison population has increased by 36.8 per cent. During 2017/18 adult prisons accommodated an average of 6,771 prisoners a day. A number of strategies were employed to both optimise the existing infrastructure in the short term and expand the overall capacity of the prison estate for the long term.

Major Initiatives and Projects

Managing a rapidly growing prison population

In September 2017, Cabinet approved funding of \$7.3 million to immediately increase the bed capacity of the male estate by 212 beds across six facilities.

In November 2017, Cabinet approved:

- Funding of \$96.3 million to provide an additional 512 beds and upgrades to key support buildings (kitchen, social and official visits, reception and health centre) within Casuarina Prison.
- Funding of \$23.7 million to provide an additional 160 beds and upgrades to several support buildings at Bunbury Regional Prison.

The Department completed its Immediate Bed Expansions Project including Karnet Prison Farm, Roebourne Regional Prison, Bunbury Regional Prison (Unit 5) upgrade and Acacia Prisons.

Combating Drug Related Crime

Reducing drug related crime and addressing the methamphetamine problem in WA is a State Government priority.

In 2017/18 Corrective Services led and contributed to a number of strategies as part of the Methamphetamine Action Plan.

This included the development of the first of two dedicated alcohol and other drug rehabilitation prisons aimed at breaking the cycle of drug related crime.

In 2017/18 Corrective Services:

- Selected the Wandoo Reintegration facility as the most appropriate site for the first alcohol and other drugs (AOD) prison in WA.
- Implemented the State government's decision to return the Wandoo Reintegration facility back into public hands, where economically viable to do so.
- Worked together with the unions and the Public Sector Commission to offer a targeted recruitment opportunity for the existing private sector staff to be employed permanently at the Department.
- Advanced the repurposing and construction works for the Wandoo Rehabilitation Prison, the first dedicated female AOD facility in WA, which is on track to be opened in August 2018. This will transform the female prison estate by providing greater capacity for a rehabilitative model of care.
- Commenced planning and development for the second AOD facility for men at Casuarina prison.

Stopping the Supply of Drugs into Prison

The Department has drafted a new prison drug and alcohol strategy, which details how the Department is strengthening measures to combat the supply of drugs into prison. The strategy will be finalised and fully implemented in 2018/19.

In 2017/18 Corrective Services:

- Worked in partnership with the WA Police to conduct an intensive search operation over a three-month period. The operation sought to reduce the supply of drugs and contraband from entering prisons.
- Approximately 223,000 searches were conducted.
- Recruited and trained three additional drug detection officers and drug detection dogs to support the Department's efforts to stop the supply of drugs into WA prisons.
- Developed and implemented a waste water testing and analysis program for the first time in WA prisons, where the waste water that has been collected over 24 hours is sampled and tested to determine the level of drug usage. The initial trial was conducted at Pardelup Prison Farm and proved to be an innovative, non-invasive, value-for-money solution. The program is being extended to all prisons.

Strengthening Legislation

The Department is progressing a range of Legislative reforms which seek to facilitate better management of the rising prison population and reduce the remand population. These range from improvements to bail coordination and the interface with legal services, to legislative changes to increase the likelihood of bail being granted and to increase the use of community-based sentences.

Adult Justice Services

Adult Justice manages the State's adult prisons, work camps and offenders in the community. The division is a key contributor to the WA Government priorities to reduce adult reoffending and reduce drug related crime.

Adults in prison

On an average day during 2017/18, the Department managed 6,771 adult prisoners. This was an increase of 4.3 per cent compared to 2016/17.

Average Daily Population ¹	2017/18	2016/17	Change %
Overall	6,771	6,489	4.3%

Prison Location ²	2017/18	2016/17	Change %
Metropolitan	4,798	4,719	1.7%
Regional	1,972	1,769	11.5%

Gender ²	2017/18	2016/17	Change %
Male	6,062	5,844	3.7%
Female	709	645	9.9%

Aboriginality ²	2017/18	2016/17	Change %
Aboriginal	2,592	2,454	5.4%
Non-Aboriginal	4,179	4,035	3.7%

Personal Security Rating ²	2017/18	2016/17	Change %
Maximum	1,713	1,672	2.5%
Medium	3,387	3,215	5.3%
Minimum	1,671	1,601	4.3%

Adult Custodial Operations

Adult Custodial Services manages 15 public prisons and five work camps across both metropolitan and regional WA.

The core business is managing the adult correctional facilities to achieve safe, secure and humane custodial environments. The Department, in line with Government policy, almost doubled the use of work camps in 2017/18. Work camps are located in Roebourne, Wyndham, Warburton, Dowerin and Walpole.

They provide offenders with an opportunity to make reparation to the community by working on projects which improve community safety, maintain community assets and help offenders to develop important life skills.

This is part of a broader strategy to increase offenders' chances of successfully reintegrating back into the community upon release.

Prison Industries refers to both primary industries (eg meat, milk and vegetables) and secondary industries (eg garment, boot-making and cabinetry) and essential services (eg cleaning, laundry and kitchen preparation) based within prisons and staffed by prisoners.

As a result of these industries, the prison estate produces at least 80 per cent of all clothing, food and textiles for use within prisons.

Offenders can take part in a range of industries including the abattoir, bakery, dairy, laundry, textiles and cabinet making workshops.

Most industries are linked to accredited training which allows prisoners to develop vocational and educational skills, making them job ready and qualified to find employment upon release.

Outcomes 2017/18

In 2017/18 Adult Justice:

- Reduced the number of prisoners returning to prison within two years of their release from 39.02 per cent to 36.69 (where the offender completed at least one offender treatment program prior to release).
- Managed, on an average day, 6,771 prisoners, an increase of 4 per cent compared with 2016/17. This included, on average, 75 prisoners per day in work camps across the State.
- Processed 10,007 prisoners, including 7,497 unsentenced receptions and 2,510 sentenced receptions. One reception into a prison does not equal

¹. The Average Daily Population is the total of the daily population at the end of each day in the period, divided by the number of days in the period.

². May not total to overall Average Daily Population due to rounding.

one prisoner admitted, as prisoners may be admitted to prison facilities more than once.

- Processed 9,865 separate prisoners, including 820 discharges related to prisoners who were solely cutting out fines, 5,081 remand and other unsentenced discharges and 3,964 discharges of prisoners serving non-fine default-related sentences.
- Work camps completed 52,849 hours of community work across the State which was valued at \$986,162.
- Prison Industries produced approximately 1.5 million litres of milk, 158,500 dozen eggs, \$1.5 million worth of vegetables and provided more than 6.5 million meals across the prison estate.

Adult Community Corrections (ACC)

Adult Community Corrections manages adult offenders who are completing their sentence in the community. These offenders are either serving community-based sentences on a court order, completing custodial sentences under community supervision (parole) or on supervised bail for an offence while either waiting on conviction or sentence. There are 25 ACC centres located throughout the metropolitan area and regional Western Australia, plus four specialty teams located at the Central Law Courts and two specialty teams operating from the central business district.

Adults in community corrections

On an average day during 2017/18, the Department managed 5,418 adult offenders in the community. This was an increase of 6.6 per cent compared to 2016/17.

Average Daily Population ¹	2017/18	2016/17	Change %
Overall	5,418	5,086	6.6%

Gender ²	2017/18	2016/17	Change %
Male	4,195	3,938	6.5%
Female	1,221	1,148	6.7%

Aboriginality ²	2017/18	2016/17	Change %
Aboriginal	1,749	1,525	14.4%
Non-Aboriginal	3,638	3,561	2.8%

Order Category ⁶	2017/18	2016/17	Change %
Bail Order	385	413	-6.6%
Court Order	4,073	3,915	4.1%
Early Release Orders	875	765	14.0%
Work Development Orders	201	154	31.4%

ACC contribute to a fair, just and safe community for all Western Australia by being responsible for the:

- Integrity of community based orders to ensure all offenders comply with the conditions of their order

and by providing appropriate interventions to address individual offending behaviour.

- Electronic monitoring of a certain class of offender and defendant while subject to community-based supervision.
- Management of high risk offenders subject to post sentence orders in the community and in custody.
- These orders currently consist of Community Supervision Orders (CSO) and Continuing Detention Orders (CDO) pursuant to the *Dangerous Sexual Offenders Act 2006* and Post Sentence Supervision Orders (PSSO) pursuant to the *Sentence Administration Act 2003*. As at 30 June 2018, ACC were managing 25 Dangerous Sexual Offenders on CSOs, 22 DSOs on CDOs and 58 offenders on PSSOs.
- Timely and effective advice to the Prisoners Review Board, the Mentally Impaired Accused Review Board and the courts.
- Supporting people in Perth's Drug Court, the Mental Health Start Court Diversion Program, the Intellectual Disability Diversion Program and the Family and Domestic Violence List.
- Managing the Victim-offender Mediation Unit.
- Providing a mediation service between victims of crime and offenders and manages the Victim Notification Register.

^{3.} The Average Daily Population is the total of the daily population at the end of each day in the period, divided by the number of days in the period.

^{4.} May not total to Average Daily Population due to rounding.

^{5.} May not total to Average Daily Population due to a small number of instances where Aboriginality is not recorded.

^{6.} May not total to Average Daily Population as an individual could be counted in multiple order categories.

Outcomes 2017/18

The percentage of successfully completed community corrections orders increased from 61.42 per cent to 63.76 per cent in 2017/18.

In 2017/18 Adult Community Corrections:

- Managed, on an average day, 5,418 adult offenders in the community. This was an increase of 7 per cent compared with 2016/17.
- Provided 14,846 reports. This included 10,746 reports to the Supreme, District, Children's and Magistrates Courts and 4,100 early release reports to releasing and other authorities.
- Prepared, through the Victim Offender Mediation Unit 1,789 reports for sentencing and releasing authorities and had input into protective conditions for the victims of 1,186 community-based offenders.

Youth Justice Services

Youth Justice Services (YJS) is responsible for the safety, security and rehabilitation of young people in custody and those engaged with YJS in the community. The core objective is to reduce reoffending among young people through programs and services to divert young people away from the criminal justice system and to make more positive life choices. YJS staff work in the community and in Banksia Hill Detention Centre to improve outcomes for young people in contact with the justice system and focus on prioritising

the best interests of the young person and their family, and delivering a comprehensive 'through care' model of practice.

Young people in detention

On an average day during 2017/18, the Department managed 148 young people in detention.

This was an increase of 4.8 per cent compared to 2016/17.

Average Daily Population ⁷	2017/18	2016/17	Change %
Overall	148	142	2.8%

Legal Status ⁸	2017/18	2016/17	Change %
Sentenced	75	70	6.7%
Unsentenced	73	71	2.9%

Gender ²	2017/18	2016/17	Change %
Male	141	134	5.3%
Female	7	8	-3.9%

Aboriginality ²	2017/18	2016/17	Change %
Aboriginal	108	105	1.7%
Non-Aboriginal	41	37	14.0%

Personal Security Rating ²	2017/18	2016/17	Change %
Maximum	140	124	13.2%
Medium	7	13	-48.1%
Minimum	2	5	-65.1%

Young people in the community

On an average day during 2017/18, the Department managed 1,581 young people in the community. This was a decrease of 4.8 per cent compared to 2016/17.

Average Daily Population ¹⁰	2017/18	2016/17	Change %
Overall	1,581	1,662	-4.8%

Gender ¹¹	2017/18	2016/17	Change %
Male	1,270	1,300	-2.4%
Female	310	359	-13.6%

Aboriginality ¹²	2017/18	2016/17	Change %
Aboriginal	908	925	-1.9%
Non-Aboriginal	568	648	-12.5%

⁷ The Average Daily Population is the total of the daily population at the end of each day in the period, divided by the number of days in the period.

⁸ May not total to overall Average Daily Population due to rounding.

⁹ In 2017/18, the Department included all young people with active services. In previous year, the figures were limited to only those young people on bail orders, community-based orders, supervised release orders or those being managed by Juvenile Justice Teams.

¹⁰ The Average Daily Population is the total of the daily population at the end of each day in the period, divided by the number of days in the period.

¹¹ May not total to Average Daily Population due to rounding.

¹² May not total to Average Daily Population due to a small number of instances where Aboriginality is not recorded.

Order/Service Category ¹³	2017/18	2016/17	Change %
Court Orders (incl. Bail)	634	632	0.3%
Supervised Release Orders	53	51	4.8%
Juvenile Justice Teams ¹⁴	615	584	5.4%
Other YJS Services ¹⁵	468	601	-22.0%

Outcomes 2017/18

The percentage of successfully completed community corrections orders increased from 56.17 per cent to 57.14 per cent in 2017/18.

In 2017/18, Youth Justice Services:

- Managed, on an average day 1,582 ¹⁶ young people in the community, which was a decrease of 5 per cent compared with 2016/17.
- Provided a supervised bail option, on an average day, to 64 young people across the State.
- Provided 3,449 reports to sentencing, releasing and other authorities.
- Worked with young people to achieve an 85 per cent successful completion rate of cases referred to Juvenile Justice Teams (including court conferencing).

Banksia Hill Detention Centre

Banksia Hill Detention Centre is the sole facility for the detention of young people 10 to 17 years of age who have been remanded or sentenced to custody. It aims to provide a safe and secure environment for young people and ensures they are dealt with a manner which is culturally appropriate.

Banksia Hill Detention Centre offers a diverse range of rehabilitative programs including substance abuse, counselling, psychological counselling, life skills, health and development. Specific programs are provided for young women and Aboriginal and Torres Strait Islander young people.

In response to major disturbances at the Banksia Hill Detention Centre in May 2017, the Department has:

- Created an intensive support unit which focuses on supporting young people to stabilise, reduce risk and assist them to self-regulate their behaviours.
- Improved safety, stability and security within the centre through enhancements to physical, procedural and dynamic security and staff training.

Outcomes 2017/18

The percentage of young people who re-entered detention because of a new sentence and those who returned to detention because their supervised release order was cancelled or suspended increased from 55 per cent to 58.73 per cent during the financial year.

In 2017/18 Banksia Hill Detention Centre:

- Managed, on an average day, 148 young people which was an increase of 5 per cent compared with 2016/17.
- Processed 1,719 separate receptions of young people into detention, comprising 1,638 unsentenced receptions and 81 sentenced receptions. One reception does not equate to one young person in detention as a young person may be admitted to a facility more than once.
- 1,704 separate discharges of young people from detention, including 1,462 remand related discharges and 242 discharges of young people who had been sentenced to detention.
- In addition, young people at Banksia Hill completed 896 education units, were awarded 12 qualifications (Certificate 1 to Certificate 11), 40 White Cards (general construction induction) and 30 Keys for Life (Pre-Driver Program).
- Banksia Hill is the only youth detention centre in Australia to have an Army Cadets program. Participants learn personal discipline, teamwork and leadership as well as increasing their literacy skills and gaining WorkSafe, first aid and other qualifications. More than 20 young people have graduated as cadets, with some focussed on careers in the Australian Defence Force.
- Provided 50 sessions of Prison Health Out of Prison and 50 sessions of 'Be Solid' programs.

^{13.} May not total to Average Daily Population as an individual could be counted in multiple order categories.

^{14.} In previous annual reports, Juvenile Justice Teams did not include young people referred for court conferencing.

^{15.} Other YJS Services includes court reports, assessments, support services and prevention services.

^{16.} Figure differs from previously published results because in 2017/18, the Department started counselling all young people who received services from Youth Justice, whereas previous yearly figures on young people managed in the community only included young people on community based corrections orders, and those referred to juvenile justice teams.

Offender Management

Offender Management delivers a range of specialist services specifically designed to reduce reoffending and increase community safety. Offender Management's primary focus is on:

- improving offenders' health and psychological wellbeing
- improving offenders' education, vocational skills, and employability
- promoting rehabilitation and pro-social lifestyles
- assisting offenders to reintegrate successfully into the community.

Offender Management provides leadership and support for offender focused services across Corrective Services within the Department of Justice. It has increased the delivery of rehabilitation and reintegration services, including partnerships with non- government organisations, and is enhancing the support and care provided by Aboriginal-specific services to address the over-representation of Aboriginal offenders in the justice system in a practical way. This financial year, Offender Management conducted a major review of the tenders held by various agencies who deliver adult rehabilitation and reintegration services for the Department. After a robust tender and review process, 13 organisations were awarded contracts to a total value of \$114.4 million over three years, with a potential extension for two further years. The tender process was independently overseen by the Department of Finance and the Community Services Procurement Committee. One of the tenders was awarded to Cyrenian House (\$300,000) to deliver alcohol and other drug services to the new Wandoo Rehabilitation Prison. The prison is the first Alcohol and Other Drug facility for women in Western Australia and forms part of the State Government's \$131 million Methamphetamine Action Plan.

Education, Employment and Transitional Services

Education, Employment and Transitional Services (EETS) delivers 42 curriculum areas for educational courses and programs in prisons including:

- Adult basic education
- Women's specific equity program
- Indigenous specific equity program
- Vocational training including certificate, traineeship and apprenticeship courses in 32 curriculum areas
- Year 11 and 12 secondary education
- Tertiary studies
- Educational counselling
- Driver Education program
- Job Seeking program
- Employment placement
- Emotional intelligence.

Service delivery for EETS consists of Departmental staff operating under the Department's Registered Training Organisation, contracted external service providers, and each of the State's TAFE institutes. EETS provides a range of career and employment services to support prisoners and ex-prisoners into sustainable employment options. These include:

- career counselling
- job preparedness skills
- employability skills
- career and employer expos
- post placement support
- Prisoner Employment Program (PEP).

Employment Coordinators in each of the prisons work with PEP prisoners and all other prisoners due for release who need help finding a job. A post placement support model has been developed to ensure that prisoners continue to re-socialise back into normal life after release. Part of the Employment Coordinator's role is to support and monitor prisoners in their employment post-release.

In addition to using the services of contracted reintegration providers, Transitional Managers provide links and access to non-contractual services to support the reintegration needs of prisoners, including:

- birth certificates, partly funded by Corrective Services
- Proof of Age cards for photo ID
- Medicare applications and information
- fines enforcement conversion and payment schemes and associated links to driver training programs, driver's licence applications, and the reinstatement of suspended licences
- providing information about available accommodation options and access to any short term or long term alternatives
- drug and alcohol support services
- access to Child Support Agency and related information
- access and referral to family relationship centres.

Health Services

Health Services provides primary health care services at all WA prisons. Corrective Services Health Services aligns with the Standard Guidelines for Corrections in Australia (2012) in providing every prisoner access to health services delivered by registered health professionals at a standard comparable to that which is available in the general community. All prisoners undertake a comprehensive health assessment within 24 hours of admission to prison by a clinical nurse, are triaged based on clinical need and referred for further medical assessment or treatment as required. This includes:

- interventions to identify and manage acute and chronic conditions, such as diabetes
- managing infectious disease, STDs and blood-borne viruses (BBV)
- mental health and drug and alcohol services
- referral to specialist and tertiary services.

Almost half of all prisoners have a mental health disorder, including alcohol and drug misuse. Prisoners are managed as they would be in the public health system. Health Services includes a specialised team of mental health nurses and addiction specialists, with in-reach from consultant forensic psychiatrists. Services include:

- mental health nursing care
- referral to specialist psychiatry services
- management of acute withdrawal from drugs and/or alcohol
- ongoing assessment and support
- individual counselling and group work
- discharge planning
- methadone maintenance treatment program.

A snapshot of prisoner health in Western Australia has found that almost half of prisoners have at least one chronic disease, with many more having at least two chronic diseases. Common chronic conditions include heart disease, asthma, and Type 2 diabetes.

Smoking presents as a major risk factor for coronary heart disease and stroke. While smoking has been decreasing among the general population in Australia, the percentage of WA prisoners smoking has remained high. Prison health centres provide education and encourage prisoners to quit as part of the Chronic Disease Prevention Program.

A Chronic Conditions Health Care Plan is initiated for offenders with a diagnosis of diabetes, respiratory and/or cardiac diseases. The care plan outlines required interventions, reviews and the teaching of self-management strategies.

Health Services is one of the biggest notifiers of hepatitis in WA, and runs a number of education and health programs for offenders including the Health In Prisons, Health Outta Prisons program which looks at issues that increase the risk of contracting and spreading blood-borne viruses.

The new generation Direct-Acting Antiviral became standard in 2016 and is more effective, easier to take and has fewer side effects than the older medications. Further, dental dams and condoms are made available at prisons as another measure to reduce the spread of BBV.

A centralised pharmacy at Hakea Prison is headed by the Chief Pharmacist, responsible for purchasing medicines, individual blister packing of medicines according to prescriptions, and distribution of medicines to all clinical sites.

Prison Counselling Services (PCS)

Prison Counselling Services is integral in suicide prevention in prisons, playing a key role in the multidisciplinary assessment, management and intervention with prisoners who are at risk to themselves, or who have been deemed as vulnerable and requiring additional support and monitoring.

PCS staff conduct risk and needs assessments on prisoners to identify self-harm, suicide and other clinical or behavioural risk factors, provide supportive counselling to prisoners, and contribute to multidisciplinary case planning. PCS also conducts crisis counselling, critical incident debriefing, group counselling and other interventions.

Further, PCS provides assessment of, and targeted intervention with, prisoners who experience adjustment and coping difficulties within the prison system.

Prison Support Services (including the Aboriginal Visitors Scheme (AVS) and Elders Program)

AVS aims to provide culturally appropriate support in order to prevent suicide and self-harm amongst Aboriginal people in adult prisons, the youth detention facility Banksia Hill, and in WA Police lock-ups. The support provided by AVS to prisoners includes:

- monitoring their general wellbeing and mindset
- providing counselling support through yarning
- recording and reporting their concerns back through the appropriate channels.

AVS visitors focus on prisoners referred by AVS Management, prison management and support staff. AVS also manages an emergency 1800 freecall number outside regular office hours. The emergency number is staffed

between the hours of 4pm and 8am, with 24 hour coverage on weekends and public holidays.

The Peer Support Program is aimed at reducing the risk of self-harm and suicide among offenders, particularly for Aboriginal, vulnerable and young prisoners.

The program is run by Prison Support Officers who select and train experienced and well-behaved prisoners who are willing to provide cultural support and assist other prisoners who are a risk to themselves and vulnerable to harm from others.

The risk of suicide is reduced for prisoners when there is sufficient access to internal supports and/or support provided by their peers. Prisoners are valuable resources to deliver this peer service within the prison environment.

Offender Programs

The Offender Programs branch is responsible for the delivery of therapeutic, criminogenic programs to offenders in both community and custodial locations. These programs address offending behaviour, aiming to reduce the likelihood of reoffending and therefore increase community safety.

They are primarily evidence-based group interventions designed to address the underlying risks and needs which contribute towards committing offences.

Offender Programs delivers its services in the following way:

- Providing programs targeted to the right person at the right time in the right way.
- Using reliable and valid risks assessments to identify the right person and programs.
- Prioritising interventions for higher risk offenders.
- Targeting offender needs that have been shown to

directly relate to offending behaviour.

- Taking into consideration individual characteristics to match offenders to interventions, as well as adapting program delivery to the individual.

The programs delivered across WA cover the following subject areas:

- cognitive skills
- general offending
- substance use
- violent offending
- sexual offending.

Psychological Services

Forensic Psychological Services provides and co-ordinates psychological and psychiatric reports and advice to the courts and releasing authorities, psychological assessments for offenders with complex issues to inform case management and placement, behaviour management plans, risk management and psychological intervention.

Specialist Psychological Services provides criminogenic-specific intervention to high risk offenders in prisons and the community, psychological interventions to life -sentenced prisoners and dangerous sex offenders, conducts risk assessment, crisis intervention, and promotes psychological wellbeing.

Adult Community Psychological Services provides psychological assessments, interventions and advice to offenders in the community on community corrections orders to facilitate the development of pro-social skills, and interventions to reduce the risk of reoffending and promote community safety.

Outcomes 2017/18

Key statistics for Offender Management's activities during the financial year are as follows:

- There were 121 offender programs delivered in public prisons in the following categories:

Addictions Offending	45
Cognitive Skills	46
General Offending	13
Sexual Offending	8
Violent Offending	9

- There were 11 offender programs delivered in a community setting in the following categories:

Addictions Offending	2
Cognitive Skills	4
General Offending	1
Sexual Offending	2
Violent Offending	2

- In addition, there were 40 rolling format offender programs being delivered at any given time in a community setting, primarily Violent Offending/Family and Domestic Violence programs.
- There were 7,852 prisoner enrolments during the financial year in an education or vocational training activity, with 3,186, or 40 per cent being Aboriginal.
- Of all prisoners enrolled in an education or vocational training activity, the completion rates were 77 per cent for non-Aboriginal prisoners and 74 per cent for Aboriginal prisoners.
- 7,692 prisoners enrolled in a nationally accredited vocational training course, with 3,134 being Aboriginal (41 per cent).

- 145 prisoners enrolled in higher education during the financial year.
- Under the Aboriginal Visitors Scheme, Aboriginal visitors conducted a total of 8,563 visits with Aboriginal people in custody across WA.
- AVS received 2,097 calls on its 1800 24/7 freecall number.
- Prison Support Services received a total of 1,695 referrals and prison support officers conducted a total of 6,054 contacts with prisoners across WA.

Regulation and Operational Services

Regulation and Operational Services develops standards, procedures and training to guide the consistent delivery of operational services across the prison estate. It also assesses and manages key security and risks across Corrective Services.

Drug Mitigation

The Drug Detection Unit (DDU) contributes to the safe and secure operation of WA's custodial facilities by using specialist Passive Alert Detector Dogs (PADD) and other methods to detect and prevent drugs and other contraband from entering such facilities. Drug Detection Officers (DDO) and their dogs provide drug detection services to all metropolitan prisons and detention centres as well as conducting operations in regional areas. In addition, a number of teams provide a dedicated service to regional prisons.

Outcomes 2017/18

In the 2017/18 financial year, the DDU conducted 3,013 specialist drug detection searches of visitors, prisoners, staff, and the prison environs. This action directly resulted

in 65 seizures of illegal or prohibited drugs, disrupting and denying the supply of these illicit substances into WA prisons. The Unit provided support to the new Wandoo Rehabilitation Prison by recruiting and training a new PADD and DDO to provide a high frequency service, trialled the use of drug detection technology for use in Wandoo and other prisons and trialled new, non-invasive drug testing technology for use on prisoners. In addition, the Unit implemented the Waste Water Drug Monitoring Program for Corrective Services, which tests waste water in custodial sites for illegal drugs. The Unit is always researching new technology or methods to detect drugs entering the Department's facilities in an effort to keep staff, prisoners and those visiting our facilities safe.

Corrective Services Academy

The Academy develops and delivers quality training programs to assist the training aims of the Department. The Academy improves organisational effectiveness and individual staff performance by providing staff with the opportunity to develop or improve the skills, knowledge and personal attributes necessary to fulfil their present responsibilities and to assist them to pursue their career goals.

In 2017/18, the Academy delivered numerous foundation training programs for newly appointed and existing operational staff across the Corrective Services Division. This included training for new Prison Officers and Youth Custodial Officers (YCO), resulting in 115 new Prison Officers starting at various prisons across the state and 24 new YCOs starting work at Banksia Hill Detention Centre. Foundation training was also provided for 81 new and existing Vocational Support Officers and 23 Adult Community Corrections Officers from metropolitan and regional centres.

As part of the Wandoo Transition Project, the Academy designed and delivered a multi-faceted training program over May to July 2018. This consisted of bridging training for 25 former Serco staff to transition over as Prison Officers working with the Department of Justice. The program also included induction training for 33 operational staff to work at the new female Wandoo Drug and Alcohol Rehabilitation Prison.

The design of the training was underpinned by a therapeutic community approach, providing a secure and structured community environment promoting positive change, recovery from addiction, developing healthy relationships and pro-social behaviour.

Across the year, the Academy also provided a range of operational training programs for Corrective Services staff, including Prisons Prosecutions, Working with Female Offenders, First Aid/CPR, Mental Health First Aid and Suicide Prevention (Gate Keeper) training.

Intelligence Services

Intelligence Services provides operational intelligence support to Corrective Services, spanning the custodial, community corrections, adult and youth domains. The branch carries out reviews and assessments of information to identify threats to security and safety to staff, prisoners and facilities. Intelligence Services provides advice to operational and strategic areas to inform decisions regarding the management of offenders.

The branch also works extensively with external agencies, predominantly law enforcement, assessing and sharing information related to community safety and offender management and working collaboratively on operational matters.

Outcomes 2017/18

In 2017/18 Intelligence Services provided the following written products and services:

- Formal Intelligence Assessments: 34
- Prisoner Employment Program Reintegration Leave Assessments: 362
- Requests for Information: 1,143.

Adult Population Management

Throughout 2017/18, adult custodial facilities continued to accommodate and manage a growing prisoner population. The daily average number of prisoners increased from 6,489 prisoners per day in 2016/17 to 6,771 prisoners per day during 2017/18, representing an increase of 282 or 4.3 per cent. Of these prisoners, 27.8 per cent were on remand.

The Daily Average Prisoner Population funding adjustment, allocated through the State Government's annual budget process, resulted in a decrease to the funded average by 95 prisoners, at a total cost of \$4 million for 2017/18.

Adult population management issues included:

- Continuing high remand levels resulted in accommodation for remand beds being at a premium in the system, leading to increased prisoner movements and impacts upon sentenced prisoner placements for rehabilitation needs.
- In line with the growing prisoner population, a project to install 212 adult male beds across six sites was scheduled, with the majority of beds available and operational by mid-2018.
- The significant backlog of Individual Management Plans (IMP) for sentenced prisoners with a sentence length greater than six months, has resulted in challenges

associated with the dispersal of prisoners throughout the prison estate. In May 2018 a plan was implemented to address this backlog. In the first quarter of 2018/19 the number of outstanding IMPs had reduced by 38 per cent.

Outcomes 2017/18

In 2017/18 The Department's progress to manage the increasing prison population included:

- Finalising the fill process for an additional 64 beds installed in West Kimberley Regional Prison at the end of 2016/17, which was designed to increase the general purpose capacity in the Kimberley region.
- Completing Stage Three of the Eastern Goldfields Regional Prison fill process (October 2017), further increasing the prisoner population for that facility from 230 to 310.
- Stabilising the Melaleuca Remand and Reintegration Facility capacity cap to operate at 235 prisoners, allowing available capacity for incoming receivals as well as optimising capacity levels at the privately operated Acacia Prison.
- Managing the decant process for the Wandoo minimum male facility (77 beds) in preparation for the transition in July 2018 to the Wandoo Rehabilitation Prison, an alcohol and other drug rehabilitation facility for women. This consisted of the development of modelling data to inform the eligibility criteria used to establish an appropriate fill plan process.
- With the increase of 212 beds across the prison estate being financed and underway, fill plans were developed to use the beds as they became available. Optimising available remand bed capacity within the prison estate

was assisted through an additional 40 double-bunked beds recently coming online at Hakea Prison.

- Keeping an ongoing focus on bail and surety processes in order to optimise outcomes and reduce the number of offenders in custody, as appropriate.
- Optimising available minimum security placements throughout the estate as well as contributing to the increased work camp placement levels (up by 100 per cent from the previous low usage levels), which are designed to increase the available remand beds in preparation for receivals from the courts and the WA Police Force.

Youth Detainee Population

- The youth population was 141 as at 30 June 2017, and increased to 156 as at 30 June 2018. With a general purpose bed capacity of 227; latent capacity is 71 beds.

Court and Tribunal Services

Courts

Supreme Court

The Supreme Court is the State's highest court and is divided into two divisions - the General Division and the Court of Appeal.

The General Division hears the most serious criminal charges such as murder, armed robbery, arson and breaches of Commonwealth drug enforcement laws and civil cases involving complex issues or significant matters.

The Division also deals with probate (including disputes over Wills), admiralty (disputes involving ships), disputed elections and applications under the *Corporations Act 2001*.

The Court of Appeal hears appeals from single-judge decisions of the Supreme Court, lower courts and various tribunals.

The Chief Justice of the Supreme Court, the Hon. Wayne Martin AC, announced his retirement on 26 March 2018, to come into effect from July 2018. His Honour was appointed as Chief Justice in 2006.

Outcomes 2017/18

The criminal median time to trial was 32 weeks (four weeks above the budget target). The Supreme Court continued to deliver high quality services to the community. The Court:

- finalised 2,968 civil cases and 328 criminal cases
- finalised 7,481 probate applications

- conducted 72 criminal trials and 80 civil trials
- finalised 329 criminal appeals and 127 civil appeals
- managed 285 accused cases in the Stirling Gardens Magistrates Court to committal.

Family Court of Western Australia

The Family Court of Western Australia hears matters relating to divorce, parenting orders, property of a marriage or de facto relationship, maintenance, adoptions and surrogacy. It has State and Federal jurisdiction in matters of family law.

Outcomes 2017/18

The workload of the Family Court remains high. The Court received 15,745 applications in 2017/18, including:

- 2,875 Initiating Applications for Final Order
- 5,091 Interim Order applications
- 5,410 Divorce applications
- 2,106 Consent Order applications.

The time to trial increased from 94.5 weeks to 95 weeks. The long-term increase in parenting and interim applications continues to negatively impact this indicator.

District Court

The District Court hears serious criminal offences, excluding those with a maximum term of life imprisonment other than serious drug offences. The court also exercises a significant civil jurisdiction. It hears and determines commercial and

debt recovery matters involving claims up to \$750,000, while exercising unlimited jurisdiction in claims for damages for personal injuries and exclusive jurisdiction for damages claims for injury sustained in motor vehicle accidents. The court also has a civil appeal jurisdiction.

Outcomes 2017/18

Two additional judges and support staff were appointed to the District Court to address existing and anticipated workload issues. In part, this will allow the courts to manage the anticipated rise in drug prosecutions and trials to flow from the Government's commitment to address WA's methamphetamine crisis.

The criminal median time to trial in the District Court was 36 weeks (four weeks above the budget target). Eighty-five per cent of all cases were finalised within the budget target timeframe of 52 weeks. During 2017/18 the court had:

- 2,591 criminal cases lodged; an increase of 2.8 per cent
- 2,650 criminal cases finalised; an increase of 10.5 per cent
- 5,270 civil cases lodged, 134 of which were appeals from lower courts
- 5,014 civil cases finalised, 99 of which were appeals from lower courts
- 483 criminal cases finalised by trial and 58 civil cases.

Magistrates Court

The Magistrates Court of Western Australia hears criminal and civil matters involving people aged 18 years and above. The Magistrates Court operates in more than 75 locations across the State. Criminal offences (known as simple offences) are heard in the Magistrates Court, in addition to 'either way' offences which can be heard in either a lower or superior court, depending on a determination made by the court. The Magistrates Court also deals with civil matters for claims up to \$75,000, as well as restraining orders and extraordinary driver's licence applications.

Outcomes 2017/18

During 2017/18, the Magistrates Court had more than 102,000 criminal case lodgments, a four per cent (4,000 cases) decrease from 2016/17. This was driven primarily by decreases in lodgments of acts intended to cause injury, public order offences and offences against justice procedures, government security and government operations. During the same period, criminal charge lodgments decreased six per cent; charges per case remained high at 1.9 charges per case. A charge per case figure indicates the number of offences alleged against a defendant within a single case. A case represents any number of charges lodged at one registry on a single day against one defendant.

The Magistrates Court has experienced a six per cent decrease in civil lodgments since 2016/17. All regions experienced a decrease with Joondalup (nine per cent, 470 cases), Kimberley/Pilbara (nine per cent, 201 cases) and Murchison (nine per cent, 145 cases) having the largest decreases.

The median time to trial for criminal and civil trials in the

Magistrates Court was 25 weeks, above the budget target of 19 weeks. This was the same as 2016/17. The result was mainly due to increasing criminal lodgments and charges per case over the preceding three years. In handing down the 2018/19 State Budget, the State Government announced the appointment of two additional magistrates and staff to the Magistrates Court of Western Australia. The extra positions will be based at the Central Law Courts and are expected to assist in reducing the current time to trial delay.

Mental Health Court (Start Court and Links)

The Start Court (adults) and Links (children) began in 2013 and is the first mental health court diversion program in Western Australia. The 2016/17 State Budget process saw the extension of the adult and children's programs for an additional three years to July 2019.

The Mental Health Court Diversion Program provides a tailored response to offending that is linked to mental illness. Program participants are supervised by a court while they receive holistic treatment and support that addresses the underlying causes of their offending behaviour.

This approach aims to improve participants' health and wellbeing, break the cycle of offending and provide an alternative to imprisonment. The program is a joint initiative between the Mental Health Commission and the Department. The project involves dedicated and trained staff from multiple agencies including Legal Aid Western Australia, the Mental Health Law Centre, Western Australia Police Force and the Department of Health – State Forensic Mental Health Services. Outcare, a non-government organisation, and a private psychologist also provides services to the program.

The adult component of the program, the Start Court, operates as a dedicated court within the Perth Magistrates Court, and the children's component, Links, offers clinical and psycho-social support to young people who appear before the Perth Children's Court.

Outcomes 2017/18

In 2017/18, 321 individuals were referred to the Start Court. In 2017/18 the Links Clinical Assessment Team provided assistance in 396 cases.

Sunday Court

Sunday Court at the Perth Police Centre began on 6 July 2014. The Sunday Court deals with accused people held in custody at the police complex, allowing persons in custody access to a magistrate at the earliest opportunity.

The Sunday Court also deals with accused people from regional police lockups and hospitals via video or audio link, again allowing persons in custody access to a magistrate at the earliest opportunity.

Outcomes 2017/18

From 1 July 2017 until 30 June 2018, 2,377 accused persons appeared before the Sunday Court. Of the 2,377 accused persons:

- 408 were remanded in custody to appear at a future court date
- 1,568 were bailed to reappear to a future court date
- 401 accused had their charges finalised.

Perth Drug Court and Diversion Programs

The Perth Drug Court diverts serious offenders who have complex substance abuse problems into highly intensive and supervised treatment responses. Participants who successfully complete a Drug Court program will have addressed their offending behaviour and may avoid a term of imprisonment in order to continue their rehabilitation in the community. A series of diversion programs are also delivered within the Magistrates Court and Children's Court that specifically assist people with drug and/or alcohol related problems. These programs are jointly delivered by the Mental Health Commission and the Department. Participants in these programs are able to access treatment and counselling aimed at assisting them to break their cycle of drug and/or alcohol related problems and offending.

Since 2013, offenders in the broader metropolitan area who experience alcohol-related problems are now also able to access these programs. In response to the increasingly complex needs of offenders, the diversion programs are also available within other case management regimes including the Family Violence List and the Start Court.

Outcomes 2017/18

Including the Drug Courts, a total of 1,063 offenders throughout the State gained access to a diversion program during 2017/18.

Family Violence List

The Family Violence List's key feature is a collaborative and integrated response from stakeholders involved in criminal matters on the Family Violence List. This is supported by a Memorandum of Understanding and inter-

agency collaboration between Government departments – Department of Communities, Western Australia Police Force and the Department of Justice.

Following a pilot at Fremantle Magistrates Court, the Family Violence List integrated model has been implemented at metropolitan Magistrates Court locations (Fremantle, Joondalup, Midland, Perth and Rockingham).

Children's Court

The Children's Court of Western Australia deals with offences alleged to have been committed by young people aged 10 to 17 years. The Court hears protection and care applications for children under the age of 18. The Mental Health Court Diversion Program, known as Links, gives the President and magistrates of the Children's Court access to a team of mental health specialists, including a clinical psychologist, a consultant psychiatrist, mental health nurses and support workers. The Links team is on-hand to provide assessments and reports to the court, make referrals to appropriate services and offer clinical intervention. Links aims to divert young offenders from the criminal justice stream to ensure they receive necessary treatment as well as alternative sentencing options for those whose offences are the result of mental illness. The Perth Children's Court also delivers a Children's Drug Court, which aims to divert young people who are experiencing drug-related problems into intensive case management and treatment.

His Honour Judge Denis Reynolds retired as the President of the Children's Court in early 2018 after 34 years of service on the bench and 14 years as the President of the Children's Court. Her Honour Judge Julie Wager is the current President succeeding Judge Reynolds.

Outcomes 2017/18

- Finalisation of criminal cases increased from 6,949 finalisations in 2016/17 to 7,457 in 2017/18.
- Civil lodgments increased to 2,052 in 2017/18 compared with 1,798 in 2016/17.
- The Links Clinical Assessment Team has provided advice, assessment or assistance in 396 cases during 2017/18, compared with 467 in 2016/17.

Coroner's Court

The coronial system investigates around 2,300 cases each year where a death arises from apparent unnatural causes or when the cause of death is unknown. The role of the Coroner is to ensure deaths reported to the Coroner are investigated and, where appropriate, an inquest is held. The hearing is usually open to the public.

During an inquest, witnesses are called to give evidence to enable the Coroner to determine a cause of death. A more comprehensive annual report on the deaths which have been investigated is provided each year by the State Coroner to the Attorney General for tabling in State Parliament under section 27 of the *Coroners Act 1996*.

Outcomes 2017/18

During the year, the Coroner's Court Legislative Project continued to be progressed as part of a three-year reform strategy. This project addresses the recommendations of the Law Reform Commission of WA Report, a Review of Coronial Practice in Western Australia.

The outcome of this project will see amendments to the *Coroners Act 1996* and updated processes and procedures for the Coroner's Court. The Coroners Act Amendment Bill 2017 was introduced into Parliament in June 2017.

This legislative amendment will permit the Coroner to discontinue an investigation into a natural cause death in specific circumstances and to issue non-narrative findings if there is no obligation to inquest the death and the coroner has determined there to be no public interest in a detailed narrative finding. These expedited amendments aim to improve efficiencies in the coronial system and will contribute towards reducing unnecessary delays and facilitate more timely responses for families. The Bill has progressed through the Legislative Assembly and has been second read in the Legislative Council. Further amendments are currently being considered.

The Coroner's Court continued its focus on addressing the backlog of coronial cases. As at 30 June 2018 there had been a reduction in backlog cases from a record high of 938 in September 2011, to 368 cases. About 63 per cent of the backlog cases were waiting on external agencies to supply reports or information before a coroner could make a determination on the matters. In 2017/18 the court dealt with 2,291 reportable deaths, in addition to 1,280 death certificates and finalised a total of 2,322 matters. The Coroner's Court sat for 145 days in 2017/18 and finalised 63 inquest cases.

Tribunal

State Administrative Tribunal

The State Administrative Tribunal hears a broad range of matters, from large planning and development disputes to safeguarding the rights of vulnerable members of the community in guardianship and administration matters.

The Tribunal uses less formal procedures than other jurisdictions and is designed to encourage self-represented litigants and to increase access to the justice system.

Outcomes 2017/18

The median time to finalise a matter (excluding guardianship and administration and commercial tenancy section 13(7), 13(7b) and 14A(3) matters) in the Tribunal was 12 weeks, a result three weeks under the budget target and consistent with the previous year.

This result is due to various ongoing process changes including improvements in listing and case management practices. Eighty per cent of guardianship and administration matters were finalised within 9.4 weeks which is a slight improvement compared with the previous year.

The Tribunal received 7,308 applications in 2017/18, an increase of 6.5 per cent on 2016/17.

Key application trends included:

- An increase in guardianship and administration applications, with 3,925 applications that accounted for 54 per cent of the applications received by the Tribunal.
- A 19 per cent increase in commercial and civil applications, largely the result of a 28 per cent increase in applications under sections 13(7), 13(7b) and 14A(3) of the *Commercial Tenancy (Retail Shops) Agreement Act 1985*.
- A 5 per cent decrease in development and resource applications, with decreases mainly relating to the *Planning and Development Act 2005* and the *Local Government Act 1995*.
- A 5 per cent decrease in vocational regulation applications, mainly the result of a 19 per cent decline in applications under the *Security and Related Activities (Control) Act 1996*.

Boards

The Department provides administrative support to four justice-related boards. These are the:

- Prisoners Review Board
- Mentally Impaired Accused Review Board
- Supervised Release Review Board
- Gender Reassignment Board.

Prisoners Review Board

The Prisoners Review Board is an independent statutory authority administered by the Department. The Board considers prisoners for release from custody, sets or varies conditions of release and considers applications for the suspension and/or cancellation of orders and the supervision of some prisoners to continue post sentence (PSSO). During the year the Prisoners Review Board held 596 meetings.

The Prisoners Review Board made 1,580 orders to release offenders on discretionary parole during 2017/18 and parole was denied on 1711 occasions. Parole was suspended or cancelled on 424 occasions. The Prisoners Review Board considered 425 offenders for PSSOs and made 75 orders. A comprehensive annual report for the Prisoners Review Board is provided each year by the Board's Chair to the Attorney General for tabling in State Parliament under section 112 of the *Sentence Administration Act 2003* (WA).

His Honour Judge Robert Cock retired as the Chairperson of the Prisoners Review Board in March 2018. His Honour Mr Allan Fenbury commenced as the Chairperson on 1 April 2018.

Mentally Impaired Accused Review Board

The Mentally Impaired Accused Review Board is an independent statutory authority administered by the Department. The Board is concerned with people found not guilty of a crime due to unsoundness of mind and those found to be mentally unfit to stand trial.

In 2017/18 the Board held 31 meetings. Pursuant to section 33 of the *Criminal Law (Mentally Impaired Accused) Act 1996* (WA), the Board is required to provide the Minister with a written report about an accused at least once in every year. In 2017/18, the Board prepared 40 statutory reports.

A comprehensive annual report for the Mentally Impaired Accused Review Board is provided each year by the Chair to the Attorney General for tabling in State Parliament under section 48 of the *Criminal Law (Mentally Impaired Accused) Act 1996* (WA).

His Honour Judge Robert Cock retired as the Chairperson of the Mentally Impaired Accused Review Board in March 2018. His Honour Mr Allan Fenbury commenced as the Chairperson on 1 April 2018.

Supervised Release Review Board

The Supervised Release Review Board is an independent statutory authority administered by the Department. The Supervised Release Review Board, created under the *Young Offenders Act 1994* (WA), determines the suitability of young offenders in detention to be released. During 2017/18 the Board held 47 meetings. A comprehensive annual report for the Supervised Release Review Board is provided each year by the Chair to the Minister for Corrective Services for tabling in State Parliament under section 165 of the *Young Offenders Act 1994* (WA).

His Honour Justice Murray's appointment as Chairperson of the Supervised Release Review Board expired on 31 December 2017. His Honour Mr Allan Fenbury was appointed as Chairperson commencing 1 January 2018.

Gender Reassignment Board

The Gender Reassignment Board considers applications from people wishing to have their gender reassigned from male to female or female to male and issues gender recognition certificates, in accordance with the *Gender Reassignment Act 2000* (WA). In 2017/18 the Board received 34 applications, compared with 33 applications in the previous year.

Criminal Injuries Compensation

The *Criminal Injuries Compensation Act 2003* (WA) provides for victims of crime to be compensated for injuries they have suffered as a consequence of the commission of an offence.

Outcomes 2017/18

The number of criminal injuries compensation applications accepted this year increased slightly from 3,167 in 2016/17 to 3,173 in 2017/18. Finalisations reduced by 19 per cent on last year from 2,585 finalisations in 2016/17 to 2,104 finalisations in 2017/18. In 2017/18 a total of \$28.6 million was awarded to 1526 victims of crime. To assist in compensating the State for this cost, a total of \$1.55 million was recovered from offenders in 2017/18, a reduction on 2016/17 when \$1.77million was recovered. A more comprehensive annual report on the operations of the Office of Criminal Injuries Compensation is provided each year by the Chief Assessor to the Attorney General for tabling in State Parliament under section 62 of the *Criminal Injuries Compensation Act 2003* (WA).

Justices of the Peace

The office of Justice of the Peace is a voluntary and statutory position involving a range of duties and responsibilities, most commonly including the witnessing of documents.

At many justice facilities throughout Western Australia, JPs who have completed the required training are also required to preside in Magistrates Courts, particularly in regional areas. The Department has responsibility for supporting Western Australian JPs.

Outcomes 2017/18

This year the Department continued to increase training opportunities for the State's 2,679 JPs. In particular, training was targeted at the 221 JPs who are eligible and make themselves available for judicial duties.

The Department publishes a JP newsletter which is distributed quarterly to all JPs. The newsletter provides JPs with timely information about training opportunities and information relevant to their role as a JP in the community.

To facilitate ongoing improvement and appropriate training for JPs, 56 training seminars, workshops, or online modules were conducted in the year, which included 13 in the metropolitan area, 23 in regional or country locations and 20 online modules. 604 JPs participated in approved Departmental training seminars, workshops or online modules. The decline in training delivered during 2017/18 is reflective of the unusually high level of training provided in 2016/17 that focused on bail procedures.

Court Counselling and Support Services

Court Counselling and Support Services provide a range of services including the Victim Support Service, Child Witness Service, Family Violence Service and Family Court Counselling and Consultancy Service. The key focus is on improving the quality of such services to the people of Western Australia.

Victim Support Service

The Victim Support Service (VSS) provides a range of specialist services to victims of crime to assist in their interaction with the criminal justice system and to help them in their recovery from trauma. These services can be accessed by telephone, face-to-face or by email. A range of court-based information and support services to assist victims attending court is also available, together with help to prepare victim impact statements. The VSS also provides the prosecution agency with assessment reports to support applications to the court for vulnerable witnesses to provide their evidence via CCTV. As well as support in the metropolitan area, there are contracted Victim Support and Child Witness Services within regional courthouses.

Outcomes 2017/18

During 2017/18, metropolitan VSS provided support and counselling to 7,205 clients compared with 7,699 in 2016/17. These numbers show a decrease of 6.4 per cent correlating with a decrease in referrals. The provision of service often requires intensive case management and support to victims of crime. In addition, the VSS continued to provide victim awareness training to all new recruits at the WA Police Academy.

Child Witness Service

The Child Witness Service (CWS) provides services to children who give evidence in all criminal jurisdictions. It provides a specialist assessment, court preparation and support service to children under 18 years of age. The CWS also provides advocacy to ensure children receive all their entitlements under the legislation, and assists with victim impact statements. These services are available in the metropolitan area and also the contracted Victim Support and Child Witness Services regional courthouses.

Outcomes 2017/18

There were 1,085 CWS referrals across the State in 2017/18, compared with 1,100 in the previous financial year (a slight decrease of 1.4 per cent). The CWS also continued to provide valuable training to a range of key stakeholders including the Western Australia Police Force, the Office of the Director of Public Prosecutions and other agencies about the impact on children giving evidence.

This training included appropriate ways to interact with children to ensure the best possible outcomes for them and to support children so they may provide the best evidence to the court.

Family Violence Service

The Family Violence Service (FVS) provides services to victims of family violence in six metropolitan Magistrates Court locations. This includes providing information relating to violence restraining order applications, and advocacy and referrals to other agencies. The service also provides support to judicial officers in the Family Violence List through the provision of bail risk assessment reports and victim support.

The Family Violence Integrated Justice Response to Family Violence in Courts, was implemented as the Family Violence List across six metropolitan courts by December 2017.

Outcomes 2017/18

During 2017/18, 3,364 victims of family and domestic violence received support compared with 3,462 in the previous financial year. The FVS staff provided 17,860 services including risk assessments, safety planning, court support, information and referrals compared with 18,020 in the previous financial year.

Family Court Counselling and Consultancy Service

The Family Court Counselling and Consultancy Service (FCCCS) provides a service to child-related proceedings in the Family Court of WA. The service assists the Family Court to individually case manage child-related proceedings before the Court. This will often involve making referrals to other agencies, gathering information and reporting back to the magistrate or judge who is responsible for the case. FCCCS provides assessment through either a case assessment conference, family report, or child dispute conference.

Outcomes 2017/18

The FCCCS received 1,489 new referrals, a small decrease compared with the previous year, and held 1,117 case assessment conferences, a slight increase from the previous year.

Court Security

The role of the Court Risk Assessment Directorate is to facilitate the safe and secure operation of the State's courts and tribunals through the identification of risks and by ensuring that court security and custody service providers apply effective treatment options to address those risks.

The Directorate takes a lead role in the provision of intelligence analysis and in coordinating service provider operations where trials have been risk assessed as high. This year has seen a continuation in the number of serious offence trials involving multiple accused; these trials increase the directorate's workload based on planning, design and implementation of mitigation options.

During the year a key priority was the continuation of strengthening the security arrangements at courthouses and tribunals in response to an identified escalation in risks associated with inter-party tensions in civil proceedings and the increase in antisocial and violent behaviour arising out of the use of methylamphetamine-based illicit drugs.

The Directorate continued to work in close cooperation with Federal, State and private sector court security and custodial service providers so as to promote a safe, open and accessible environment in support of the overall judicial process.

Sheriff of Western Australia

The Sheriff of Western Australia is responsible to the courts for the state-wide delivery of enforcement services associated with civil court orders, criminal court fines and outstanding infringements or penalties referred to the Fines Enforcement Registry of the Magistrates Court. The Sheriff is also responsible for provision of jury services to the District and Supreme Courts.

The Sheriff also holds appointments as Marshal of the Family Court, Deputy Marshal of the High Court and Deputy Sheriff of the Federal Court of Australia. The position's authority is vested from a range of State and Federal legislation, each with a statutory responsibility to the courts.

Civil Enforcements

The Civil Enforcement Team is responsible for the enforcement of orders and warrants from the Supreme and District Courts and for the service of witness summonses in the Perth metropolitan area, on behalf of the Office of the Director of Public Prosecutions. The Civil Enforcement Team also oversees the delivery of bailiff services throughout Western Australia.

Outcomes 2017/18

In 2017/18 the Civil Enforcement Team recorded an increase of 15.12 per cent in the number of civil case lodgments and increased the number of civil cases satisfied by 8.8 per cent, while continuing to deliver high quality services to the community. As at 30 June 2018, there were 193 matters on hand compared with 136 for the same time last year.

Jury Services

The core function of Jury Services is to provide sufficient jurors for the Supreme Court and District Court jury trials held across the State. Jury Services assists community members, who have been selected for jury duty, in meeting their civic responsibilities.

Outcomes 2017/18

A primary focus for the financial year was to provide jurors for trials as cost-effectively and efficiently as possible. During the 2017/18 financial year, 45,276 people were summoned for possible selection of 505 trials. For the previous financial year, 46,165 people were summoned for possible selection of 486 trials. Although trial numbers have increased, summons numbers have been managed and slightly reduced.

Jury Services has also provided regional courts, where jury trials are held, with tools and methodologies to ensure a consistent approach and improved quality of jury services.

Fines Enforcement Registry

The Fines Enforcement Registry (FER) is responsible for the collection of unpaid court fines and infringements registered by multiple prosecuting authorities throughout Western Australia.

Outcomes 2017/18

Enhancements to the eCourts portal in April 2017 to facilitate online applications for time to pay arrangements have continued to improve the Registry's capacity to manage debt, with an increase in payment arrangements of 12.7 per cent from last year.

The number of court fines lodged in 2017/18 was 89,223 compared with 95,307 lodged in the previous year, which is a 6.4 per cent decrease. There has been an increase of 15.1 per cent in the number of infringements lodged in 2017/18 (421,038) in comparison to 365,782 received in 2016/17. Overall, the number of lodgments in comparison with last financial year has increased by 10.6 per cent.

There is a 6.6 per cent decrease in case completions for court fines with 86,333 in 2017/18 in comparison to 92,482 in the previous financial year. Infringements finalised increased by 11.1 per cent for 2017/18 with 355,710 compared with 320,090 in 2016/17. Overall there is a 7.1 per cent increase in the number of completions.

Overall, FER collected \$128 million which is a \$7 million increase compared with the previous financial year.

Criminal Enforcement Team

Criminal enforcement in Western Australia consists of three areas:

- Criminal Enforcement Team.
- Regional Sheriff Community Development Officers.
- Contractors operating through the combined contract for the delivery of civil and criminal enforcement services.

The Criminal Enforcement Team continues to undertake enforcement activities throughout the Perth metropolitan, Peel, South West, Mid-West, Goldfields-Esperance, Wheatbelt and Great Southern areas of Western Australia. In March 2018, all enforcement vehicles were fitted with Automatic Number Plate Recognition (ANPR) technology and in May 2018, the Criminal Enforcement Team modified their work schedule to include operating on some weekends throughout the year.

With the new ANPR systems and the introduction of Saturday work conducted by the Criminal Enforcement Team, there has been a noticeable increase in successful enforcement activities.

Outcomes 2017/18

- 316 wheel clamps applied compared with 84 in 2016/17.
- 332 registration plates removed compared with 193 in 2016/17.
- 7,677 calling cards left at premises compared with 6,826 in 2016/17.
- 57 warning stickers applied compared with 39 in 2016/17.
- 2,546 time to pay arrangements compared with 2,477 made in 2016/17.
- 4,122 stay of execution arrangements compared with 3,563 made in 2016/17.
- 45 seizure actions compared with 24 performed in 2016/17.

Commissioner for Victims of Crime

The position of Commissioner for Victims of Crime was established in July 2013 to advocate on behalf of victims of crime, to give them a greater voice in how they are treated across Government and to ensure victims receive the support they deserve.

The Commissioner for Victims of Crime:

- advocates for and encourages good practice in the treatment of victims across Government
- provides a mechanism for victims to lodge complaints regarding Government services
- provides direct assistance with the preparation of criminal injuries compensation claims and victim impact statements
- examines and comments on legislation affecting victims of crime.

During the financial year, the inaugural Commissioner for Victims of Crime, Jennifer Hoffman, left the position to pursue other opportunities. Ms Kati Kraszlan was appointed as acting Commissioner.

Outcomes 2017/18

The Commissioner's Office developed legislation to enable Western Australia to join the National Domestic Violence Order Scheme in step with other jurisdictions on 25 November 2017. Under the scheme, every new family violence restraining order and police order is automatically recognised and enforceable across Australia.

This means that the order can be enforced by local police no matter where in Australia the victim and perpetrator are

located, without any requirement for the victim to re-register the order when travelling or moving interstate.

The Commissioner's Office also developed legislation to criminalise the non-consensual distribution of intimate images otherwise known as 'revenge porn'. This legislation, which fulfils a State Government election commitment, was introduced into State Parliament on 28 June 2018.

In addition to leading the development of these two victim-focused Bills, the Commissioner's Office provided input to a range of other legislative projects being managed by the Department of Justice and other State Government agencies.

The Commissioner took an active role in supporting the criminal justice response to the Royal Commission into Institutional Responses to Child Sexual Abuse.

The Commissioner is chairing the Working Group that is overseeing the implementation of recommendations aimed at improving the way the criminal justice responds to victims of child sexual abuse.

The Commissioner's Office initiated a statutory review of the *Victims of Crime Act 1994*.

The statutory review of the Act is focused on the operation and effectiveness of the existing provisions of the Act, the future roles of the Commissioner of Victims of Crime and the Victims of Crime Reference Group (including whether these functions should have a statutory basis), and whether specific victim rights (such as the right to make a victim impact statement) should be brought together in the Act. The review will be completed in 2018/19.

The Victims of Crime Reference Group has been disbanded pending the outcomes of the review.

The Commissioner's Office continued to support victims across the justice system and to advocate for changes to improve the services and support available to victims of crime.

At the national level, the Commissioner for Victims of Crime has represented Western Australia on the National Family Violence Working Group and the National Victims of Crime Working Group, and provided input to a range of other processes.

This work is influential in improving cross-jurisdictional supports for victims and ensuring that victims are treated equally across Australia.

The Commissioner continued to educate Government agencies and other stakeholders about issues relating to victims of crime. This includes ongoing involvement with the detective training curriculum at the Joondalup Police Academy. Regular presentations were also made to raise awareness of the guidelines for treatment of victims under the *Victims of Crime Act 1994*, and the availability of support for victims of crime more generally.

The Commissioner met regularly with a broad range of stakeholders within the State Government, the non-government sector and with victims of crime.

This ongoing consultation has been the key source of advice to the Commissioner and has contributed to all of the outcomes achieved by the Office in 2017/18.

Advocacy, Guardianship and Administration Services

Office of the Public Advocate

The Office of the Public Advocate protects and promotes the human rights of adults with a decision-making disability through the functions given to the Public Advocate under the *Guardianship and Administration Act 1990*. These vulnerable members of the community may face the risk of exploitation, abuse and neglect.

The Office works to reduce these risks by providing services including:

- investigations into the need for guardianship and/or administration orders for adults with a decision-making disability
- guardian of last resort; that is, the legal decision-maker for personal, lifestyle and treatment decisions, for adults with a decision-making disability
- information, advice and training regarding the guardianship and administration system and the documents adults can use to plan for their future decision-making, as a safeguard in the event they lose decision-making capacity.

Outcomes 2017/18

In 2017/18, the Office of the Public Advocate's main objectives were to:

- meet the growing demand for advocacy and investigation services
- meet the growing demand for guardianship services
- provide community education regarding the guardianship and administration system and the planning documents – enduring powers of attorney,

enduring powers of guardianship and advance health directives

- continue to promote and protect the human rights of adults with a decision-making disability.

In 2017/18 the Office of the Public Advocate:

- Undertook a total of 1,567 investigations into the personal or financial welfare of adults with a decision-making disability, representing a five per cent increase on the previous year. These included new matters and matters carried over from 2016/17.
- Received 1,219 new referrals from the State Administrative Tribunal for investigations into the personal or financial welfare of adults with a decision-making disability, representing a three per cent increase from the previous year.
- Was guardian for a total of 1,923 people at 30 June 2018, representing a 11 per cent increase from 30 June 2017.
- Was newly appointed as guardian of last resort for 526 people, compared with 487 in 2016/17, an increase of eight per cent.
- Was involved in making personal, lifestyle and treatment decisions for people through a total of 2,805 guardianship orders and reviews of orders, representing a nine per cent increase from the previous year.
- Delivered 22 community education seminars regarding the guardianship and administration system, the legislation and the planning documents available to people under the legislation.
- Addressed 6,463 enquiries via its advisory service.

- The Office's community guardianship program aims to match adults who have the Public Advocate appointed as their guardian with volunteers from the community who are willing and able to take over the role as guardian. At 30 June 2018, 18 volunteers were engaged in the program, 15 of whom were appointed as guardian for their represented person.
- Reforms within the disability sector, brought about by the State Government's 2013 agreement to join the National Disability Insurance Scheme (NDIS), and the decision in 2017/18 to transition from the State-delivered scheme to the National scheme, impacted the Office. A number of the Office's clients who receive disability support, including accommodation and services, and are under 65 years of age, were affected by the scheme. Delegated guardians from the Office worked with NDIS staff throughout the year on the development and approval of NDIS support plans.
- The Office continued to target elder abuse with a range of activities including its advocacy, investigation and guardianship services; its membership of the Alliance for the Prevention of Elder Abuse; policy development; collaboration with other agencies; and by raising awareness and understanding with community members and professionals through targeted education sessions, publications and its advisory service. The Office aims to empower people with information about their choice to plan for the future and potentially protect themselves by making an enduring power of attorney and enduring power of guardianship.

Trustee Services

The Public Trustee

The Public Trustee provides a range of Will, deceased estate administration and trustee services which are available to all Western Australians. The statutory authority manages net assets of around \$1.2 billion, and has the responsibility for managing the legal and financial affairs of many vulnerable people in our community, as well as examining the accounts of private administrators.

Service Delivery

The Public Trustee manages trusts for 5,882 clients. The trend of strong growth in demand continued in 2017/18, with the Public Trustee being appointed to manage a further 772 new trust clients.

Of these new trust clients, the majority were referred by the State Administrative Tribunal, representing 725 new appointments compared with 693 in the previous financial year. The continued rise in SAT referrals is attributed to increases in the number of people whose decision-making capabilities are adversely affected by conditions such as dementia, intellectual disability, mental illness, acquired brain injury or substance abuse, which makes them vulnerable to neglect, abuse or exploitation.

The Public Trustee continued to focus on streamlining and operational efficiencies, including realigning trust management teams to better reflect modern day needs, and recruiting and training new Trust staff to manage the significant growth in clients under financial administration.

As the global financial market begins to stabilise, the Public Trustee's Common Account performs well against comparable benchmarks (such as other common funds and cash management accounts) and has provided steady returns on the Public Trustee Investment Funds.

The Public Trustee continues to achieve self-funding. Business Development Reserves have been used to support business transformation and investments in technological upgrades. Several innovation, cost saving and efficiency improvement projects were completed. These included innovations in accounts payable, the automation of the receipting of invoices, upgrades to client correspondence management within the agency's Trust Management Software (MATE) and the acceleration and benchmarking of probate applications.

In the Legal Directorate, the Public Trustee has created and implemented a flexible, easy to use, in-house Will-making system and developed a resource that now captures much of its legal knowledge in one online, indexed document.

Activities to improve client and stakeholder awareness and access of the Public Trustee's services and related issues (such as elder abuse and intestacy) included a range of public education seminars to community groups, service providers, legal professionals, trust practitioners and other Government agencies in both metropolitan and regional locations. The Public Trustee also continues to provide training sessions for private administrators in partnership with the Office of the Public Advocate.

Give2Good

The Public Trustee's Give2Good Foundation facilitates the ability for everyday Western Australians to make a lasting contribution to their community both during their lifetime and beyond. Charitable gifts are made to Give2Good in the form of endowed funds, which are invested to accumulate and create a stream of ongoing funding for charitable organisations. Give2Good continues to attract bequests as it is an easy, secure and cost-effective vehicle for charitable donations.

WA Will Bank

The Public Trustee's WA Will Bank has grown substantially in the past 12 months. This service provides active management and safe storage of 121,571 Wills. WA Will Bank is free to the public and continues to attract positive feedback from testators and their loved ones.

Public Trustee 2020 & Beyond

The PT2020 & Beyond project was introduced to create an office-wide culture of proactive and innovative thinking, continuous improvement and transformational change. Initiatives explore and respond to changing client and stakeholder needs, as well as plan for impacts of sector/market developments such as aged care reforms, the NDIS, parliamentary enquiries and changes to transactional processes with Centrelink, ATO, Landgate, banks and other organisations.

While significant enhancements to technology, service standards, policies and procedures have been made in the 'business as usual' context, dedicated resources have now been allocated to conduct the first of the Public Trustee's comprehensive Business Process Mapping & Optimisation projects, aiming in this instance to streamline and quicken the agency's deceased estates service.

Viability of the Public Trustee's MATE system has been identified as the agency's most significant business risk and most resource-intensive project. Having identified and scoped the need for a large number of system enhancements, work has begun to assess whether to commit to upgrading existing technology or invest in new technology.

With increasing and sustained demand growth across the Public Trustee's portfolio of services, PT2020 aims to deliver highly efficient and technologically advanced services to increase and improve service and accessibility, and to enable staff to spend quality time engaging with clients to better understand and support their needs.

Elderly people in our community are experiencing financial, physical, psychological and sexual abuse as well as neglect. The Public Trustee – along with the Office of the Public Advocate and Legal Aid WA – are members of the Alliance for the Prevention of Elder Abuse in Western Australia to raise awareness of the issue. The Public Trustee's public education strategy includes posts on Facebook and free public seminars on annual World Elder Abuse Awareness Day.

Registry of Births, Deaths and Marriages

The Registry creates and permanently stores birth, death, marriage and change of name records for life events occurring in Western Australia. The Registry also performs civil marriages in the Perth Registry Office.

Outcomes 2017/18

- In 2017/18, the Registry served more than 34,842 customers in person at the Perth Registry office, with an average of 2,903 customers per month.
- During this period, 4,121 changes of name were registered, at an average of 343 per month.
- Birth registrations for the period totalled 34,379, which equates to 2,864 per month.
- There were 11,974 marriages registered during the period, at a rate of 997 per month.
- There were 14,852 death registrations for the financial year, equating to 1,237 per month.
- In the 2017/18 financial year, the Registry's website had 2.14 million page views.

Same sex marriage

One of the most significant issues for the Registry this year was the legalisation of same-sex marriage through new Commonwealth legislation, which came into effect in December 2017.

Between 9 December 2017 and 30 June 2018, the Registry has registered 331 same sex marriages.

Accessibility of Records

The Registry's expanded presence in regional WA saw 31,174 certificates issued on behalf of the Registry from 21 courthouses. This has aided regional communities with direct access to certificate issuing services rather than having to apply at the Perth Registry.

Protection of Personal Information

The protection of personal information and the prevention and detection of identity fraud and theft is a growing priority for agencies responsible for issuing identity documents in the community. More than 301,000 Western Australian birth, death, marriage and change of name certificates were validated against Registry information during 2017/18. This is a decrease of 12 per cent from last year.

The Registry remains a key participant in the National Identity Security Strategy, a Council of Australian Governments' initiative to better protect the identities of Australians by strengthening the integrity and security of identity credentials such as birth certificates which can

be authenticated through the Commonwealth Document Verification Service (DVS). DVS checks, available to government agencies since 2009, are now being made available to the private sector, with an initial focus on organisations that have legislative obligations to identify their customers (for example, financial institutions which need to meet 'know your customer' requirements in anti-money laundering and counter-terrorism financing regulations).

The Commonwealth recently expanded DVS to a range of businesses which have a reasonable necessity to verify the individual for the organisation's activities and functions.

Registration and Certificates

Births

The Registry recorded a slight decrease in the registrations of births, deaths, marriages and changes of name in 2017/18. The Registry issued 131,781 certificates during 2017/18, which is a one per cent decrease on the overall number of certificates issued by the Registry from the previous year.

Marriages

There were 22,217 requests for marriage certificates, almost on par with the previous financial year. The Registry performed 1,285 marriage ceremonies during 2017/18, a decrease of eighteen per cent from 2016/17. An analysis of birth places revealed 114 countries were represented by the couples getting married.

Place of Birth	Total
Australia	769
China	253
Malaysia	129
England	123
Vietnam	118
India	118
Philippines	84
New Zealand	73
Indonesia	66
South Africa	61
Taiwan	54
South Korea	47
Hong Kong	47
Brazil	41
USA	32
Thailand	31
Myanmar	25
Kenya	25
Iran	23
Singapore	22

Deaths

In 2017/18 there were 23,393 requests for death certificates, down from 23,813 in the previous financial year.

Uncertified Copies

This new product was introduced by the Registry in 2016/17, allowing family historians to access uncertified copies of historical registrations at a reduced cost. There were 1,137 copies issued in 2017/18, which is a decrease of 38 per cent from 2016/17.

Open Day Program

The Registry continued its involvement in the Department's Open Day program during 2017/18. This initiative, operating in partnership with the Department's Policy and Aboriginal Services Directorate and other key stakeholders, provides vastly improved services to disadvantaged or vulnerable people living in regional and remote Aboriginal communities.

Registry staff help Aboriginal people register their births and obtain birth certificates. This service assists Aboriginal people to overcome barriers that may limit their ability to participate more fully in society by not having a birth certificate.

A birth certificate is often the first step in establishing a person's identity, which is needed to access education, a driver's licence, employment or claiming government benefits.

Since the Registry's involvement with the Open Day Program in 2011/12, the Registry has issued more than 4,230 birth certificates, registered 1,573 previously unregistered Aboriginal births and issued more than 2,065 confirmation of birth letters. Of the 1,573 previously unregistered births 268 relate to births pre-1980.

Approximately 18 per cent of births registered through the Open Day Program relate to births that occurred more than 30 years ago. During the financial year the Registry issued more than 617 birth certificates, registered 155 previously unregistered births and issued over 155 confirmation of birth letters.

Baby Names

Most popular girls' names as collated by the Registry in the 2017 calendar year

Position in 2017	Name	Occurrence	Position in 2016	Position in 2015	Position in 2014
1	Isla	195	4	5	7
2	Mia	191	3	4	4
3	Charlotte	189	1	3	3
4	Olivia	187	6	1	4
5	Amelia	184	5	8	5
6	Ava	156	2	2	2
7	Harper	151	8	15	15
8	Chloe	146	12	10	9
9	Grace	144	9	7	10
10	Ella	140	7	13	6

Most popular boys' names as collated by the Registry in the 2017 calendar year

Position in 2017	Name	Occurrence	Position in 2016	Position in 2015	Position in 2014
1	Oliver	239	1	1	1
2	Jack	215	2	2	2
3	William	206	3	5	4
4	Noah	197	4	4	3
5	James	168	6	3	7
6	Lucas	165	7	11	5
7	Ethan	149	5	7	8
7	Thomas	149	6	6	6
8	Charlie	146	8	12	13
9	Logan	141	14	17	16
10	Liam	139	9	9	9

The State's top regional baby names are available on the Registry website www.bdm.justice.wa.gov.au.

Services to Government

Strategic Reform

Strategic Policy Development and Advice

The Department, through its Strategic Reform division, provides strategic policy advice and analysis to the State Government on key reforms in the justice system. It achieves this by:

- facilitating the amendment of legislation to reform criminal and civil law and procedure
- developing policy initiatives to improve justice-related outcomes for all members of the community, and developing initiatives that improve justice outcomes for Aboriginal people
- carrying out reviews, evaluation and research to recommend improvements to, and future directions for, policy, legislation and services
- carrying out research and statistical analysis about current justice issues and trends in drafting and developing policy and undertaking Departmental reviews regarding victims of crime, extensive consultation was carried out with key stakeholders. This was underpinned through the direct involvement of the Commissioner for Victims of Crime in guiding, consulting and drafting legislative and operational administrative amendments.

Legislation

During 2017/18 the Department guided the development of new and amending pieces of legislation. These included:

Sentence Administration Amendment Act 2018

The introduction of 'no body – no parole' through the *Sentence Administration Amendment Act 2018* ensures that where a person is convicted of murder or a murder-related offence such as conspiracy to commit murder, and withholds the location of the body of the victim, parole will not be recommended or ordered by the Prisoners Review Board. The Act came into effect on 13 April 2018 and the Department sent an information sheet to all prisoners affected by the change.

Historical Homosexual Convictions Expungement Bill 2017

This Bill will allow for the expungement of historical homosexual convictions, will be sensitive to the privacy of applicants and robust enough to ensure that issues of consent, age and other matters relevant to current crimes are adequately addressed. The Bill was introduced and second read into the Legislative Assembly on Wednesday, 1 November 2017, together with an apology from Premier Mark McGowan. It passed the Lower House on 22 February 2018. It was introduced into the Legislative Council on 13 March 2018, where it remains.

Civil Liability Legislation Amendment (Child Sexual Abuse Actions) Act 2018

The Civil Liability Legislation Amendment (Child Sexual Abuse Actions) Act 2018 received Royal assent on 19 April 2018 and came into operation on 1 July 2018.

Dangerous Sexual Offenders Legislation Amendment Act 2017

The Dangerous Sexual Offenders Legislation Amendment Act 2017 received Royal assent on 13 December 2017 and was proclaimed on 29 March 2018. The Act created a "reverse onus of proof" to emphasise the need for such offenders to satisfy the court that they will substantially comply with the standard conditions of a supervision order. The amendments also provided for interim supervision orders and a presumption against bail for offenders charged with breaching a supervision condition.

Legislation in Development

During the year the Department has also guided the development of the following pieces of legislation (amongst others) to the stage of being debated in State Parliament:

- Historical Homosexual Conviction Expungement Bill 2017.
- Financial Transaction Reports amendment Bill 2018.
- Criminal Law amendment (Intimate Images) Bill 2018.
- Court Jurisdiction Legislation amendment Bill 2017.
- Coroners Amendment Bill 2017.

Legislative amendments

Criminal Law (Mentally Impaired Defendants) Act 1996

Reforming the CLMIA is a high priority and drafting of the legislation is underway. The reforms will meet the commitments that WA Labor took to the 2017 State election and ensure best practice in the management of this group of vulnerable members of our society.

The reforms will also address some 50+ recommendations from previous reviews into the operation of the Act.

In particular, the new legislation is intended to introduce fixed term custody orders aligned to the likely sentence the mentally impaired person would have received had they been convicted, to empower the Mentally Impaired Accused Review Board to make decisions as to release, to ensure there are greater supports for people with mental impairment during the court process and to require that the evidence against people with mental impairment is tested.

Fines, Penalties and Infringement Notices Enforcement Act 1994 (FPINE)

The Government is committed to addressing the overrepresentation of Aboriginal and Torres Strait Islander people in the justice system.

A key initiative to address this is by reforming the State's fines enforcement legislation, the FPINE Act, as Aboriginal and Torres Strait Islander people represent a large number of fine defaulters and often find themselves in prison for fine default alone.

The tragic death of Ms Dhu in 2014, two days after being taken into custody for \$3,622 in unpaid fines, highlighted the disproportionate impact on Aboriginal and Torres Strait Islander people.

The Coroner's Report into Ms Dhu's death made a number of recommendations, including that warrants of commitment should no longer be an option for enforcing payment of fines, or alternatively, that they must be subject to a hearing in the Magistrates Court and issued by a Magistrate.

The Department is progressing reforms to the Act to cover a number of key policy areas including enhanced information sharing, requiring the Registrar to apply to a magistrate for a warrant of commitment, and restricting the ability to apply to very limited circumstances, introducing mandatory garnishee orders which could be applied to a debtor's salary or bank account to satisfy their outstanding debt, and introducing a voluntary work and development permit scheme for significantly disadvantaged debtors.

Western Australian Crime Statistics and Research Office (WACSAR)

Legislation is being prepared to establish the Western Australian Crime Statistics and Research Office which will provide independent, evidencebased research on crime and justice. It is proposed the Office will have statutory authority to publish analysis of crime statistics in Western Australia. An Advisory Board comprising representatives from the public and university sectors will provide strategic direction to, and oversight and expert review of, the Office.

The data WACSAR will collect, analyse and publish will inform future legislation, crime prevention initiatives and justice investment planning.

Reviews

The Department is required to carry out statutory reviews of legislation. Statutory reviews generally examine the operation and effectiveness of an Act (or a section of an Act) after a set period of time has elapsed.

Review of section 9AA of the Sentencing Act 1995

The statutory review of section 9AA of the *Sentencing Act 1995* was ongoing in 2017/18. This review is examining the effects of amendments made by the *Sentencing Amendment Act 2012* in relation to creating greater transparency around the operation of any reduction in sentence resulting from a guilty plea.

Review of the Custodial Legislation (Officers Discipline) Amendment Act 2014

The statutory review of the *Custodial Legislation (Officers Discipline) Amendment Act 2014* began in 2017/18. The legislation provided new arrangements for the 'prompt removal' of prison officers and youth custodial officers, in exceptional circumstances where the Chief Executive Officer has lost confidence in their suitability to continue as a custodial officer, with regard to integrity, honesty, competence, performance or conduct. The review examines the operation and effectiveness of these provisions.

Review of parts of the Criminal Appeals Act 2004

The statutory review of Part 5A and section 17 of the *Criminal Appeals Act 2004* began in 2017/18. The review focuses on amendments made by the *Criminal Appeals Amendment (Double Jeopardy) Act 2012*, which followed the recommendation of the Council of Australian Governments to implement uniform exceptions across Australia to the double jeopardy principle (that no person should be twice placed in jeopardy of conviction or punishment for the same offence) for serious offences.

Review of the Victims of Crime Act 1994

The statutory review of the *Victims of Crime Act 1994* began in 2017/18. The review will examine the requirement for

dedicated victims of crime legislation, the operation and effectiveness of legislation, its guidelines and information sharing provisions, as well as the governance structure in this space.

Copyright

The State has a statutory obligation under s183 of the *Copyright Act 1968* (Commonwealth) to pay copyright owners for the use of copyright works used for the services of the State.

Amendments to the Act in 1998 had the effect of requiring governments to deal with declared collecting societies rather than individual copyright owners. These societies are authorised under the Act to collect remuneration on behalf of all copyright owners whose works have been copied by Government. Most statutory obligations of State Government agencies for remuneration for the reproduction of works (literary, dramatic, musical or artistic) and “published editions” of works are met through centrally funded whole of government agreements, administered by the Department, with the following copyright collecting societies:

- Copyright Agency Limited (CAL) for the photocopying and electronic copying of works (literary, dramatic, musical and artistic) and published editions of works, other than works that are included in a sound recording, film or television or sound broadcast
- Australasian Performing Right Association Limited for the public performance of music through the use of radio and television receivers in public and work areas, background music in lifts and waiting rooms
- Audio-Visual Copyright Society Limited (trading as Screen Rights) for the copying of sound and television broadcasts and works included in an audio-visual item.

Outcomes 2017/18

In April 2018 the State’s agreement with CAL was extended until 30 June 2018 at a cost of \$566,450.80.

Negotiations for a new agreement with CAL are ongoing.

Law Reform Commission of Western Australia

The Law Reform Commission of Western Australia is an independent statutory authority for which the Department provides executive and project management support.

In this financial year, the Commission completed its final report into ‘the intersection of the family law and caveat systems in Western Australia,’ (Project 107) which was tabled in State Parliament on 10 October 2017.

The Commission made nine recommendations to Parliament that included a proposal to create a new category of “spousal caveat” and suggestions on how it might be implemented.

The Commission is currently conducting a review into the inconsistencies between Western Australian and Commonwealth legislation in relation to the recognition of a person’s sex, change of sex or intersex status (Project 108).

The Commission sought and received submissions from a range of interested stakeholders, including representatives of the communities concerned, sections of the medical profession, and religious and legal institutions.

In February 2018, the Commission received terms for a third reference to provide advice and make recommendations for consideration by the State Government as to whether there should be any reform, and if so, the extent of any reform, to allow for claims for non-economic loss for wrongful death under the *Fatal Accidents Act 1959* (WA) and any

consequential amendments (Project 109). The Commission has begun the procurement process to engage assistance for this review.

The Commission expects to publish both the discussion paper and final report for Project 108 and 109 in the coming financial year.

Aboriginal Justice Program

The Aboriginal Justice Program contributes to addressing the over-representation of Aboriginal people in the criminal justice system through delivering culturally competent practical programs targeted at reducing outstanding fines, resolving drivers' licencing matters, and facilitating access to birth registration and related identification documents.

Open Days

Open Days are delivered in priority regional locations by Aboriginal staff using a collaborative service model with partner agencies. Aboriginal people have access to a range of services at Open Days which include birth certificate and registration application services, time to pay arrangements for outstanding fines, drivers' licence application services, theory and practical driver testing, Centrelink services, and in some locations, legal and financial assistance services.

In 2017/18 the Department held 50 Open Days. Of particular significance in the reporting period is the unprecedented number of licence suspensions lifted, and amount of fines paid, which totalled in excess of \$1,000,000.

Comparative analysis of strategy achievement	2014/15	2015/16	2016/17	2017/18
Number of Open Days held	39	73	50	50
Number of people attending Open Days	1,611	2,751	2,107	2,116
Conversion of Fines – Time To Pay, Stay of Execution and Orders to Attend	\$178,290	\$329,096	\$838,930	\$843,664
Fines paid – Actual amount	\$464,853	\$662,094	\$900,902	\$1,024,377
Number of people entering into Time To Pay	204	339	310	204
Stay of Warrant executions	93	138	164	140
Licence suspension lifted	384	684	345	1089
Birth Certificate application	710	925	657	617
Confirmation of Birth Letters issued	233	424	253	155
Births registered (pre-1980 and post-1980)	516	337	169	155
Practical driving assessments passed	138	146	130	121
Theory tests conducted	325	232	165	139
Log books issued/re-issued	62	115	74	71
Suspended fines for Motor Vehicles Driver's Licence	123	151	87	105
Centrelink – Applications for Medicare	95	155	105	104
Centrelink – Concession Cards issued	80	146	98	123

Aboriginal Driver Training and Education

In 2013, the former Department of the Attorney General was allocated Royalties for Regions funding from the former Department for Regional Development over five years to develop the Enhanced Driver Training and Education for Regional and Remote Communities program.

The funding was used to establish a targeted scheme assisting Aboriginal people in regional and remote communities who were in contact with the justice system to assess driver training and culturally appropriate education services.

In 2018, the Department of Justice was allocated additional Royalties for Regions funding over two further years to continue the program.

Services include driving instruction, driver education and assistance with administrative and testing procedures to obtain, or regain a motor driver's licence (MDL)*.

The program also recruits and trains local community members to become qualified driving instructors.

To access the program, clients are referred to service providers by a range of justice-related agencies including the Western Australia Police Force, as well as various divisions within the Department of Justice, including prisons/work camps, Adult Community Corrections, Juvenile Justice Teams, courts, Sheriff Community Development Officers and the Fines Enforcement Registry.

Year	New Enrolments	Learner's Permits	Provisional MDLs	MDL's Regained	New Instructors
2013/14	647	170	22	67	5
2014/15	458	243	51	51	0
2015/16	699	351	104	106	5
2016/17	640	388	143	53	5
2017/18	820	576	272	109	9
TOTAL	3,264	1,728	592	386	24

* MDL includes all forms of licence including a Learner's Permit, Provisional Licence and Motor Driver's Licence.

Aboriginal Mediation Service

The Aboriginal Mediation Service provides culturally competent dispute resolution services to Aboriginal people in a range of matters, including disputes involving families, neighbours and multi-party community issues, as well as burial and coronial matters. It aims to assist people to resolve conflicts before they escalate into violence or result in court action.

During the reporting period the Aboriginal Mediation Service managed 70 enquiries, resulting in 21 matters being considered for pre-mediation, mediation or other alternative dispute resolution processes.

The Aboriginal Mediation Service also provided four interagency meetings with other key State Government stakeholders to assist the referring party to make effective referrals, and to deal with conflict in their communities using a culturally competent form of dispute resolution.

Grants

The Department administers the Criminal Property Confiscation Grants Program on behalf of the Attorney General, drawing on funds collected under the *Criminal Property Confiscation Act 2000*.

The Act provides for the confiscation, in certain circumstances, of property acquired as a result of criminal activity or used for criminal activity. It also makes provision for the re-distribution of confiscated funds and proceeds of the sale of other confiscated property for a number of purposes, including the development and administration of programs or activities:

- Designed to provide support services and other assistance to victims of crime.

- Designed to prevent or reduce drug-related criminal activity and the abuse of prohibited drugs.
- For any other purpose in aid of law enforcement focusing on community safety and crime prevention initiatives within Western Australia.

Under the grants program, incorporated, not-for-profit organisations and local government authorities can apply for funds up to \$200,000 for these purposes.

Outcomes 2017/18

In 2017/18, the Department continued to work closely with organisations who are currently in varying stages in the implementation of their Criminal Property Confiscation Grants-funded projects. A funding round which opened on 4 April 2018 and closed on 30 May 2018 attracted 47 applications seeking more than \$7.05 million. Applications are currently being assessed. Four grant information sessions were held during the application period to assist prospective applicants with the application process. Approximately 50 people attended these sessions with further one-on-one meetings held to discuss proposed projects.

Parliamentary Counsel's Office

The Parliamentary Counsel's Office (PCO) provides comprehensive legislative drafting and related services to the State Government, its departments and agencies to ensure that legislation is prepared to give effect to government policy and priorities. Services provided by the Office include:

- preparing drafts of Bills for Ministers so they can be introduced into State Parliament in accordance with the Government's legislative program.

- preparing drafts of subsidiary legislation for Ministers and Government agencies so the Acts they administer can be fully implemented and properly administered.
- providing legislative drafting services to private Members of Parliament and facilitating the work of parliamentary committees.
- compiling texts of Acts and subsidiary legislation with their amendments incorporated so the laws of the State can be made available in a variety of forms to those who must comply with them and those who must apply and enforce them.
- hosting and maintaining the WA legislation website, www.legislation.wa.gov.au.
- maintaining and arranging publication of information about the legislation of Western Australia.

Outcomes 2017/18

During the year PCO completed a number of significant drafting tasks to give effect to the State Government's legislative and policy priorities. These drafting tasks included:

- Animal Welfare Amendment Bill 2017 to make better provision for the regulation of matters relating to the health, safety and welfare of animals.
- Civil Liability Legislation Amendment (Child Sexual Abuse Actions) Bill 2017 to remove limitation periods for child sexual abuse actions and remove certain other impediments to commencing actions for child sexual abuse against institutions.
- Community Titles Bill 2018 to introduce a new form of land tenure in Western Australia (community titles) which enables a single parcel of freehold land to be subdivided to create multiple tiers of strata schemes

(a community scheme), and provide for the governance and operation of community schemes.

- Criminal Law Amendment (Intimate Images) Bill 2018, or the 'revenge porn' bill, to criminalise the non-consensual distribution of intimate images.
- Duties Amendment (Additional Duty for Foreign Persons) Bill 2018 to impose an additional amount of transfer duty or landholder duty on transactions arising from the acquisition of residential property in Western Australia by a foreign person.
- Health Practitioner Regulation National Law (WA) Amendment Bill 2017 to introduce a range of reforms agreed by the Australian Health Workforce Ministerial Council, including the national regulation of paramedics.
- Heritage Bill 2017 to replace the *Heritage of Western Australia Act 1990* with a more modern regime to recognise and protect the State's cultural heritage.
- Historical Homosexual Convictions Expungement Bill 2017 to establish an administrative scheme under which certain convictions for historical homosexual offences can be expunged.
- Legislation Bill 2018 to modernise the processes for publishing WA legislation, including providing official recognition of both hard copy and electronic versions of WA legislation and replacing the *Reprints Act 1984* with a more useful set of editorial powers.
- Local Government Amendment (Suspension and Dismissal) Bill 2018 to confer power to suspend or dismiss an individual council member.
- Railway (METRONET) Bill 2018 to authorise the construction of a railway from Beckenham junction to Cockburn (the Thornlie-Cockburn link) and a railway

from Butler to Yanchep (the Yanchep Rail Extension).

- Residential Tenancies Legislation Amendment (Family Violence) Bill 2018 to amend the *Residential Tenancies Act 1987* and the *Residential Parks (Long-stay Tenants) Act 2006* to provide greater protection for tenants (including tenants in on-site residential parks) who are victims of family violence.
- Salaries and Allowances Amendment (Debt and Deficit Remediation) Bill 2017 to impose a freeze on increases in remuneration for the holders of certain public offices until 1 July 2021.
- Strata Titles Amendment Bill 2018 to make significant amendments to the *Strata Titles Act 1985*, including the introduction of leasehold strata title schemes, provision for the regulation of strata managers and the modernisation of the language and structure of the Act.
- Western Australian Jobs Bill 2017 to provide for a Western Australian Industry Participation Strategy and put in place procedures to enhance local industry participation in the supply of goods and services to the State.

PCO continued to provide legislative drafting services to private Members of Parliament and eight Bills drafted for private members were introduced during the year. PCO completed the drafting and publishing of more than 280 items of subsidiary legislation. Significant items of subsidiary legislation included:

- Electricity Industry (Independent Market Operator) Repeal Regulations 2018.
- Fair Trading (Retirement Villages Interim Code) Regulations 2018.
- Jetties Amendment Regulations (No. 2) 2018.

- Lotteries Commission (Authorised Lotteries) Amendment Rules 2017.
- Public Health Regulations 2017.
- School Education (Student Residential Colleges) Regulations 2017.
- Supreme Court Rules Amendment Rules 2017.
- Water Services Code of Conduct (Customer Service Standards) 2018.

PCO continued to provide enhancements to the WA legislation website during the year. A new collection of material (subsidiary legislation as made) was added to the website in July 2017, with the collection initially extending back to 2000. Further back-capturing of material has subsequently enabled the collection to be extended back to 1990. The collection is continually updated as new subsidiary legislation is published in the Government Gazette.

PCO took over the hosting of the WA legislation website from the State Law Publisher in March 2018.

State Solicitor's Office

The State Solicitor's Office (SSO) provides broad-based legal services to the Government of Western Australia and many State Government departments, instrumentalities and agencies. These legal services include:

- conducting litigation
- providing legal advice
- representing clients in courts and tribunals
- preparing a range of legal documents, including contracts, agreements and court documents.

The SSO also advises the Attorney General on legal matters, including those relating to law reform.

Outcomes 2017/18

Significant legal matters addressed by the SSO during the year are set out below. While these matters represent some of the high points of SSO's activities, in terms of the size, media prominence and complexity of the work carried out, much of the SSO's work directly supports the broader operations of Government. During 2017/18 the SSO provided advice and representation to 59 Government departments and agencies. This work included:

- responding to 3,981 requests for advice
- assessing or undertaking 565 prosecutions
- representing agencies in 134 coronial inquests
- involvement in 31 prerogative writs
- supporting the State in 118 industrial relations matters
- delivering more than 5,004 other legal activities in support of the delivery by Government of policies and programs.

Significant Legal Matters

Protection of the State's policy interests

Machinery of Government

After providing all legal advice to the State Government necessary to facilitate the Government's Machinery of Government changes to take effect on 1 July 2017, the SSO has continued to provide all necessary advice to facilitate the second round of Machinery of Government changes.

Royal Commission

On 15 December 2017, the Royal Commission into Institutional Responses to Child Sexual Abuse handed down its final report. SSO assisted various agencies in relation to the Royal Commission. SSO continues to advise and provide representation to the State in relation to its response to the Royal Commission's recommendations, including the removal of limitation periods for child sexual abuse claims, the appropriate conduct of those claims when made (whether formally or informally) and Western Australia's participation in the National Redress scheme.

Rayney v the State of Western Australia

In late 2017 the Supreme Court found in favour of the plaintiff in his defamation action against the State in relation to words published at a police media conference given in September 2007. The plaintiff appealed from the award of damages and SSO has continued to represent the State in defending the appeal and in dealing with the costs of the trial.

City of Perth

SSO provided legal advice and representation to the State in relation to the City of Perth, including proceedings relating to the Lord Mayor in the State Administrative Tribunal and the Court of Appeal and in relation to the suspension of the City's council.

Protection of the State's revenues

Placer Dome

SSO is acting for the Commissioner of State Revenue in a significant dispute arising from the 2006 acquisition of Placer Dome Inc by Barrick Gold Corp. The dispute concerns valuation issues arising under the land rich provisions of the *Stamp Act 1921* (WA), in particular, the question as to whether goodwill subsists in the mining operations carried on by Placer. The duty in issue is significant. The Commissioner was successful in the hearing before the SAT but an appeal by Placer to the Court of Appeal was successful. The Commissioner sought and obtained leave to appeal to the High Court. The matter was heard by the High Court in June 2018. The court has reserved its judgement.

Eclipse Resources

Since 2009 SSO has represented the State, the Minister for Environment, and the Chief Executive Officer of the Department of Environmental Regulation in legal proceedings against Eclipse Resources Pty Ltd, for the recovery of landfill levy and penalties. In September 2017 the High Court rejected an application by Eclipse for special leave to appeal to that court. The Minister instructed SSO to reinvestigate an application to wind up Eclipse. The directors of Eclipse appointed a voluntary administrator pursuant to Part 5.3A of the *Corporations Act 2001* (Cth); the winding up of Eclipse was stayed, and creditors voted in favour of

a proposal by which the State received \$10 million on 16 July 2018 in satisfaction of Eclipse's liability to the State. Eclipse, the State, and other parties mutually released each other from certain civil liabilities. Points of contention between Eclipse and the State remain, which they are endeavouring to resolve to avoid further litigation.

Significant commercial claims

The Bell Group Ltd (in Liquidation)

SSO continues to advise the State, and assist the Insurance Commission of WA in relation to the distribution of proceeds of a settlement in 2014 of the Bell proceedings, of \$1.75b which was Western Australia's largest and longest running civil case. The subsequent, and further litigation arising between creditors claiming a portion of the proceeds of the Bell proceedings is the last matter involving the State of Western Australia arising out of various commercial government activities in the 1980s. The trial of the matter is currently listed to begin in September 2019.

James Point Pty Ltd v WA

SSO continues to represent the State and both the Ministers for Transport and Lands in defending proceedings brought by James Point Pty Ltd in November 2011 in relation to the development of a private port at James Point in Kwinana. The litigation is highly complex, raising a number of contractual and statutory issues.

Planning and compensation matters

Lefroy v Minister for Lands and anor (Supreme Court)

The Lefroy family had held several pastoral leases over generations, including Ningaloo Station. In the 1990s, in anticipation of the expiration of pastoral leases in June 2015, pastoral lessees were invited to elect to renew their leases, subject to certain conditions precedent and the policy on the part of the State to exclude environmentally significant portions of pastoral properties from the renewed leases. The State's position is that the Ningaloo station lease expired on 30 June 2015 as it had not been renewed on the basis that not all of the lessees had accepted the areas to be excluded. A lessee of a half interest in the Ningaloo pastoral lease, Mrs Dorothy Lefroy, commenced proceedings to establish that her leasehold interest had renewed on 1 July 2015 unconstrained by environmental exclusions or the consents of other parties who previously also held interests in the expired lease. The matter was heard by Pritchard J in February 2018, and judgment has yet to be handed down.

Ord Irrigation Co-op Ltd and Department of Water (Court of Appeal)

Following the determination in favour of the Department of Water in [2017] WASAT 85, Ord Irrigation Co-op appealed to the Court of Appeal, which published its reasons in [2018] WASCA 83 overturning the Tribunal determination.

Between 2004 and 2014, the Ord Irrigation Cooperative Ltd held successive licences from the Department of Water, conferring a five year Annual Water Entitlement of 335 gegalitres each. In 2014, the OIC applied to the Department for a further renewal of its water licence.

The Department renewed the licence but with a reduced AWE of 225 gegalitres (subsequently increased to 246.3 gegalitres). The primary basis for reducing the OIC's AWE was that the OIC had consistently failed to utilise its AWE of 335 gegalitres. In 2015, the OIC applied to the State Administrative Tribunal pursuant to s.26(GG(1)(c) of the *Rights in Water and Irrigation Act 1914* (WA) for a review of the Department's decision. SSO was instructed to act on behalf of the Department. The Tribunal had originally determined, consistently with arguments advanced by SSO on behalf of the Department, that the Department has the power to vary water allocations upon renewal of licences provided such variation is consistent with the Department's policies and the relevant Water Allocation Plan. On appeal however, the Court of Appeal accepted the ground of appeal that the Tribunal (constituted by the Tribunal President) had mis-stated the onus and standard of proof required to be met by OIC, and required the matter to be remitted and reconsidered by a differently constituted Tribunal. The matter is to be reheard and is anticipated to be more substantially contested.

Presiding Member of the Southern Joint Development Assessment Panel v DCSC Pty Ltd [2018] WASC 145 (SAT)

SSO was instructed to appeal the decision of the State Administrative Tribunal in DCSC Pty Ltd and Presiding Member of the Southern Joint Development Assessment Panel [2017] WASAT 114 which involved a review of a decision by the relevant Development Assessment Panel to refuse the development of a petrol station/convenience store in Dunsborough. The SAT application had also been the subject of a prior preliminary issue determination.

The appeal in relation to both findings came before Smith J

who contradicted what was understood to be a fundamental principle in finding that a change of law (in particular, the coming into operation of a scheme amendment) during review proceedings, did not operate to limit the ability of the proponent developer to proceed under the proposal the subject of the application or the review of the same. The matter is currently the subject of a further appeal to the Court of Appeal on the latter point.

Western Australian Planning Commission v Board of Valuers and Prestage (Court of Appeal)

The matter originally involved proceedings initiated by Mr and Mrs Prestage against the West Australian Planning Commission (on behalf of which SSO is acting) in the State Administrative Tribunal, seeking to have the quantum of land value determined for land reserved for a public purpose under a region scheme. There was a dispute about the degree to which the environmental values of the land would limit development potential, which in turn had a bearing on the quantum of compensation payable. Following Mr Prestage's death, Mrs Prestage withdrew the claim for compensation and discontinued the SAT proceedings, and under a different provision of the *Planning and Development Act 2005* (WA), sought a valuation of unaffected value from the Board of Valuers, providing only limited evidence from that originally prepared for the SAT proceedings, and excluding the WAPC's environmental evidence. Owing to the limited procedures set out in the Planning and Development Regulations 2009 for the Board to follow, the Board did not confer with the WAPC to ascertain whether there were any other relevant considerations and determined that the land had a higher land value than its environmental qualities would indicate was appropriate. The consequence of the Board's high finding of value was that the WAPC was left

with a significant compensation liability. Proceedings were initiated by the WAPC against the Board as to whether the Board owed a duty of procedural fairness to the WAPC as the party liable to pay compensation following the Board's determination. The matter came before Beech J at first instance, and a finding was made against the WAPC case - [2016] WASC 326. The Court of Appeal heard the appeal in August 2017 and judgment is still awaited.

Guida v Main Roads WA (SAT)

The State Administrative Tribunal in [2017] WASAT 141 considered a claim for compensation in which the claimant/applicant asserted that rural land was injuriously affected by the construction of the Perth to Darwin highway, on the basis that it was not a 'lifestyle property' nor that a highway would adversely affect 'rural ambience' to the degree that its property value would be diminished. The Tribunal's finding of the quantum of compensation payable was below a settlement offer made by the acquiring authority in accordance with the SAT Rules relating to offers of compromise.

The decision demonstrates the Tribunal's willingness to award costs to a respondent acquiring authority in certain circumstances, notwithstanding the decision of the Court of Appeal in *Western Australian Planning Commission v Questdale Holdings Pty Ltd* [2016] WASCA 32, which suggested that the Tribunal's discretion to award costs in compensation matters was constrained to a significant degree.

Parkridge Group Pty Ltd and Western Australian Planning Commission [2017] WASAT 118

SSO acted for WAPC in a review application involving a proposal to subdivide land into 70 lots in Eaton, near Bunbury, in the absence of a structure plan approved by the WAPC. WAPC's position was successful.

Chevron v Valuer General (SAT)

In August 2015, the Valuer-General made a determination of the unimproved value of certain land in the Shire of Ashburton owned by the Western Australian Land Authority (LandCorp) and leased to Chevron Australia Pty Ltd for a gas processing plant. Chevron objected to the valuation and, dissatisfied with the decision of the Valuer-General on that objection, sought a review by the Tribunal of the Valuer-General's decision under s 33(2) of the *Valuation of Land Act 1978*. The difference between the parties is significant. The Valuer General has assessed the value at in excess of \$19 million, while Chevron contends that it should be valued at less than \$7 million. The Shire of Ashburton - which will rely on the valuation for rating purposes - had sought to be joined as a party to the proceedings, but was rejected on the basis that it was unlikely to be in a position to adduce new valuation evidence than had not be available to the Valuer General to consider. The parties are awaiting judgment.

Native Title claims

SSO has continued to represent the State in the mediation and litigation of native title claims in the Federal Court and associated appeals to the Full Court of the Federal Court and the High Court. SSO has also represented the State in the arbitration of *Native Title Act 1993* future act matters involving the grant of land and mining titles in the National Native Title Tribunal. The SSO provides legal and policy advice to Government in all matters involving native title and Aboriginal heritage issues, including possible changes to State law, amendments to the *Native Title Act 1993* and assistance in negotiating and drafting Indigenous Land Use Agreements. Significant matters include:

The South West Settlement

This is an historic native title settlement, negotiated over a five year period, with the South West Aboriginal Land and Sea Council and the six south-west native title claim groups for this large area of WA. The settlement is structured by way of six indigenous land use agreements. Once these agreements are registered on the Register of Indigenous Land Use Agreements and any legal challenges to registration are concluded, the settlement will involve the surrender of any native title rights and interests by the native title claim groups in exchange for a comprehensive package of benefits.

These benefits include, among other things, statutory recognition of the Noongar people as traditional owners of the South West Settlement area, the establishment of a Noongar Boodja Trust into which funding instalments of \$60 million will be paid yearly for 12 years, and land allocations of up to 320,000 hectares.

As part of the settlement, in 2016 State Parliament enacted the *Noongar (Koorah, Nitja, Boordahwan) (Past, Present,*

Future) Recognition Act 2016, which recognises the important relationship the Noongar people have with the Noongar lands, and the significant and unique contribution of Noongar people to the heritage, cultural identity, community and economy of WA.

SSO represented the State in High Court and Federal Court challenges by Noongar applicants to the settlement (the McGlade decision), and provided advice to the State Government in respect of the *Native Title Amendment Act 2017* recently passed by the Commonwealth to deal with the impact of the McGlade decision on the settlement, and on indigenous land use agreements generally.

SSO continues to represent the State in applications to register the six indigenous land use agreements which comprise settlement on the Register of Indigenous Land Use Agreements and to provide advice on the implementation of the agreements.

Timber Creek Compensation Claim

SSO has represented the Attorney General on an intervention before the Full Court of the Federal Court in *Northern Territory v Griffiths* [2017] FCAFC 106, a native title compensation test case. SSO instructed the Solicitor General to appear and advise in that matter. The High Court will hear appeals from the Full Court's decision on 3 - 6 September 2018. Meanwhile, SSO has provided advice to Government in respect of the implications of this decision for WA.

Bindinbur Claim Litigation and Wutha Claim Litigation

SSO has represented the State in a number of native title claim litigation hearings, including the Bindinbur claim over a part of the Dampier Peninsula north of Broome, and the

Wutha claim in the Goldfields region, which was the subject of a hearing to determine if the Wutha hold native title in the claimed area.

Consent Determinations of Native Title

SSO has represented the State in a number of Federal Court consent determinations of native title, providing advice and negotiating the terms of the agreed determinations, and appearing for the State at the on-country hearings preferred by the native title parties and the Federal Court.

Area 4 Compensation Case

SSO continues to act on behalf of the State in relation to a \$87 million compensation claim made in 2014 under the *Land Administration Act 1997* (WA) by the Thalanyji native title holders. Efforts have been focused on negotiating an agreed settlement of the claim, following the taking and extinguishment of the Thalanyji people's non-exclusive native title rights and interests over 64.8 hectares of land within Onslow.

The interests in the land were compulsorily acquired by the Minister for Lands in 2013 to enable the land to be developed by Landcorp for residential and associated uses following significant industrial developments in the Onslow area.

Agreements including Indigenous Land Use Agreements

The SSO assisted with the negotiation, drafting and implementation of major native title agreements in the Pilbara and Kimberley regions of WA, including Kariyarra and State ILUAs.

Land Administration Act Amendments

SSO has provided advice to the Government agencies involved in the development of amendments to a range of State legislation. In particular, SSO has provided advice in relation to proposed amendments to the *Land Administration Act 1997* (WA).

Commercial matters

SSO supports the State Government across the entire range of commercial legal advice including procurement of goods and services, construction and infrastructure, property and conveyancing, divestment and operations of Government transactions. SSO either directly provides legal services or supervises the provision of services by outsourced commercial service providers.

SSO facilitates the provision of the necessary transaction services, providing steering committee, project control group and working group representation and advice on governance and government specific legal issues, while at the same time acting as contract manager for the service provider and integrity and quality control on the transaction documents. SSO has been responsible for delivering the State's legal resources on a number of key social and economic infrastructure projects.

These include the following key projects:

Metronet Project – Yanchep Rail Extension and Thornlie-Cockburn Link

This project involves the 14km extension of the Joondalup metropolitan passenger rail network from Butler to Yanchep and the construction of a new 14.5km rail network between Thornlie and Cockburn Central stations.

The Thornlie to Cockburn link will connect the existing Mandurah and Armadale railway lines and create Perth's

first east-west passenger rail connection. The estimated budget for this project is \$1.056 billion. The SSO acts in respect of the procurement and contractual documentation required for this project.

New Museum Project

The New Museum, incorporating heritage buildings, is being constructed in the Perth Cultural Centre, Northbridge, on the existing WA Museum site. The project has a State commitment of approximately \$396 million.

SSO has provided legal advice to the State in respect of procurement and contractual documentation for the project and continues to provide advice throughout the project delivery.

The State has contracted with managing contractor Multiplex to design and construct the museum as well as design and construct the Central Energy Plant for the Perth Cultural Centre. The new museum is scheduled to open in 2020.

Casuarina Prison Expansion Project

The Casuarina Prison expansion involves the delivery of 512 new beds in four accommodation units, as well as new support buildings and upgrades to the existing visits and medical centres. The project has an estimated cost of \$96.3 million. SSO has provided legal advice to the State about procurement and contractual documentation for the project. The State is currently in the procurement phase of the project with contract award scheduled for the third quarter of 2018.

TAB and Landgate

SSO has been significantly involved in the State Government projects to privatise the Totalisator Agency Board and commercialise Landgate's automated titling functions.

These projects required solicitors from SSO to be members of the steering committees and subcommittees, provide detailed opinions and advice, review and comment on commercial advisor scoping studies, draft and review procurement documents, prepare drafting instructions for, and review drafts of, divestment legislation, while providing or arranging for and coordinating, the full range of legal services to each project.

Energy Reform

SSO has been advising the Public Utilities Office in relation to far-reaching reforms to the arrangements for electricity supply in Western Australia. These reforms include:

- a review of the commercial, regulatory and technical framework governing Western Power's electricity network in the South West interconnected system, including introducing a constrained network access regime
- a comprehensive work program to improve the State's Wholesale Electricity Market by:
 - enabling efficient dispatch of energy and ancillary services, to deliver least cost electricity to customers
 - ensuring system security and reliability arrangements are able to accommodate an increasing penetration of renewable energy generators and changes to the profile of electricity consumption
 - facilitating a more responsive reserve capacity pricing regime

- implementation of a light-handed network access framework, and formalised system operation arrangements, for the Pilbara Electricity System
- an examination of electricity generation requirements for the State's main electricity network, the South West Interconnected System, over the next 20 years.

The demand for legal services associated with this reform program has been extensive. SSO has co-ordinated and overseen the work of three different external advisers engaged on behalf of the Public Utilities Office to meet the needs of the State Government's reform agenda.

Forrestfield Airport Link Project

This project involves the 8.5km extension of the metropolitan passenger rail network from Forrestfield in the Shire of Kalamunda to the Bayswater train station on the Midland Line, providing a direct connection to the Perth CBD. SSO is the State's legal advisor to the Forrestfield Airport Link Project Team and the Public Transport Authority's Major Projects Unit, including with respect to legal issues arising from delivery of the project and legal documentation required with major stakeholders including the Commonwealth and the Perth Airport operator.

New Perth Stadium

Built on the Burswood Peninsula, this project provides a 60,000-seat world class stadium, opened on 21 January 2018, designed for multidiscipline sporting and entertainment events, together with associated transport infrastructure. SSO continues to provide advice to the State during the operation phase of the project as well as assisting various Departments with drafting and negotiating the stadium operator, Project Co and user agreements.

Main Roads Major Projects

SSO has been assisting Main Roads with the procurement of the major projects committed to by the State Government arising from the reallocation of the State and Commonwealth funding from the Perth Freight Link Project. The projects awarded or for which procurement commenced in 2017/18 include:

- Kwinana Freeway Northbound Widening.
- Mitchell Freeway Southbound Widening.
- Marble Bar Road Realignment - Coongan Gorge.
- Smart Freeways - Kwinana Northbound.
- Wanneroo Road / Joondalup Drive Interchange.
- Wanneroo Road / Ocean Reef Road Interchange.
- Karel Avenue Upgrade.
- Reid Highway Dual Carriageway.
- Roe Highway / Kalamunda Road Interchange.

GovNext Project

SSO provided advice and support to the State's Chief Information Officer in relation to this project, which delivers a whole-of-government contracting framework for the provision of consumption-based service models for computers, storage, cloud computing, and a secure unified government communications network for the Western Australian public sector.

This project leveraged whole of government demand to establish a contract that drives continuous best pricing and discounting of ICT infrastructure services applied across all participating agencies. It will enable agencies to minimise cost of communications through an integrated, whole-of-government communications network.

Judicial and other appointments

SSO has taken over responsibilities from the Parliamentary Counsel's Office for the preparation of instruments for judicial appointments and appointments to offices made by the Governor, including:

- Supreme Court: appointment and resignation of judges.
- District Court: appointment and resignation of judges.
- Family Court: appointment and resignation of judges.
- Children's Court: appointment of judge and President.
- Magistrates Court: appointments of magistrates and acting magistrates and resignations.
- WA Industrial Relations Commission: appointments and acting appointments.
- Various offices: appointments, acting appointments, resignations and authorisations, including the CCC, Parliamentary Inspector of the CCC, Auditor General, Information Commissioner, Public Sector Commissioner and the Agent General.

Managing our Assets

Asset Management

The Department manages a wide variety of court, custodial, and other infrastructure around Western Australia on behalf of the community.

Our infrastructure assets are regularly reviewed to ensure such infrastructure is meeting the needs of both the Department and WA people.

Where the Department considers new infrastructure or upgraded facilities or services are needed, representations are made to the State Government for determination as part of the normal State Government budget process.

Infrastructure Planning

A whole of Department Strategic Asset Plan covering the requirements of the former Departments of Corrective Services' and Attorney General's operational areas is under development and will be finalised by January 2019.

A long term custodial infrastructure plan for Corrective Services is being created to inform the development of sufficient capacity in the custodial (prison) estate to 2031. The Department's Infrastructure Services team is working closely with Strategic Projects in the Department of Finance to ensure that resourcing of the first stage of the Plan is able to be considered in the 2019/20 budget process.

State Building - Major Projects

More than \$140 million has been spent in recent years to construct or redevelop court facilities in the Kimberley, Goldfields and Gascoyne, with upgrade work most recently completed in Karratha and Broome.

Metropolitan

David Malcolm Justice Centre

During 2017/18 the Department of Justice completed the final stages of staff relocation into the David Malcolm Justice Centre.

Armadale Courthouse and Police Complex

The Armadale Courthouse and Police Complex project co-locates the Armadale Police Station with a new courthouse. The project is currently at the schematic design stage.

The design is under review by both the WA Police Force and the Department of Justice, and will then move into the design and development phase. This financial year a community reference group was appointed and the first consultative meeting was held in June.

Regional

Kununurra Temporary Courthouse

The temporary Kununurra Courthouse has been dismantled and components relocated to both Broome and Karratha Courthouses. During this financial year the site where the Kununurra temporary courthouse stood was remediated and

handed back to Department of Planning, Lands and Heritage for disposal.

Audio-visual Systems

Audio-visual systems in Western Australian courts and tribunals provide interactive and real-time video and audio links between local, regional and remote sites. Flexible AV systems ensure multi-purpose use, including receiving evidence from witnesses in other areas of the State and witnesses located interstate and overseas. The AV systems also link in with Western Australia's prisons, community-based services offices, juvenile detention and remand centres as well as some police stations and mining registries.

They also facilitate the replay of evidence in trials. Recent upgrades have enabled the court to web stream proceedings from courtrooms of the Supreme Court (Civil) in the David Malcolm Justice Centre and Stirling Gardens buildings. The web streaming capacity allows the court to stream a proceeding live to the internet or record a proceeding and make it available to the public on the court's website for download.

The AV systems enable the recording of audio for transcription as well as video links into the courtroom, reducing the need for persons in custody, witnesses and judicial officers to physically attend court. This makes accessing justice across Western Australia easier, safer, cheaper and faster.

Outcomes 2017/18

In 2017/2018 there were 26,216 video link appearances between courts and prisons, totalling 3,951 hours of court hearing time. The total court appearances by persons in custody was 36,370 of which 72 per cent appeared by video conference. During the year 12,551 video links were made to locations other than prisons, totalling a further 3,410 hours of court hearing time. The Department continued to expand and enhance its court AV facilities to meet demand.

Key project activities included:

- Digital Audio Recording Upgrade project – completed the installation of new digital court audio recording systems at the following locations:
 - Cue Court
 - Halls Creek Court
 - Harvey Court
 - Laverton Court
 - Leonora Court
 - Meekatharra Court
 - Newman Court
 - Onslow Court
 - Southern Cross
 - Tom Price
 - Wiluna Court
 - Wyndham Court.
- Installed a new integrated AV system with video conferencing capability into Court 3 in Armadale Court.
- Installed court recording functionality into Court 3 at the Midland Courthouse.
- Installed new integrated AV systems with video conferencing capability into Courts 4 and 5 in the Fremantle Justice Complex.
- Installed a new mobile video conferencing and court recording system in the Balgo Community Centre for circuit proceedings.
- Provided new integrated video conferencing functionality into two courtrooms in the Family Court of WA.
- Installed video conference capability for the State Administrative Tribunal training facility.
- Extended video conference capability into additional four hearing rooms at the State Administrative Tribunal.
- Upgraded AV components, including video conferencing, touch screen controllers and video recorders in various court locations.
- Upgraded four courtrooms in the Central Law Courts with integrated AV systems now featuring video conferencing capability.
- Successfully broadcast webcasting from courts within the Supreme Court Stirling Gardens and the David Malcolm Justice Centre.
- Completed a digital video upgrade to:
 - Three courtrooms and a remote witness room in the Geraldton Courthouse.
 - Two courtrooms and a remote witness room in the South Hedland Justice Complex.
 - Four courtrooms and two remote witness rooms in the Bunbury Court Complex.
 - Two courtrooms and a remote witness room in the Broome Courthouse.

- Installed a new integrated AV system with video conferencing capability into Court 85 in the Central Law Courts for the Coroner's Court of WA.
- Began the upgrade of four courts in the Central Law Courts including a complete digital video upgrade and equipping them with full jury court functionality.

Integrated Courts Management System

The primary focus of the Integrated Courts Management System (ICMS) is the replacement of the old and outdated case management systems, critical to the operation of courts and tribunals in Western Australia.

The replacement of these systems in all courts and tribunals creates the opportunity to make information used by courts and tribunals more efficient through the transfer of information across the whole justice system. Since the establishment of the eCourts Plan almost all of the courts legacy systems have been replaced with the Integrated Courts Management System. Only two areas remain: Coroner's Court and Jury Management.

The Coroner's Court system will be completed by June 2019.

This year the focus has been on replacing the Office of Criminal Injuries Compensation's ageing legacy system with ICMS, developing a single eCourts portal with a range of online functions and information for the public and registered users; the implementation of an electronic file (eFile) for the Supreme Court civil jurisdiction; and the expansion of the judicial eBench.

Outcomes 2017/18

The functionality delivered in 2017/18 includes:

- Judicial Systems - eBench now includes judicial functions such as the preparation of judgments and

sentencing remarks (decisions), access to legislation, case law and other judicial references and transcripts.

- Supreme Court Civil eFile – the rollout of eLodgment for Supreme Court is now complete, all four hundred documents can now be lodged via eLodgment. This has enabled the Supreme Court to start using the eFile within ICMS.
- eDistribution – the ability for court notices to be sent to parties electronically.
- Criminal Injuries – the decommissioning of the Criminal Injuries Compensation Case Management and Recoveries system and replacing them with ICMS.
- SMS/Email Reminders – began the hearing notification service to all ‘parties’ (eg accused, plaintiff, and defendant) on a civil or criminal matter in March.
- Electronic Arrest Warrants – police now receive arrest warrants electronically, stopping the need for court to send any paperwork.
- Court Listings on the eCourts Portal – the ability to view all of today’s courts listings throughout the State for all jurisdictions. If a person has enough personal details, they can search for future criminal or civil listings.
- Time to pay applications on the eCourts Portal – a person can now apply for or add cases to their current payment arrangement, find out when their next payment is due, and make a payment online.
- eCourts Portal Suppression Orders - a new function was added allowing a ‘registered media user’ to view suppression orders currently in place for any jurisdiction.

Contracts

The Infrastructure, Contracts and Procurement branch is responsible for procurement, governance, buyer training, maintaining the Oracle Purchasing system and procurement process development.

During the financial period from 1 July 2017 to 30 June 2018, the branch assisted business units to establish and administer a diverse range of contracts which support the deliverables of the Department.

The monetary thresholds are derived from State Supply Commission guidelines.

The numbers below reflect where a formal contract has been executed in the form of a Letter of Engagement or Advice of Acceptance of Offer as a result of a quotation or tender process.

Contracts Awarded

Contracts Summary	
Value	Number
\$0 - \$4,999	2
\$5,000 - \$49,999	9
\$50,000 - \$249,999	39
\$250,000 - \$4,999,999	43
\$5 million +	10

Information and Communications Technology

The Information Services branch maintains and secures the Department’s Information and Communication Technology environment.

In 2017/18 the Department established an ICT Transformation Program to transform the delivery of ICT in line with the State ICT Strategy: Digital WA to mitigate risks and support the Department’s digital transformation.

The Department’s ICT transformation program is initially focusing on transition to GovNext Services and the stabilisation of the ICT environment. Based on these priorities, a road map has been developed outlining plans to transition the Department to GovNext services and other consumption-based services over the next 24 months.

The transition to GovNext ICT services began with the establishment of a connection to the GovNext core in June 2018 to enable site connectivity to the Mirrabooka Community Centre, which opened on 11 June 2018, and Wandoo Rehabilitation Prison which is scheduled to open in July 2018. GovNext internet gateway services are due to be established in early July 2018.

As part of the move to cloud services, the Department continues to make progress towards the transition to Microsoft Exchange online. The migration of all mailboxes and de-commissioning of the on-premises ICT environment is expected to be completed within 2018/19.

Library and Information Services

In 2017/18 library services continued to be delivered by Corporate Services to support the work of the Department, the judiciary, government legal officers and external legal practitioners.

During the year, work has continued on the physical integration of the Department's library collection with that of the Legal Practice Board's Law Library to form a single comprehensive legal library collection delivered from a single location on Level 2 of the David Malcolm Justice Centre (DMJC).

The Library Integration Project is now essentially complete. Through this project the majority of material was incorporated into the collection held on Level 2 of DMJC with a smaller number of materials transferred to other State courts and to other libraries, including the State and State Parliamentary libraries. Some material was also donated to community legal centres.

A project to integrate a large amount of material with the existing judicial collection at Stirling Gardens to create an enhanced collection for the use of the Court of Appeal is scheduled for completion in September 2018.

As required by section 7 of the Legal Profession (Law Library) Regulations, the Director General has established a committee to advise on the management of the library. This committee is chaired by a Judge of the Supreme Court and includes representatives of the Law Society of Western Australia, the WA Bar Association and the Legal Practice Board.

This committee met on a regular basis throughout the year. In recognition of the legal focus of the Department's library services, functional responsibility for the law library will transfer to the Courts and Tribunal Services division of the Department on 1 July 2018.

Managing our People

Human Resources

The Department is committed to delivering a high standard of service to the community and continues to focus on building a strong workforce, driven by the development of desired skills and expertise among its staff.

The Department continues to be committed to developing the employment and career development of Aboriginal and Torres Strait Islander people, as well as people with a disability, through its successful trainee programs.

Employee Relations

Following State Government approval, the Department started negotiations for a replacement of the Department of Corrective Services Prison Officers' Industrial Agreement 2016 with the Western Australian Prison Officers' Union.

Health and Wellness Program

Mental Health Week

The Department ran a series of five mental health awareness "lunch and learn" sessions during Mental Health Week. The session's topics included 'Positive People and Positive Psychology', 'Building Resilience', 'Managing Stress' and 'Work-Life Balance'.

Mental Health Week information from the Department's Employee Assistance Programs contractors Optum and People Sense was displayed in Departmental facilities.

Influenza Vaccinations

The Department has two programs which run concurrently, providing an influenza vaccination program for staff. The total number of staff members vaccinated this year was 2,746.

Staff Development and Performance

Employee Development System

Two Employee Development Systems are operating concurrently within the Department, providing necessary performance management frameworks, processes and guidelines for managers and employees.

A new Department of Justice Performance Management Program is being developed for implementation during 2018/19.

Graduate Program

The Department's Graduate Program offers participants an opportunity to develop their capabilities within a Government context, build their understanding and knowledge of the breadth of functions and services delivered by the Department of Justice and provides assistance with career planning. In April 2018, six new graduates started, with the Department running an 18-month program, which includes three job rotations within different business divisions. A workplace mentor and buddy has been allocated to each of the graduates to assist them with achieving their personal development and career goals.

Training and Development

The Department ensures that employees have opportunities to take part in training.

In 2017/18 corporate staff development programs and information sessions were offered to staff, including Job Applications and Interview Skills and Building Resilience.

Additionally, online learning programs were offered, enabling staff to complete training at their workstation. These included: Accountable and Ethical Decision Making, OSH for Managers, Mental Health Awareness, Confidentiality and Information Privacy, Strategies for Helping Clients and Record Keeping and Awareness.

The Safety and Health representatives were elected and attended the mandatory accredited introductory training course within 12 months of being elected.

In April 2018, metropolitan community corrections officers were provided with face-to-face training to raise their awareness of clients potentially holding violent extremist views. A Radicalisation and Extremism Awareness Program (REAP) e-learning module was also made available to staff members whose work in any way involved engaging with offenders.

The REAP is the Department's primary tool for raising awareness of radicalisation and violent extremism in corrections environments. This module provides updated training that reflects the current security environment and is more relevant to community corrections and youth justice contexts.

Trainees

In the period 1 July 2017 to 30 June 2018, the Department employed six trainees through the Public Sector Commission (PSC) traineeship programs. The trainees took part in a structured workplace-based traineeship, completing either a Certificate II or III in Government. In addition, the Department hosted a further three trainees from the PSC.

People with a Disability Trainees

Three PWD trainees were employed by the Department during this time. They were pursuing a Certificate II in Government. On completion of their qualifications, one of the trainees secured a permanent Level 1 position within the Registry of Births, Deaths and Marriages and another with the Department's Finance area. The remaining trainee was referred to alternate pathways by the PSC.

Another trainee was hosted by the Department under the PSC's PWD Program and on completion of their Certificate III in Government has secured a position in the Courts and Tribunal Services directorate.

School-Based Trainees

Overall, six school-based trainees were supported by the Department during the year. Two trainees pursuing Certificate II in Government are currently placed with the Office of the Public Trustee and three school based trainees completed their Certificate II in Government, also with the Public Trustee.

One school-based Aboriginal trainee was recruited on a part-time basis, working in the Bunbury Magistrates Court.

Aboriginal Trainees

Five Aboriginal trainees joined the Department during the year, fully funded by the Department of Justice Aboriginal

Business Traineeship Program. Placements include Human Resources, the Academy, North Metropolitan Youth Justice Services, Victim Offender Mediation Unit and Central Medical Records.

Employee Assistance Program (EAP)

The Department of Justice currently has two EAP contracts. PeopleSense is the provider for former Department of Corrective Services employees and Optum is the provider for former Department of the Attorney General employees.

PeopleSense

The program provided 1,331 sessions throughout the year, with an overall usage rate of 6.39%.

Personal-related issues accounted for 72% of employees; reasons for accessing the EAP program.

29.07% of the sessions were provided to family members of staff.

	2017/18	2016/17	2015/16	2014/15
Clients	504	453	416	314

Optum

The program provided a total of 346 sessions throughout the year, with an overall usage rate of 6.18%.

Personal-related issues accounted for 64.2% of employee's reasons for accessing the EAP program.

10.47% of the sessions were provided to family members of staff.

	2017/18	2016/17	2015/16	2014/15
Clients	105	104	119	119

Volunteers

Volunteers perform an important role in supporting and augmenting the delivery of justice-related services across Western Australia. This includes approximately 3,000 Justices of the Peace.

The Office of the Public Advocate's community guardianship program is reliant on volunteer community guardians.

The Department's Victim Support and Child Witness Service also uses the services of volunteers to support victims of crime through the court process. The Department extends its sincere appreciation for the immense contribution of all volunteers to Western Australian justice services.

Significant Issues Impacting on the Agency

Machinery of Government

The single largest issue affecting the Department over the past financial year has been the creation of the Department as part of the State Government's Machinery of Government changes.

As part of the changes, announced by the McGowan Labor Government in 2017, the Departments of Corrective Services and Attorney General became one justice agency.

Internal progress over the past year has included the new Department defining and adopting a new corporate structure, the consideration of legislation and delegations to be administered by responsible Ministers, the completion of a targeted redundancy scheme, development of a new set of values and principles and the creation of a new code of conduct.

Facing outward, the new Department is operating as an effective consolidated entity.

Law Reform

The Department continued to develop legislation to drive the State Government's strong legal reform agenda. This financial year key pieces of legislation have included new national family violence restraining orders, a Bill to criminalise the non-consensual distribution of intimate images ('revenge porn'), and the qualified expungement of historic homosexual convictions. The State Solicitor's Office, Parliamentary Counsel's Office and the Policy directorate have been heavily involved in this work.

The introduction of same sex marriage through new

Commonwealth legislation affected the Registry of Births, Deaths and Marriages, which is tasked with registering marriages in WA. Forms and procedures at the Registry were amended to reflect the new laws. The Registry of Births, Deaths and Marriages is preparing amendments to the *Births, Deaths and Marriages Registration Act 1998*. These amendments will improve change of name processes and strengthen identification and enrolment processes, maximising Western Australia's contribution to the national identity management and security agenda.

The State Solicitor's Office is making appropriate preparations to respond to anticipated civil claims made against the State of Western Australia in relation to historic child sexual abuse matters, following proclamation of the *Civil Liability Legislation Amendment (Child Sexual Abuse Actions) Act 2018*.

Western Australian Crime Statistics and Research Office

The Department will establish a Western Australian Crime Statistics and Research Office to provide independent, evidence based research on crime and justice. Once operational, the Office will collaborate with universities on a range of mutual research opportunities.

Increased Demand for Services

The Public Trustee and the Office of the Public Advocate continued to report increasing demand for their services, reflecting WA's ageing population.

There was continued pressure this year on the State's courts and tribunals with the District and Supreme Court jurisdictions having a longer time to trial than target for criminal matters, while the Coroner's Court figures have improved slightly.

Legislation currently before State Parliament, the Court Jurisdiction Legislation Amendment Bill 2017, seeks to adjust the criminal jurisdiction boundaries between the Supreme Court and the District Court. Changes to the criminal jurisdiction boundaries between the District Court and Magistrates Court are also being addressed through a separate process. These changes will ensure that offences will be dealt in the most appropriate jurisdiction and, together with recently announced increases to the resources of the District Court, will improve the timeliness, efficiency and effectiveness of the criminal justice systems for all Western Australians.

These resources include the appointment of two new District Court judges over and above those appointed to replace departing judges.

High Growth in Adult Prisoner Population

WA prisons are also under pressure. During 2017/18 adult prisons continued to accommodate an average of 6,771 prisoners a day, a four per cent increase on the previous year. This high growth put increased pressure on the custodial estate's existing assets and infrastructure.

While the Department is working to optimise the existing estate, infrastructure projects are in progress at Casuarina, Bunbury, Broome and Hakea Prisons to meet the expected medium-term demand.

The *Dangerous Sexual Offenders Act 2006* empowers the Supreme Court to order indefinite detention or a community supervision order to be imposed on a particular offender after serving a term of imprisonment if they are satisfied the offender poses a risk of serious danger to the community.

Securing suitable accommodation and support for dangerous sexual offenders (DSOs) continues to present challenges to Corrective Services due to the complexity of needs and funding requirements. The Department continues to liaise with government agencies and other providers to secure suitable accommodation for DSOs returning to the community.

The Prisoners Review Board can put prisoners and parolees, who are serving a Schedule 4 violent offence, on a Post Sentence Supervision Order (PSSO) for a period of two years after the expiry of their court-imposed sentence.

The introduction of PSSOs has increased the number of offenders on community based orders and the demand for advice to the Prisoners Review Board. The appointment of temporary staff to assist with the provision of advice reports and the management of offenders on PSSOs has been approved, pending consideration of funding for additional resources to meet the increased demand.

Methamphetamine Action Plan

In March 2017, the State Government committed to a Methamphetamine Action Plan which included the development of two dedicated alcohol and other drug (AOD) rehabilitation prisons. The Wandoo Reintegration Facility was identified as the appropriate site to establish the female AOD facility. The facility was returned to the State on 1 May 2018, after the contract with Serco Australia ceased on 30 April 2018. The Wandoo Rehabilitation Prison is on track to open in early August 2018.

Managing Drugs and Alcohol in Prisons

The Western Australian Auditor General's Report "Minimising Drugs and Alcohol in Prisons" (the Report) was tabled in State Parliament on 8 November 2017.

The Department agreed to implement the recommendations and has since drafted a new drug and alcohol prison strategy. This strategy details how the Department is strengthening measures to combat the supply of drugs into prison. The strategy will be endorsed and implemented in 2018/19.

The effect of drugs and alcohol abuse in the community necessarily affects the workload of both courts and prisons, efforts to alleviate substance abuse will benefit both the Department and the community.

Reducing over-representation of Aboriginal people

The Department remains committed to reducing the over-representation of Aboriginal people in the criminal justice system.

One of the ways the Department's Aboriginal Justice Program does this is to hold 'Open Days' in regional and

remote WA to help Aboriginal people access Government services. One of the services the Department provides is helping people to either pay their fines outright or enter into time to pay arrangements so they do not face potential imprisonment.

In 2017/18 the Department held 50 Open Days during which over \$1,000,000 fines were able to be paid, a positive result for both the State and those who now do not face fine default-related penalties such as drivers' licence suspension.

Increasing the Cost-Effectiveness of the Criminal Justice System

The Court and Tribunal Services Division has been at the forefront of technological reform in terms of making the courts more accessible to the public.

Not only has it enabled web streaming of certain court cases, it continues to refine its eCourts portal on the Department's website.

This allows the general public to view all of today's courts listings throughout the State for all jurisdictions. If a person has enough personal details, they can search for future criminal or civil listings.

The system now also takes 'time to pay' applications.

A further new initiative is the introduction of SMS and email reminders sent by the courts to the accused, plaintiff and defendant in criminal and civil matters. It is hoped this initiative will help reduce the number of matters which need to be re-listed when people forget to attend court.

Independent Auditor's Report



Auditor General

INDEPENDENT AUDITOR'S REPORT

To the Parliament of Western Australia

DEPARTMENT OF JUSTICE

Report on the Financial Statements

Conclusion

I have audited the financial statements of the Department of Justice which comprise the Statement of Financial Position as at 30 June 2018, the Statement of Comprehensive Income, Statement of Changes in Equity, Statement of Cash Flows, Schedule of Income and Expenses by Service, Schedule of Assets and Liabilities by Service, and Summary of Consolidated Account Appropriations and Income Estimates for the year then ended, and Notes comprising a summary of significant accounting policies and other explanatory information, including Administered transactions and balances.

In my opinion, the financial statements are based on proper accounts and present fairly, in all material respects, the operating results and cash flows of the Department of Justice for the year ended 30 June 2018 and the financial position at the end of that period. They are in accordance with Australian Accounting Standards, the *Financial Management Act 2006* and the Treasurer's Instructions.

Basis for Opinion

Opinion
I conducted my audit in accordance with the Australian Auditing Standards. My responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of my report. I am independent of the Department in accordance with the Auditor General Act 2006 and the relevant ethical requirements of the Accounting Professional and Ethical Standards Board's APES 110 Code of Ethics for Professional Accountants (the Code) that are relevant to my audit of the financial statements. I have also fulfilled my other ethical responsibilities in accordance with the Code. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

Responsibility of the Director General for the Financial Statements

The Director General is responsible for keeping proper accounts, and the preparation and fair presentation of the financial statements in accordance with Australian Accounting Standards, the *Financial Management Act 2006* and the Treasurer's Instructions, and for such internal control as the Director General determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, the Director General is responsible for assessing the agency's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless the Western Australian Government has made policy or funding decisions affecting the continued existence of the Department.

Auditor's Responsibility for the Audit of the Financial Statements

Auditor's Responsibility for the Audit of the Financial Statements

As required by the Auditor General Act 2006, my responsibility is to express an opinion on the financial statements. The objectives of my audit are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Australian Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the financial statements.

As part of an audit in accordance with Australian Auditing Standards, I exercise professional judgment and maintain professional scepticism throughout the audit. I also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the agency's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the Director General.
- Conclude on the appropriateness of the Director General's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the agency's ability to continue as a going concern. If I conclude that a material uncertainty exists, I am required to draw attention in my auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify my opinion. My conclusions are based on the audit evidence obtained up to the date of my auditor's report.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

I communicate with the Director General regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during my audit.

Report on Controls

Opinion

I have undertaken a reasonable assurance engagement on the design and implementation of controls exercised by the Department of Justice. The controls exercised by the Department are those policies and procedures established by the Director General to ensure that the receipt, expenditure and investment of money, the acquisition and disposal of property, and the incurring of liabilities have been in accordance with legislative provisions (the overall control objectives).

My opinion has been formed on the basis of the matters outlined in this report.

In my opinion, in all material respects, the controls exercised by the Department of Justice are sufficiently adequate to provide reasonable assurance that the receipt, expenditure and investment of money, the acquisition and disposal of property and the incurring of liabilities have been in accordance with legislative provisions during the year ended 30 June 2018.

The Director General's Responsibilities

The Director General is responsible for designing, implementing and maintaining controls to ensure that the receipt, expenditure and investment of money, the acquisition and disposal of property, and the incurring of liabilities are in accordance with the *Financial Management Act 2006*, the Treasurer's instructions and other relevant written law.

Auditor General's Responsibilities

As required by the Auditor General Act 2006, my responsibility as an assurance practitioner is to express an opinion on the suitability of the design of the controls to achieve the overall control objectives and the implementation of the controls as designed. I conducted my engagement in accordance with Standard on Assurance Engagements ASAE 3150 Assurance Engagements on Controls issued by the Australian Auditing and Assurance Standards Board. That standard requires that I comply with relevant ethical requirements and plan and perform my procedures to obtain reasonable assurance about whether, in all material respects, the controls are suitably designed to achieve the overall control objectives and the controls, necessary to achieve the overall control objectives, were implemented as designed.

An assurance engagement to report on the design and implementation of controls involves performing procedures to obtain evidence about the suitability of the design of controls to achieve the overall control objectives and the implementation of those controls. The procedures selected depend on my judgement, including the assessment of the risks that controls are not suitably designed or implemented as designed. My procedures included testing the implementation of those controls that I consider necessary to achieve the overall control objectives.

I believe that the evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

Limitations of Controls

Because of the inherent limitations of any internal control structure it is possible that, even if the controls are suitably designed and implemented as designed, once the controls are in operation, the overall control objectives may not be achieved so that fraud, error, or noncompliance with laws and regulations may occur and not be detected. Any projection of the outcome of the evaluation of the suitability of the design of controls to future periods is subject to the risk that the controls may become unsuitable because of changes in conditions.

Report on the Key Performance Indicators

Qualified Opinion

I have undertaken a reasonable assurance engagement on the key performance indicators of the Department of Justice for the year ended 30 June 2018. The key performance indicators are the key effectiveness indicators and the key efficiency indicators that provide performance information about achieving outcomes and delivering services.

In my opinion, in all material respects, except for the possible effect of the matter described in the Basis for Qualified Opinion section of my report, the key performance indicators of the Department of Justice are relevant and appropriate to assist users to assess the Department's performance and fairly represent indicated performance for the year ended 30 June 2018.

Basis for Qualified Opinion

The Department's key effectiveness indicator 'Average Out of Cell Hours - Adult' is based on default or standard out of cell hours for each correctional facility, adjusted by actual restrictions to standard out of cell hours. From 1 March 2018, the Department recorded necessary adjustments to out of cell hours at all relevant correctional facilities.

However, prior to 1 March 2018, adjustments to out of cell hours were not completely recorded at all facilities. Consequently, I am unable to obtain sufficient appropriate audit evidence about whether this effectiveness indicator is fairly presented.

The Director General's Responsibility for the Key Performance Indicators

The Director General is responsible for the preparation and fair presentation of the key performance indicators in accordance with the *Financial Management Act 2006* and the Treasurer's Instructions and for such internal control as the Director General determines necessary to enable the preparation of key performance indicators that are free from material misstatement, whether due to fraud or error.

In preparing the key performance indicators, the Director General is responsible for identifying key performance indicators that are relevant and appropriate having regard to their purpose in accordance with Treasurer's Instruction 904 *Key Performance Indicators*.

Auditor General's Responsibility

As required by the *Auditor General Act 2006*, my responsibility as an assurance practitioner is to express an opinion on the key performance indicators. The objectives of my engagement are to obtain reasonable assurance about whether the key performance indicators are relevant and appropriate to assist users to assess the agency's performance and whether the key performance indicators are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. I conducted my engagement in accordance with *Standard on Assurance Engagements ASAE 3000 Assurance Engagements Other than Audits or Reviews of Historical Financial Information* issued by the Australian Auditing and Assurance Standards Board. That standard requires that I comply with relevant ethical requirements relating to assurance engagements.

An assurance engagement involves performing procedures to obtain evidence about the amounts and disclosures in the key performance indicators. It also involves evaluating the relevance and appropriateness of the key performance indicators against the criteria and guidance in Treasurer's Instruction 904 for measuring the extent of outcome achievement and the efficiency of service delivery. The procedures selected depend on my judgement, including the assessment of the risks of material misstatement of the key performance indicators. In making these risk assessments I obtain an understanding of internal control relevant to the engagement in order to design procedures that are appropriate in the circumstances.

I believe that the evidence I have obtained is sufficient and appropriate to provide a basis for my qualified opinion.

My Independence and Quality Control Relating to the Reports on Controls and Key Performance Indicators

I have complied with the independence requirements of the *Auditor General Act 2006* and the relevant ethical requirements relating to assurance engagements. In accordance with ASQC 1 *Quality Control for Firms that Perform Audits and Reviews of Financial Reports and Other Financial Information, and Other Assurance Engagements*, the Office of the Auditor General maintains a comprehensive system of quality control including documented policies and procedures regarding compliance with ethical requirements, professional standards and applicable legal and regulatory requirements.

Matters Relating to the Electronic Publication of the Audited Financial Statements and Key Performance Indicators

This auditor's report relates to the financial statements and key performance indicators of the Department of Justice for the year ended 30 June 2018 included on the Department's website. The Department's management is responsible for the integrity of the Department's website. This audit does not provide assurance on the integrity of the Department's website. The auditor's report refers only to the financial statements and key performance indicators described above. It does not provide an opinion on any other information which may have been hyperlinked to/from these financial statements or key performance indicators. If users of the financial statements and key performance indicators are concerned with the inherent risks arising from publication on a website, they are advised to refer to the hard copy of the audited financial statements and key performance indicators to confirm the information contained in this website version of the financial statements and key performance indicators.



CAROLINE SPENCER
AUDITOR GENERAL
FOR WESTERN AUSTRALIA
Perth, Western Australia
17 September 2018

Certification of Financial Statements

For the reporting period ended 30 June 2018

The accompanying financial statements of the Department of Justice have been prepared in compliance with the provisions of the *Financial Management Act 2006* from proper accounts and records to present fairly the financial transactions for the reporting period ended 30 June 2018 and the financial position as at 30 June 2018.

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.



Sandy Kerr
Chief Finance Officer
14 September 2018



Dr Adam Tomison
Accountable Authority
14 September 2018

Statement of Comprehensive Income

For the year ended 30 June 2018

	Notes	2018 \$'000
COST OF SERVICES		
Expenses		
Employee benefits expenses	3.1.1	773,122
Supplies and services	3.2	388,847
Depreciation and amortisation expense	5.1.1, 5.2.1	58,746
Finance costs	7.3	36,025
Accommodation expenses	3.3	57,356
Grants and subsidies	3.4	83,017
Prisoner gratuities	3.5	11,210
Cost of sales	4.3	12,401
Loss on disposal of non-current assets	4.5	26
Loss on revaluation	3.6	67,960
Other expenses	3.7	88,033
Total cost of services		1,576,743
Income		
Revenue		
User charges and fees	4.2	108,558
Sales	4.3	15,449
Commonwealth grants and contributions	4.4	19,429
Other revenue	4.6	20,315
Total Revenue		163,751
Total income other than income from State Government		163,751
NET COST OF SERVICES		1,412,992

Statement of Comprehensive Income

For the year ended 30 June 2018

	Notes	2018 \$'000
Income from State Government	4.1	
Service appropriation		1,309,087
Liabilities assumed by the Treasurer		25,785
Services received free of charge		4,327
Royalties for Regions Fund		9,372
Total income from State Government		1,348,571
DEFICIT FOR THE PERIOD		(64,421)
OTHER COMPREHENSIVE INCOME		
Items not reclassified subsequently to profit or loss		
Changes in asset revaluation surplus/(deficit)	9.10	-
Total other comprehensive income		-
TOTAL COMPREHENSIVE INCOME FOR THE PERIOD		(64,421)

See also the 'Schedule of Income and Expenses by Service'.

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

Statement of Financial Position

As at 30 June 2018

	Notes	2018 \$'000
ASSETS		
Current Assets		
Cash and cash equivalents	7.4.1	72,722
Restricted cash and cash equivalents	7.5, 7.4.1	3,887
Inventories	4.3	3,138
Receivables	6.1	16,284
Amounts receivable for services	6.2	11,047
Other current assets	6.3	1,806
Biological assets	6.5	1,963
Total Current Assets		110,847
Non-Current Assets		
Restricted cash and cash equivalents	7.5, 7.4.1	4,762
Amounts receivable for services	6.2	404,971
Property, plant and equipment	5.1	2,216,279
Intangible assets	5.2	10,583
Total Non-Current Assets		2,636,595
TOTAL ASSETS		2,747,442
LIABILITIES		
Current Liabilities		
Payables	6.5	93,412
Borrowings	7.1	8,866
Provisions	3.1.2	139,307
Total Current Liabilities		241,585

Statement of Financial Position

As at 30 June 2018

	Notes	2018 \$'000
Non-Current Liabilities		
Borrowings	7.1	397,436
Provisions	3.1.2	26,683
Total Non-Current Liabilities		424,119
TOTAL LIABILITIES		665,704
NET ASSETS		2,081,738
EQUITY	9.10	
Contributed equity		2,146,159
Accumulated deficit		(64,421)
TOTAL EQUITY		2,081,738

See also the 'Schedule of Assets and Liabilities by Service'.

The Statement of Financial Position should be read in conjunction with the accompanying notes.

Statement of Changes in Equity

For the year ended 30 June 2018

	Note	Contributed equity \$'000	Accumulated deficit \$'000	Total equity \$'000
Balance at 1 July 2017	9.10	-	-	-
Deficit for the period		-	(64,421)	(64,421)
Other comprehensive income		-	-	-
Total comprehensive income for the period		-	(64,421)	(64,421)
Transactions with owners in their capacity as owners:				
Capital appropriations		22,323	-	22,323
Net assets transferred in		-	-	-
Equity contribution		-	-	-
Other contributions by owners		2,123,836	-	2,123,836
Distribution to owners		-	-	-
Total		2,146,159	-	2,146,159
Balance at 30 June 2018		2,146,159	(64,421)	2,081,738

The Statement of Changes in Equity should be read in conjunction with the accompanying notes.

Statement of Cash Flows

For the year ended 30 June 2018

	Notes	2018 \$'000
CASH FLOWS FROM STATE GOVERNMENT		
Service appropriation		1,249,051
Capital appropriations		22,323
Equity contributions		65,757
Holding account drawdown		10,628
Royalties for Regions Fund		9,543
Net cash provided by State Government		1,357,302
Utilised as follows:		
CASH FLOWS FROM OPERATING ACTIVITIES		
Payments		
Employees benefits		(749,128)
Supplies and services		(374,656)
Finance costs		(36,025)
Accommodation		(52,779)
Grants and Subsidies		(83,016)
GST payments on purchases		(74,576)
GST payments to taxation authority		(4,393)
Other payments		(81,257)
Receipts		
Sale of goods and services		2,493
User charges and fees		108,537
Commonwealth grants and contributions		14,852
GST receipts on sales		4,682
GST receipts from taxation authority		75,037
Other receipts		18,313
Net cash used in operating activities	7.4.2	(1,231,916)

Statement of Cash Flows

For the year ended 30 June 2018

	Notes	2018 \$'000
CASH FLOW FROM INVESTING ACTIVITIES		
Payments		
Purchase of non-current physical assets		(34,345)
Receipts		
Proceeds from sale of non-current physical assets		52
Net cash used in investing activities		(34,293)
CASH FLOW FROM FINANCING ACTIVITIES		
Payments		
Repayments of borrowings		(9,722)
Receipts		
Proceeds from borrowings		-
Net cash used in financing activities		(9,722)
Net increase/(decrease) in cash and cash equivalents		81,371
Cash and cash equivalents at the beginning of the period		-
CASH AND CASH EQUIVALENTS AT THE END OF THE PERIOD	7.4.1	81,371

The Statement of Cash Flows should be read in conjunction with the accompanying notes.

Summary of Consolidated Account Appropriations and Income Estimates

For the year ended 30 June 2018

	2018 Estimate \$'000	2018 Actual \$'000	Variance \$'000
<u>Delivery of Services</u>			
Item 58 Net amount appropriated to deliver services	1,195,808	1,219,363	23,555
Amount Authorised by Other Statutes			
<i>Children's Court of Western Australia Act 1988</i>	405	423	18
<i>Criminal Injuries Compensation Act 2003</i>	40,707	26,548	(14,159)
<i>District Court of Western Australia Act 1969</i>	12,602	12,954	352
<i>Judges' Salaries and Pensions Act 1950</i>	10,836	10,657	(179)
<i>Salaries and Allowances Act 1975</i>	33,027	32,505	(522)
<i>Solicitor General Act 1969</i>	594	631	37
<i>State Administrative Tribunal Act 2004</i>	5,878	5,846	(32)
<i>Suitor's Fund Act 1964</i>	31	47	16
Administered Appropriations	-	113	113
Total appropriations provided to deliver services	1,299,888	1,309,087	9,199
<u>Capital</u>			
Item 114 Capital appropriations	24,887	22,323	(2,564)
Equity contribution	-	-	-
GRAND TOTAL	1,324,775	1,331,410	6,635

Summary of Consolidated Account Appropriations and Income Estimates

For the year ended 30 June 2018

	2018 Estimate \$'000	2018 Actual \$'000	Variance \$'000
<u>Details of Expenses by Service</u>			
Court and Tribunal Services	395,281	417,412	22,131
Advocacy, Guardianship and Administration Services	7,306	7,881	575
Trustee Services	22,899	23,632	733
Births, Deaths and Marriages	8,697	8,067	(630)
Services to Government	51,125	67,407	16,282
Adult Corrective Services	879,463	905,159	25,696
Youth Justice Services	101,298	99,413	(1,885)
Legal Aid Assistance	41,708	47,772	6,064
Total Cost of Services	1,507,777	1,576,743	68,966
Less Total income	(167,840)		167,840
Net Cost of Services	1,339,937	1,576,743	236,806
Adjustments ^(a)			-
Total appropriations provided to deliver services	1,339,937	1,576,743	236,806
<u>Capital Expenditure</u>			
Purchase of non-current physical assets	(61,381)	(34,345)	27,036
Repayment of borrowings	(10,679)	(9,722)	957
Adjustments for other funding sources	-		-
Capital appropriations	(72,060)	(44,067)	27,993
<u>Details of Income Estimates</u>			
Income disclosed as Administered Income	78,967	175,704	96,737

^(a) Adjustments comprise of other funding sources and movements in cash balances and other accrual items such as receivables, payables and provisions.

Explanations of variations between the current year estimates and actual results are set out in Note 9.11 'Explanatory statement'.

Notes to the Financial Statements

1. Basis of preparation

The Department is a WA Government entity and is controlled by the State of Western Australia, which is the ultimate parent. The entity is a not-for-profit entity (as profit is not its principal objective).

A description of the nature of its operations and its principal activities have been included in the 'Overview' which does not form part of these financial statements.

These annual financial statements were authorised for issue by the Accountable Authority of the Department on 14 September 2018.

Statement of compliance

These general purpose financial statements have been prepared in accordance with:

1. The *Financial Management Act 2006* (FMA)
2. The Treasurer's Instructions (the Instructions or TI)
3. Australian Accounting Standards (AAS) including applicable interpretations
4. Where appropriate, those AAS paragraphs applicable for not-for-profit entities have been applied.

The FMA and the TI take precedence over AAS. Several AAS are modified by the Instructions to vary application, disclosure format and wording. Where modification is required and has had a material or significant financial effect upon the reported results, details of that modification and the resulting financial effect are disclosed in the notes to the financial statements.

Basis of preparation

These financial statements are presented in Australian dollars applying the accrual basis of accounting and using the historical cost convention. Certain balances will apply a different measurement basis (such as the fair value basis). Where this is the case the different measurement basis is disclosed in the associated note. All values are rounded to the nearest thousand dollars (\$'000).

Judgements and estimates

Judgements, estimates and assumptions are required to be made about financial information being presented. The significant judgements and estimates made in the preparation of these financial statements are disclosed in the notes where amounts affected by those judgements and/or estimates are disclosed. Estimates and associated assumptions are based on professional judgements derived from historical experience and various other factors that are believed to be reasonable under the circumstances.

Contributed equity

AASB Interpretation 1038 Contributions by Owners Made to Wholly-Owned Public Sector Entities requires transfers in the nature of equity contributions, other than as a result of a restructure of administrative arrangements, to be designated by the Government (the owner) as contributions by owners (at the time of, or prior, to transfer) before such transfers can be recognised as equity contributions. Capital appropriations have been designated as contributions by owners by TI 955 Contributions by Owners made to Wholly Owned Public Sector Entities and have been credited directly to Contributed Equity.

The transfers of net assets to/from other agencies, other than as a result of a restructure of administrative arrangements, are designated as contributions by owners where the transfers are non-discretionary and non-reciprocal.

Comparative figures

Due to the machinery of government changes that amalgamated the former Department of Corrective Services and the Department of Attorney General, no comparative figures have been disclosed in the financial statements.

2. Department outputs

How the Department operates

This section includes information regarding the nature of funding the Department receives and how this funding is utilised to achieve the Department's objectives. This note also provides the distinction between controlled funding and administered funding:

	Notes
Department objectives	2.1
Schedule of income and expenses by service	2.2
Schedule of assets and liabilities by service	2.3

2.1 Department objectives

Mission

The Department's mission is for a fair, just and safe community for all Western Australians.

The Department is predominately funded by Parliamentary appropriations. The financial statements encompass all funds through which the Department controls resources to carry on its functions.

Services

The Department provides the following services

Justice Services

- court and tribunal services
- custodial services
- corrections services
- offender management and community safety
- victims support

Services to the Community

- advocacy, guardianship and administration services
- trustee services
- birth, death and marriage services

Services to Government

- policy advice
- legal advice and representation
- legislative drafting and related services

Administered items

The Department administers assets, liabilities, income and expenses on behalf of Government which are not controlled by, nor integral to, the function of the Department.

These administered balances and transactions are not recognised in the principal financial statements of the Department but schedules are prepared using the same basis as the financial statements and are presented at Note 10.1 'Disclosure of administered income and expenses by service' and Note 10.3 'Administered assets and liabilities'.

2.2 Schedule of income and expenses by service

	Court and Tribunal Services	Trustee Services	Births, Deaths and Marriages	Advocacy, Guardianship and Administration Services	Legal Aid Assistance	Services to Government	Adult Corrective Services	Youth Justice Services	Total
	2018 \$'000	2018 \$'000	2018 \$'000	2018 \$'000	2018 \$'000	2018 \$'000	2018 \$'000	2018 \$'000	2018 \$'000
COST OF SERVICES									
Expenses									
Employee benefits expense	185,628	16,679	4,681	6,361	-	45,466	445,866	68,441	773,122
Supplies and services	92,504	2,853	1,197	371	-	6,650	267,159	18,113	388,847
Depreciation and amortisation expense	19,722	858	524	36	-	278	35,968	1,360	58,746
Finance costs	15,339	-	-	-	-	-	20,686	-	36,025
Accommodation expenses	30,251	2,641	1,530	1,012	-	8,880	10,040	3,002	57,356
Grants and subsidies	30,349	20	7	6	47,772	4,832	27	4	83,017
Prisoner gratuities	-	-	-	-	-	-	11,001	209	11,210
Cost of Sales	-	-	-	-	-	-	12,276	125	12,401
Loss on disposal of non-current assets	(16)	-	-	-	-	(4)	46	-	26
Loss on revaluation	23,353	-	-	-	-	-	44,607	-	67,960
Other expenses	20,282	581	128	95	-	1,305	57,483	8,159	88,033
Total cost of services	417,412	23,632	8,067	7,881	47,772	67,407	905,159	99,413	1,576,743
Income									
User charges and fees	75,768	19,612	7,634	-	-	5,267	277	-	108,558
Sales	-	-	-	-	-	-	15,328	121	15,449
Commonwealth grants and contributions	18,945	-	-	-	-	-	422	62	19,429
Other revenue	6,762	2,645	1	2	-	2,185	7,900	820	20,315
Total income other than income from State Government	101,475	22,257	7,635	2	-	7,452	23,927	1,003	163,751
NET COST OF SERVICES	315,937	1,375	432	7,879	47,772	59,955	881,232	98,410	1,412,992
Income from State Government									
Service appropriations	264,375	1,115	524	7,879	47,672	58,576	836,469	92,477	1,309,087
Liabilities assumed	25,785	-	-	-	-	-	-	-	25,785
Services received free of charge	2,077	-	-	-	-	-	2,250	-	4,327
Royalties for Regions Fund	186	-	-	-	-	1,379	1,874	5,933	9,372
Total Income from State Government	292,423	1,115	524	7,879	47,672	59,955	840,593	98,410	1,348,571
SURPLUS/(DEFICIT) FOR THE PERIOD	(23,514)	(260)	92	-	(100)	-	(40,639)	-	(64,421)

The Schedule of Income and Expenses by Service should be read in conjunction with the accompanying notes.

2.3 Schedule of assets and liabilities by service

	Court and Tribunal Services	Trustee Services	Births, Deaths and Marriages	Advocacy, Guardianship and Administration Services	Legal Aid Assistance	Services to Government	Adult Corrective Services	Youth Justice Services	Total
	2018 \$'000	2018 \$'000	2018 \$'000	2018 \$'000	2018 \$'000	2018 \$'000	2018 \$'000	2018 \$'000	2018 \$'000
Assets									
Current assets	54,629	267	128	4	-	1,724	54,095	-	110,847
Non-current assets	760,048	2,716	3,031	9	-	437	1,711,311	159,043	2,636,595
Total assets	814,677	2,983	3,159	13	-	2,161	1,765,406	159,043	2,747,442
Liabilities									
Current liabilities	82,642	3,127	1,136	848	-	9,219	133,047	11,566	241,585
Non-current liabilities	183,417	609	174	174	-	1,827	236,120	1,798	424,119
Total liabilities	266,059	3,736	1,310	1,022	-	11,046	369,167	13,364	665,704
NET ASSETS/ (LIABILITIES)	548,618	(753)	1,849	(1,009)	-	(8,885)	1,396,239	145,679	2,081,738

The Schedule of Assets and Liabilities by Service should be read in conjunction with the accompanying notes.

Notes to the Financial Statements

3. Use of our funding

Expenses incurred in the delivery of services

This section provides additional information about how the Department's funding is applied and the accounting policies that are relevant for an understanding of the items recognised in the financial statements. The primary expenses incurred by the Department in achieving its objectives and the relevant notes are:

	Notes	2018 \$'000
Employee benefits expenses	3.1.1	773,122
Employee related provisions	3.1.2	165,990
Supplies and services	3.2	388,847
Accommodation expenses	3.3	57,356
Grants and subsidies	3.4	83,017
Prisoner gratuities	3.5	11,210
Cost of sales	4.3	12,401
Loss on revaluation	3.6	67,960
Other expenditure	3.7	88,033

3.1.1 Employee benefits expenses

	2018 \$'000
Wages and salaries ^(a)	582,969
Termination benefits	26,703
Superannuation - defined contribution plans ^(b)	60,019
Long service leave	77,646
Judges' pension-liability assumed by the Treasurer ^(c)	25,785
Total employee benefits expenses	773,122

^(a) Includes the value of the fringe benefit to the employee plus the fringe benefits tax component.

^(b) Defined contribution plans include West State Superannuation Scheme (WSS), Gold State Superannuation Scheme (GSS), Government Employee Superannuation Scheme (GESBs) and other eligible funds.

^(c) Reflects the net increase in the pension liability recorded by the Department of Treasury at the end of the reporting period.

Wages and salaries: Employee expenses include all costs related to employment including wages and salaries, fringe benefits tax, leave entitlements and WorkCover premiums.

Termination benefits: Payable when employment is terminated before normal retirement date, or when an employee accepts an offer of benefits in exchange for the termination of employment. Termination benefits are recognised when the Department is demonstrably

committed to terminating the employment of current employees according to a detailed formal plan without possibility of withdrawal or providing termination benefits as a result of an offer made to encourage voluntary redundancy. Benefits falling due more than 12 months after the end of the reporting period are discounted to present value.

Superannuation: The amount recognised in profit or loss of the Statement of Comprehensive Income comprises employer contributions paid to the GSS (concurrent contributions), the WSS, the GESBs, or other superannuation funds. The employer contribution paid to the Government Employees Superannuation Board (GESB) in respect of the GSS is paid back into the Consolidated Account by the GESB.

GSS (concurrent contributions) is a defined benefit scheme for the purposes of employees and whole of government reporting. It is however a defined contribution plan for Department purposes because the concurrent contributions (defined contributions) made by the Department to GESB extinguishes the Department's obligations to the related superannuation liability.

The Department does not recognise any defined benefit liabilities because it has no legal or constructive obligation to pay future benefits relating to its employees. The Liabilities for the unfunded Pension Scheme and the unfunded GSS transfer benefits attributable to members who transferred from the Pension Scheme, are assumed by the Treasurer. All other GSS obligations are funded by concurrent contributions made by the Department to the GESB.

The GESB and other fund providers administer public sector superannuation arrangements in Western Australia in accordance with legislative requirements. Eligibility criteria for membership in particular schemes for public sector employees vary according to commencement and implementation dates.

Judges pension liability: All Judges' pension benefits are met by the Treasurer. Judges are entitled to pensions of 60% of their final salary after ten years of service and proportionate pensions for lesser service. Spouses of Judges are entitled to pensions of 62.5% of the Judge's pension entitlement on the Judge's death. The liability for Judges' pensions as at 30 June 2018 was calculated by independent external actuaries.

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

Key sources of estimation uncertainty - Judges' Pension

Changes in the actuarial assumptions impact the carrying amount of the Judges' Pension liability. At the end of 2018, the increase in the discount rate and the decrease in salary assumption resulted in a net decrease in the Judges' pension liability at the Department of Treasury.

Assumptions that are used to update the assessment of the defined benefit obligations of the Judges Pension Scheme include:

- Financial assumptions based on the expected change in future salary, discount rates and expected change in future pensions.
- Demographic assumptions based on the Whole of Government experience and include mortality rates, retirement rates, incapacity and withdrawal rates, the proportion of members with dependent spouses and dependent children and their age gap.

Notes to the Financial Statements

3.1.2. Employee related provisions

Provision is made for benefits accruing to employees in respect of wages and salaries, annual leave and long service leave for services rendered up to the reporting date and recorded as an expense during the period the services are delivered.

	2018 \$'000
Current	
<u>Employee related provision</u>	
Annual leave ^(a)	50,103
Long service leave ^(b)	83,050
	133,153
<u>Other provisions</u>	
Employment on-costs ^(c)	6,154
	6,154
Total current employee related provision	139,307
Non-current	
<u>Employee related provision</u>	25,522
Long service leave ^(b)	25,522
<u>Other provisions</u>	
Employment on-costs ^(c)	1,161
	1,161
Total non-current employee related provision	26,683
Total employee related provision	165,990

^(a) **Annual leave liabilities** have been classified as **current** as there is no unconditional right to defer settlement for at least 12 months after the reporting period. Assessments indicate that actual settlement of the liabilities is expected to occur as follows:

	2018 \$'000
Within 12 months of the end of the reporting period	33,215
More than 12 months of the end of the reporting period	16,888
	50,103

The provision for annual leave is calculated at the present value of expected payments to be made in relation to services provided by employees up to the reporting date.

^(b) **Long service leave liabilities** have been classified as **current** where there is no unconditional right to defer settlement for at least 12 months after the reporting period. Pre-conditional and conditional long service leave provisions are classified as **non-current** liabilities because the Department has an unconditional right to defer the settlement of the liability until the employee has complete the requisite years of service. Assessments indicate that actual settlement of the liabilities is expected to occur as follows:

	2018 \$'000
Within 12 months of the end of the reporting period	31,162
More than 12 months of the end of the reporting period	77,410
	108,572

The long service leave liabilities are calculated at present value as the Department does not expect to wholly settle the amounts within 12 months. The present value is measured taking into account the present value of expected future payments to be made in relation to services provided by employees up to the reporting date. These payments are estimated using the remuneration rate expected to apply at the time of settlement, discounted using market yields at the end of the reporting period on national government bonds with terms to maturity that match, as closely as possible, the estimated future cash outflows.

Notes to the Financial Statements

3.1.2. Employee related provisions (continued)

^{c)} **Employee on-costs:** The settlement of annual and long service leave liabilities gives rise to the payment of employment on-costs including workers' compensation insurance. The provision is the present value of expected future payments.

Employment on-costs, including workers' compensation insurance, are not employee benefits and are recognised separately as liabilities and expenses when the employment to which they relate has occurred. Employment on-costs are included as part of 'Other expenses, Note 3.7 (apart from the unwinding of the discount (finance cost))' and are not included as part of the agency's 'employee benefits expense'. The related liability is included in 'Employment on-costs provision'.

Employment on-cost provision

Carrying amount at start of period

Contribution by owner

Additional provisions recognised

Carrying amount at end of period

2018 \$'000
-
6,056
1,259
7,315

Key sources of estimation uncertainty – long service leave

Key estimates and assumptions concerning the future are based on historical experience and various other factors that have a significant risk of causing a material adjustment to the carrying amount of assets and liabilities within the next financial year.

Several estimates and assumptions are used in calculating the Department's long service leave provision. These include:

- Expected future salary rates
- Discount rates
- Employee retention rates; and
- Expected future payments

Changes in these estimations and assumptions may impact on the carrying amount of the long service leave provision.

Any gain or loss following revaluation of the present value of long service leave liabilities is recognised as employee benefits expense.

3.2 Supplies and services

Supplies and services

Communication

Electricity, gas and water

Municipal rates and charges

Goods and services purchased

Livestock purchases

Plant, equipment and vehicle operating expenses

Computer services and licences

Private prison service & maintenance

Court security and custodial service

Service purchased from NFP

Other services and contracts

2018 \$'000
10,510
18,757
4,262
39,329
5,881
4,504
31,392
106,569
64,235
31,072
72,336
388,847

Supplies and services are recognised as an expense in the reporting period in which they are incurred. The carrying amounts of any materials held for distribution are expensed when the materials are distributed.

3.3 Accommodation expenses

Accommodation expenses

Lease rentals

2018 \$'000
57,356
57,356

Operating lease payments are recognised on a straight line basis over the lease term, except where another systematic basis is more representative of the time pattern of the benefits derived from the use of the leased asset. Repairs, maintenance and cleaning costs are recognised as expenses as incurred.

Notes to the Financial Statements

3.4 Grants and subsidies

	2018 \$'000
Recurrent	
Accused Costs Payments	3,359
Criminal Injuries Compensation Payments ^(a)	26,620
Legal Aid Assistance Grant	47,914
Ex-Gratia Payments	1,140
Act of Grace Payment	1,688
Other grants and subsidies	2,296
	83,017

Transactions in which the Department provides goods, services, assets (or extinguishes a liability) or labour to another party without receiving approximately equal value in return are categorised as 'Grant expenses'. Grants can either be operating or capital in nature.

Grants can be paid as general purpose grants which refer to grants that are not subject to conditions regarding their use. Alternatively, they may be paid as specific purpose grants which are paid for a particular purpose and/or have conditions attached regarding their use.

Grants and other transfers to third parties (other than contribution to owners) are recognised as an expense in the reporting period in which they are paid or payable. They include transactions such as: grants, subsidies, personal benefit payments made in cash to individuals, other transfer payments made to public sector agencies, local government, non-government schools, and community groups. The Department administers a number of grant and subsidy payments on behalf of the Government. Grant and subsidy liabilities are recognised to the extent that payments are in pursuance of the law (payable under legal liability) and the grant criteria have been satisfied but payments due have not been made. A commitment is recorded when the Government enters into a binding agreement to make a grant but criteria for payment has not been satisfied.

^(a) The *Criminal Injuries Compensation Act 2003* (WA) provides for victims of crime to be compensated for injuries they have suffered as a consequence of the commission of an offence.

The Department from time to time processes act of grace and ex gratia payments on behalf of Government. 6 Ex gratia payments were made in that totalled \$1,140,000 and 5 Act of grace payments were made that totalled \$1,687,000.

3.5 Prisoner gratuities

	2018 \$'000
Payment to prisoners ^(a)	11,210
	11,210

^(a) Section 110 of the *Prisons Act 1981* allows the Governor to make regulations that prescribe gratuities and the conditions upon which gratuities may be credited to prisoners. Section 45 (2) of the Prisons Regulations 1982 provides for the rates of gratuities to be credited to be varied each year according to the variation in the previous year of the Consumer Price Index (all groups) Perth as issued by the Australian Bureau of Statistics under the authority of the *Census and Statistics Act 1905* of the Commonwealth.

3.6 Loss on revaluation

	2018 \$'000
Buildings	56,980
Land	10,980
	67,960

The loss on revaluation of Land and Building is a result of the machinery of government changes that amalgamated the former Department of Corrective Services and the Department of Attorney General. As there is no revaluation reserve brought forward from the former departments the revaluation decrement is required to be disclosed in the statement of comprehensive income as an expense.

Notes to the Financial Statements

3.7 Other expenses

	2018 \$'000
Building repairs and maintenance	27,198
Plant, equipment and vehicle repairs and maintenance	3,500
Vehicle hire, fuel, registration and management fees	2,640
Insurance	20,265
Staff clothing and uniforms	1,214
Staff training	1,003
Staff accommodation	15,109
Travel and accommodation	6,811
Miscellaneous staff costs	707
Jurors' expense	2,321
Freight and couriers	2,421
Doubtful debts expense	39
Employee on-costs	1,259
Other expenses	3,546
	88,033

Maintenance: Building repairs and maintenance costs are recognised as expenses as incurred, except where they relate to the replacement of a significant component of an asset. In that case, the costs are capitalised and depreciated.

Doubtful debt expenses: Doubtful debt expense is recognised as the movement in the provision for doubtful debt. Refer to note 6.1 Movement in the allowance for impairment of receivables.

Other: Other operating expenses generally represent the day-to-day running costs incurred in normal operations.

Employee on-cost: Employee on-cost includes workers' compensation insurance and other employment on-costs. The on-costs liability associated with the recognition of annual and long service leave liabilities is included at Note 3.1.2(b) Employee related provision.

Superannuation contributions accrued as part of the provision for leave are employee benefits and are not included in employment on-costs.

4. Our funding sources

How we obtain our funding

This section provides additional information about how the Department obtains its funding and the relevant accounting policy notes that govern the recognition and measurement of this funding. The primary income received by the Department and the relevant notes are:

	Notes	2018 \$'000
Income from State Government	4.1	1,348,571
User charges and fees	4.2	108,558
Commonwealth grants and contributions	4.4	19,429
Sales	4.3	15,449
Net loss on disposal of non-current assets	4.5	(26)
Other revenue	4.6	20,315

Notes to the Financial Statements

For the year ended 30 June 2018

4.1 Income from State Government

Appropriation received during the period:

Service appropriation ^(a)

Liabilities assumed by the Treasurer during the period:

Judges' pensions ^(b)

Total liabilities assumed

Services received free of charge from other state government agencies during the period:

Western Australian Land Information Authority (Landgate)

Department of Finance

Department of Education

North Metropolitan Health Services

Department of Primary Industries and Regional Development

Total services received

Royalties for Regions Fund:

Regional infrastructure and headworks account^(c)

Total Income from State Government

2018 \$'000
1,309,087
1,309,087
25,785
25,785
320
2,218
1
1,787
1
4,327
9,372
9,372
1,348,571

^(a) **Service Appropriations** are recognised as revenues at fair value in the period in which the Department gains control of the appropriated funds. The Department gains control of appropriated funds at the time those funds are deposited to the bank account or credited to the 'Amounts receivable for services' (holding account) held at Treasury. Service appropriations fund the net cost of services delivered (set out in note 2.2). Appropriation revenue comprises a cash component and a receivable (asset). The receivable (holding account – note 6.2) comprises of the budgeted depreciation expense for the year and any agreed increase in leave liabilities during the year.

^(b) An actuarial assessment of the defined benefits obligations of the Judges' Pension Scheme is undertaken on an annual basis, in accordance with AASB119 Employee Benefits.

^(c) **The Regional Infrastructure and Headworks Account, and, Regional Community Services Accounts** are sub-funds within the over-arching 'Royalties for Regions Fund'. The recurrent funds are committed to projects and programs in WA regional areas and are recognised as revenue when the agency gains control on receipt of the funds.

4.2 User charges and fees

Court fees

Public Trustee fees

Births, deaths and marriages fees

Legal services - State Solicitor's Office

Licences

Miscellaneous fees and charges

2018 \$'000
75,549
19,612
7,600
5,268
131
398
108,558

Revenue is recognised and measured at the fair value of consideration received or receivable. Revenue is recognised by reference to the stage of completion of the transaction.

Net Appropriation Determination

Pursuant to section 23 of the *Financial Management Act 2006*, the Department has entered into a net appropriation arrangement with the Treasurer, where the proceeds from services are retained by the Department. Items covered by the agreement include Commonwealth recoups, court fees, births deaths and marriage registration fees, proceeds from Public Trustee fees, Public Trustee common fund interest revenues, legal services, workers' compensation recoups and other miscellaneous revenues.

Notes to the Financial Statements

4.3 Trading profit

Sales
Cost of Sales:
Opening Inventory
Contribution by owners
Purchases

Closing Inventory
Cost of Goods Sold
Trading Profit

Closing Inventory comprises:

Current Inventories

Finished goods

At cost

Total current inventories

Total Inventories

2018 \$'000
15,449
-
(3,328)
(12,211)
(15,539)
3,138
(12,401)
3,048
3,138
3,138
3,138

Sales

Revenue is recognised from the sale of goods when the significant risks and rewards of ownership transfer to the purchaser and can be measured reliably.

Inventories

Inventories held for distribution are stated at cost, adjusted when applicable, for any loss of service potential. A loss of service potential is identified and measured based on the existence of a current replacement cost that is lower than the carrying amount.

Inventories (other than those held for distribution) are stated at the lower of cost and net realisable value. Cost is calculated using the "first in first out" method. Net realisable value is the estimated selling price in the ordinary course of business less the estimated costs of completion and the estimated costs necessary to make the sale.

The cost of inventories acquired at no cost or for nominal consideration is the current replacement cost as at the date of acquisition. Current replacement cost is the cost the Department would incur to acquire the asset.

4.4 Commonwealth grants and contributions

Recurrent

Commonwealth grant for Family Court

Commonwealth accommodation for Family Court (non-cash contribution)

Commonwealth recoup for Christmas and Cocos Island

Commonwealth grant - other

2018 \$'000
14,062
4,577
283
507
19,429

For **non-reciprocal grants**, the Department recognises revenue when the grant is receivable at its fair value as and when its fair value can be reliably measured. Contributions of services are only recognised when a fair value can be reliably determined and the services would have been purchased if not donated.

Notes to the Financial Statements

Christmas and Cocos Island

Opening Balance 1 July 2017

Income

Commonwealth reimbursements

Total income

Expenses

Operating costs

Total expenses

Closing balance 30 June 2018

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

2018 \$'000
54
283
283
249
249
88

4.5 Gains

Net proceeds from disposal of non-current assets

Plant, equipment and motor vehicles

Carrying amount of non-current assets disposed

Plant, equipment and motor vehicles

Net loss

Realised and unrealised gains are usually recognised on a net basis. These include gains arising on the disposal of non-current assets and some revaluations of non-current assets. Gains and losses on the disposal of non-current assets are presented by deducting from the proceeds on disposal the carrying amount of the asset and related selling expenses. Gains and losses are recognised in profit or loss in the statement of comprehensive income (from the proceeds of sale).

2018 \$'000
52
78
(26)

Notes to the Financial Statements

4.6 Other revenue

	2018 \$'000
Public Trustee - common fund surplus	2,645
Recoup of costs - Building Disputes Tribunal	1,733
Residential recoveries	1,973
Criminal injuries payment recoveries ^(c)	1,548
Recoup of salaries and workers' compensation	1,241
Recoup of telephone expenditure	3,714
Recoup law library costs	600
Return of unspent Wandoo maintenance funds	2,023
Other miscellaneous revenue ^(a)	4,838
	20,315

^(a) Includes unclaimed moneys and other miscellaneous income.

^(b) Other revenue is recognised and measured at fair value of consideration received or receivable

^(c) Criminal injuries revenue is recognised at the time payment is received. Outstanding criminal injuries 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, 1982 and 1985 together with amounts recorded under the *Criminal Injuries Compensation Act 2003*.

5. Key assets

Assets the Department utilises for economic benefit or service potential

This section includes information regarding the key assets the Department utilises to gain economic benefits or provide service potential. The section sets out both the key accounting policies and financial information about the performance of these assets:

	Notes	2018 \$'000
Property, plant and equipment	5.1	2,216,279
Intangibles	5.2	10,583

Notes to the Financial Statements

5.1 Property, plant and equipment

	Land	Buildings	Leased buildings	Leased vehicles	Leasehold improvements	Plant, equipment and motor vehicles	Work in progress	Total
Year ended 30 June 2018	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000	\$'000
1 July 2017								
Gross carrying amount	-	-	-	-	-	-	-	-
Accumulated depreciation	-	-	-	-	-	-	-	-
Carrying amount at start of period	-	-	-	-	-	-	-	-
Additions	-	571	-	214	142	3,133	23,686	27,746
Disposals	-	-	-	-	-	(78)	-	(78)
Transfers	4,413	14,038	(3,695)	-	846	5,085	(21,749)	(1,062)
Distribution to Owner	-	-	-	-	-	-	-	-
Contribution by Owner ^(a)	175,077	1,626,034	437,673	353	31,678	34,501	7,279	2,312,595
Revaluation decrements ^(b)	(10,980)	(43,345)	(13,635)	-	-	-	-	(67,960)
Expensed work in progress	-	-	-	-	-	-	(568)	(568)
Depreciation	-	(33,115)	(8,756)	(220)	(5,056)	(7,247)	-	(54,394)
Carrying amount at 30 June 2018	168,510	1,564,183	411,587	347	27,610	35,394	8,648	2,216,279
Gross carrying amount	168,510	1,564,183	411,587	1,784	66,691	83,961	8,648	2,305,364
Accumulated depreciation	-	-	-	(1,437)	(39,081)	(48,567)	-	(89,085)
Accumulated impairment loss	-	-	-	-	-	-	-	-

^(a) An amount of \$2,312,595,000 was contributed by owners during the financial year; this contribution was as a result of the amalgamation of the former Department of Corrective Services and Department of the Attorney General.

^(b) Recognised in the Statement of Comprehensive Income. Where an asset measured at cost is written-down to recoverable amount, an impairment loss is recognised in profit or loss. Where a previously revalued asset is written down to recoverable amount, the loss is recognised as a revaluation decrement in other comprehensive income. Information on fair value measurements is provided in Note 8.3.

^(c) The Department of Planning, Lands and Heritage (DPLH) is the only Department with the power to sell Crown land. The land is transferred to DPLH for sale and the department accounts for the transfer as a distribution to owner.

Notes to the Financial Statements

5.1 Property, plant and equipment (continued)

Initial recognition

Items of property, plant and equipment and infrastructure, costing \$5,000 or more are measured initially at cost. Where an asset is acquired for no or nominal cost, the cost is valued at its fair value at the date of acquisition. Items of property, plant and equipment costing less than \$5,000 are immediately expensed direct to the Statement of Comprehensive Income (other than where they form part of a group of similar items which are significant in total).

Assets transferred as part of a machinery of government change are transferred at their fair value.

The cost of a leasehold improvement is capitalised and depreciated over the shorter of the remaining term of the lease or the estimated useful life of the leasehold improvement.

The initial cost for a non-financial physical asset under a finance lease is measured at amounts equal to the fair value of the leased asset or, if lower, the present value of the minimum lease payments, each determined at the inception of the lease.

Subsequent measurement

Subsequent to initial recognition of an asset, the revaluation model is used for the measurement of:

- land,
- buildings, and
- Leased buildings

Land is carried at fair value.

Buildings are carried at fair value less accumulated depreciation and accumulated impairment losses.

All other property, plant and equipment are stated at historical cost less accumulated depreciation and accumulated impairment losses.

Land and buildings are independently valued annually by the Western Australian Land Information Authority (Valuations and Property Analytics) and recognised annually to ensure that the carrying amount does not differ materially from the asset's fair value at the end of the reporting period.

Land and buildings were revalued as at 1 July 2017 by the Western Australian Land Information Authority (Valuations and Property Analytics). The valuations were performed during the year ended 30 June 2018 and recognised at 30 June 2018. In undertaking the revaluation, fair value was determined by reference to market values for land: \$9,006,800 and buildings: \$965,000. For the remaining balance, fair value of buildings was determined on the basis of current replacement cost and fair value of land was determined on the basis of comparison with market evidence for land with low level utility (high restricted use land).

Revaluation model:

(a) Fair Value where market-based evidence is available:

The fair value of land and buildings is determined on the basis of current market values determined by reference to recent market transactions. When buildings are revalued by reference to recent market transactions, the accumulated depreciation is eliminated against the gross carrying amount of the asset and the net amount restated to the revalued amount.

(b) Fair value in the absence of market-based evidence:

Buildings are specialised or where land is restricted: Fair value of land and buildings is determined on the basis of existing use.

Existing use buildings: Fair value is determined by reference to the cost of replacing the remaining future economic benefits embodied in the asset, i.e. the current replacement cost. Where the fair value of buildings is determined on the current replacement cost basis, the gross carrying amount is adjusted in a manner that is consistent with the revaluation of the carrying amount of the asset and the accumulated depreciation is adjusted to equal the difference between the gross carrying amount and the carrying amount of the asset.

Restricted use land:

Fair value is determined by comparison with market evidence for land with similar approximate utility (high restricted use land) or market value of comparable unrestricted land (low restricted use land).

Significant assumptions and judgements:

The most significant assumptions and judgements in estimating fair value are made in assessing whether to apply the existing use basis to assets and in determining estimated economic life. Professional judgement by the valuer is required where the evidence does not provide a clear distinction between market type assets and existing use assets.

Notes to the Financial Statements

5.1.1 Depreciation and impairment

Charge for the period

Depreciation

Buildings
Plant equipment and motor vehicles
Leased buildings
Leased vehicles
Leasehold improvement

2018 \$'000
33,115
7,247
8,756
220
5,056
54,394

Total depreciation charge for the period

As at 30 June 2018 there were no indications of impairment to property, plant and equipment or infrastructure.

All surplus assets at 30 June 2018 have either been classified as assets held for sale or have been written-off.

Refer to note 5.2 for guidance in relation to the impairment assessment that has been performed for intangible assets.

Finite useful lives

All property, plant and equipment having a limited useful life are systematically depreciated over their estimated useful lives in a manner that reflects the consumption of their future economic benefits. The exceptions to this rule include assets held for sale, land and investment properties. Depreciation is generally calculated on a straight line basis, at rates that allocate the asset's value, less any estimated residual value, over its estimated useful life. Typical estimated useful lives for the different asset classes for current and prior years are included in the table below:

Buildings	50 years
Leased buildings	10 years
Leasehold improvements	5 to 15 years or remaining lease term, whichever is lower
Leased motor vehicles	5 years
Computer software ^(a)	5 years
Plant, equipment and motor vehicles	4 to 15 years

^(a) *Software that is integral to the operation of related hardware.*

Land which is considered to have an indefinite life is not depreciated. Depreciation is not recognised in respect of these properties because their service potential has not, in any material sense, been consumed during the reporting period.

All leasehold assets are depreciated over the shorter of the remaining lease term or the estimated useful lives.

The estimated useful lives, residual values and depreciation method are reviewed at the end of each annual reporting period, and adjustments should be made where appropriate.

Impairment

Non-financial assets, including items of plant and equipment, are tested for impairment whenever there is an indication that the asset may be impaired. Where there is an indication of impairment, the recoverable amount is estimated. Where the recoverable amount is less than the carrying amount, the asset is considered impaired and is written down to the recoverable amount and an impairment loss is recognised.

Where an asset measured at cost is written down to its recoverable amount, an impairment loss is recognised in profit or loss. Where a previously revalued asset is written down to its recoverable amount, the loss is recognised as a revaluation decrement through other comprehensive income.

As the Department is a not-for-profit entity, the recoverable amount of regularly revalued specialised assets is anticipated to be materially the same as fair value.

If there is an indication that there has been a reversal in impairment, the carrying amount shall be increased to its recoverable amount. However this reversal should not increase the asset's carrying amount above what would have been determined, net of depreciation or amortisation, if no impairment loss had been recognised in prior years.

The risk of impairment is generally limited to circumstances where an asset's depreciation is materially understated, where the replacement cost is falling or where there is a significant change in useful life. Each relevant class of assets is reviewed annually to verify that the accumulated depreciation/amortisation reflects the level of consumption or expiration of the asset's future economic benefits and to evaluate any impairment risk from falling replacement costs.

Notes to the Financial Statements

5.2 Intangible assets

Year ended 30 June 2018

	Intangible assets \$'000	Work in progress \$'000	Total \$'000
1 July 2017			
Carrying amount at start of period	-	-	-
Contribution by Owner ^(a)	10,489	-	10,489
Additions	2,621	3,978	6,599
Transfers	2,306	(1,244)	1,062
Expensed work in progress	(2,052)	(1,163)	(3,215)
Amortisation expense	(4,352)	-	(4,352)
Carrying amount at end of period	9,012	1,571	10,583

^(a) An amount of \$10,489,000 was contributed by owners during the financial year; this contribution was as a result of the amalgamation of the former Department of Corrective Services and Department of the Attorney General.

Initial recognition

Acquisitions of intangible assets costing \$5,000 or more and internally generated intangible assets costing \$50,000 or more that comply with the recognition criteria as per AASB 138.57, are capitalised. Costs incurred below these thresholds are immediately expensed directly to the Statement of Comprehensive Income.

Intangible assets are initially recognised at cost. For assets acquired at no cost or for nominal cost, the cost is their fair value at the date of acquisition.

An internally generated intangible asset arising from development (or from the development phase of an internal project) is recognised if, and only if, all of the following are demonstrated:

(a) The technical feasibility of completing the intangible asset so that it will be available for use or sale;

(b) An intention to complete the intangible asset and use or sell it;

(c) The ability to use or sell the intangible asset;

(d) The intangible asset will generate probable future economic benefit;

(e) The availability of adequate technical, financial and other resources to complete the development and to use or sell the intangible asset;

(f) The ability to measure reliably the expenditure attributable to the intangible asset during its development.

Costs incurred in the research phase of a project are immediately expensed.

Subsequent measurement

The cost model is applied for subsequent measurement requiring the asset to be carried at cost less any accumulated amortisation and accumulated impairment losses.

Notes to the Financial Statements

5.2.1 Amortisation and impairment

Charge for the period

Computer software

Total amortisation for the period

As at 30 June 2018 there were no indications of impairment to intangible assets. The Department held no goodwill or intangible assets with an indefinite useful life during the reporting period.

Amortisation of finite life intangible assets is calculated on a straight line basis at rates that allocate the asset's value over its estimated useful life. All intangible assets controlled by the agency have a finite useful life and zero residual value. Estimated useful lives are reviewed annually.

The expected useful lives for each class of intangible assets are:

Software ^(a) 5 years

^(a) Software that is not integral to the operation of any related hardware.

Impairment of intangible assets

Intangible assets with finite useful lives and those not available for use are tested for impairment annually or when an indication of impairment is identified.

The policy in connection with testing for impairment is outlined in note 5.1.1.

2018 \$'000
4,352
4,352

6. Other assets and liabilities

This section sets out those assets and liabilities that arose from the Department's controlled operations and includes other assets utilised for economic benefits and liabilities incurred during normal operations:

	Notes	2018 \$'000
Receivables	6.1	16,284
Amounts receivable for services (Holding Account)	6.2	416,018
Other current assets	6.3	1,806
Inventories	4.3	3,138
Biological assets	6.4	1,963
Payables	6.5	93,412

6.1 Receivables

Current

Receivables
Allowance for impairment of receivables
GST receivable
Total current

2018 \$'000
7,665
(165)
8,784
16,284

Notes to the Financial Statements

6.1.1 Movements in the allowance for impairment of receivables:

Reconciliation of changes in the allowance for impairment of receivables:

Contribution by owner
Doubtful debts expense
Amounts written off during the period
Balance at end of period

2018 \$'000
186
39
(60)
165

The collectability of receivables is reviewed on an ongoing basis and any receivables identified as uncollectible are written-off against the allowance account. The allowance for uncollectible amounts (doubtful debts) is raised when there is objective evidence that the agency will not be able to collect the debts.

6.2 Amounts receivable for services (Holding Account)

Current
Non-current
Balance at end of period

2018 \$'000
11,047
404,971
416,018

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

The Department receives funding on an accrual basis. The appropriations are paid partly in cash and partly as an asset (holding account receivable). The holding account receivable balance, resulting from service appropriation funding, is accessible on the emergence of the cash funding requirement to cover lease entitlements and asset replacement.

6.3 Other current assets

Prepayments

Total current

Other non-financial assets include prepayments which represent payments in advance of receipt of goods or services or that part of expenditure made in one accounting period covering a term extending beyond that period.

2018 \$'000
1,806
1,806

6.4 Biological assets

Biological assets

Total current

Reconciliation of the fair value of biological assets at the beginning and end of the reporting period are set out below.

Biological assets

Carrying amount at start of period
Contribution by owners
Change in valuation of livestock, orchards and plantations
Carrying amount at end of period

2018 \$'000
1,963
1,963

-
2,366
(403)
1,963

Notes to the Financial Statements

6.4 Biological assets (continued)

Livestock

Livestock are stated at fair value less estimated point-of-sale costs, with any resultant gain or loss recognised in the profit or loss. Point-of sale costs include all costs that would be necessary to sell the assets. The fair value of livestock is determined based on market prices of livestock of similar age, breed and generic merit.

Plantations

Immature plantations are stated at acquisition cost which includes costs incurred for field preparation, planting, fertilising and maintenance and an allocation of other indirect costs based on planted hectares.

Mature plantations are stated at fair value less estimated point-of-sale costs, with any resultant gain or loss recognized in the profit or loss. The fair value of the mature plantations is estimated by reference to the present value of expected net cash flows. The valuation is determined using the market price, discount rates, annual rate of inflation and the estimated yield of the fruits, net of maintenance and harvesting costs and any costs required to bring the trees to maturity. The estimated yield of the trees is dependent on the age of the trees, the location of the plantations, soil type and infrastructure. The market price of the produce is largely dependent on the prevailing market prices of the produce after harvest.

The fruits growing on the fruit trees have been valued using an adjusted cost method, which is the estimate of the yield and cost of the crop at harvest discounted for the remaining time to harvest, which approximate fair value.

Biological assets are revalued on an annual basis.

6.5 Payables

Current

Trade payables

Gratuities

Accrued salaries ^(a)

Accrued expenses

Total current

2018 \$'000
52,266
1,029
3,707
36,410
93,412

Payables are recognised at the amounts payable when the Department becomes obliged to make future payments as a result of a purchase of assets or services. The carrying amount is equivalent to fair value, as settlement is generally within 30 days.

Accrued salaries represent the amount due to staff but unpaid at the end of the financial year.

Accrued salaries are settled within a fortnight of the financial year end. The Department considers the carrying amount of accrued salaries to be equivalent to its fair value. The last pay day in 2017-2018 was 29 June 2018, therefore an accrual of 1 day was brought to account this financial year.

The accrued salaries suspense account (see Note 7.4.1 'Restricted cash and cash equivalents') 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 pay days occur instead of the normal 26. No interest is received on this account.

Notes to the Financial Statements

7. Financing

This section sets out the material balances and disclosures associated with the financing and cash flows of the Department:

	Notes
Borrowings	7.1
Finance Leases	7.2
Finance Costs	7.3
Cash and cash equivalents	7.4
Restricted cash and cash equivalents	7.5
Commitments	7.6

7.1 Borrowings

Current

Finance lease liabilities (secured) ^(a)

Total current

Non-current

Finance lease liabilities (secured) ^(a)

Total non-current

Balance at end of period

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

2018 \$'000
8,866
8,866
397,436
397,436
406,302

Assets pledged as security

The carrying amounts of non-current assets pledged as security are:

Leased building

2018 \$'000
411,587

Notes to the Financial Statements

7.2 Finance leases

As at 30 June 2018

Finance lease commitments

Minimum lease payments in relation to finance leases are payable as follows:

	CBD Courts Complex \$'000	EGRP Prison Facility \$'000	Fremantle Justice Complex \$'000	State Fleet \$'000	Total \$'000
Within 1 year	18,419	24,435	1,562	247	44,663
Later than 1 year and not later than 5 years	82,251	96,088	6,245	72	184,656
Later than 5 years	223,684	392,969	3,903	-	620,556
Minimum lease payments	324,354	513,492	11,710	319	849,875
Less future finance charges	135,565	304,292	3,703	13	443,573
Present value of finance lease liabilities	188,789	209,200	8,007	306	406,302

The present value of the finance lease liability is as follows:

	3,970	3,919	742	235	8,866
Within 1 year	3,970	3,919	742	235	8,866
Later than 1 year and not later than 5 years	28,976	18,159	3,877	71	51,083
Later than 5 years	155,843	187,122	3,388	-	346,353
Present value of finance lease liabilities	188,789	209,200	8,007	306	406,302

Included in the financial statements as:

	3,970	3,919	742	235	8,866
Current liabilities	3,970	3,919	742	235	8,866
Non-current liabilities	184,819	205,281	7,265	71	397,436
Total	188,789	209,200	8,007	306	406,302

The Department has the option to purchase leased assets at their agreed fair value on expiry of the lease. These leasing arrangements do not have escalation clauses, other than in the event of payment default. There are no restrictions imposed by these leasing arrangements on other financing transactions. Certain finance leases have a contingent rental obligation; however these are not material when compared to the total lease payments made.

Finance lease rights and obligations are initially recognised, at the commencement of the lease term, as assets and liabilities equal in amount to the fair value of the leased item or, if lower, the present value of the minimum lease payments, determined at the inception of the lease. The assets are disclosed as buildings and vehicles under lease, and are depreciated over the period during which the Department is expected to benefit from their use. Minimum lease payments are apportioned between the finance charge and the reduction of the outstanding lease liability, according to the interest rate implicit in the lease.

CBD Courts Complex

In December 2004, the Department entered into an agreement to finance the development of a new purpose built District Court Building in Perth. Construction was completed in June 2009. Under this agreement ownership of the facility will transfer to the Department at the conclusion of the lease term.

Fremantle Justice Complex

In March 2001, the Department 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 Department at the conclusion of the lease term.

Eastern Goldfields Regional Prison

The State Government has partnered with a private consortium to build, finance and maintain the Eastern Goldfields Regional Prison (EGRP). The prison was constructed and made available to the Department on 7 August 2016. Throughout the life of the agreement, the consortium is to provide ongoing facilities management and maintenance services. The agreement ends in 2041. The Department makes quarterly service payments (QSPs) over the term which comprise of a repayment of the design and construction costs, maintenance costs, capital costs and costs associated with dismantling of the existing structure. The payment of the QSP relating to the design and construction will result in a reduction in the finance lease liability over time. The other components of the QDP are expensed as they are incurred. The Department has accounted for these arrangements as finance leases as the economic substance of the arrangements are one of a lease. The leased asset/liabilities have been recognised at the lower of the fair value of leased property and the present value of the minimum lease payments.

Notes to the Financial Statements

7.3 Finance costs

Finance lease charges

Finance costs expensed

'Finance cost' includes the interest component of finance leases repayments.

7.4 Cash and cash equivalents

7.4.1 Reconciliation of cash

Cash and cash equivalents

Restricted cash and cash equivalents

Unclaimed money

Accrued salaries suspense account ^(a)

^(a) Funds held in the suspense account for the purpose of meeting the 27th pay in a reporting period that occurs every 11th year. This account is classified as non-current for 10 out of 11 years. For the purpose of the Statement of Cash Flows, cash and cash equivalent (and restricted cash and cash equivalent) assets comprise cash on hand and short-term deposits with original maturities of three months or less that are readily convertible to a known amount of cash and where are subject to insignificant risk of changes in value.

2018 \$'000
36,025
36,025

2018 \$'000
72,722
72,722
3,887
4,762
81,371

7.4.2 Reconciliation of net cost of services to net cash flows provided by/(used in) operating activities

Net cost of services

Non-cash Items

Depreciation and amortisation expense

Doubtful debts expense

Judges' Pensions expense - Liability assumed by the treasurer

Finance costs - unwinding of discounts

Services received free of charge

Loss on disposal of property, plant and equipment

Gain on disposal of property, plant and equipment

Loss on revaluation of land and building

Change in fair value of biological assets

Write-down of non-current assets

Canteen Sales

Telephone Recoups

Prisoner Gratuities

(Increase)/decrease in assets

Current receivables^(a)

Other current assets

Current inventories

Increase/(decrease) in liabilities

Current payables^(a)

Current provisions

Non-current provisions

Other current liabilities

Change in GST in receivables/payables^(b)

Net GST receipts/(payments)

Net cash used in operating activities

^(a) Note that the Australian Taxation Office (ATO) receivable/payable in respect of GST and the receivable/payable in respect of the sale/purchase of non-current assets are not included in these items as they do not form part of the reconciling items.

^(b) This is the net GST paid/received.

^(c) This reverses out the GST in receivables and payables.

The mandatory application of AASB 2016-2 Amendments to Australian Accounting Standards – Disclosure Initiative: Amendments to AASB 107 imposed disclosure impacts only. The Department is not exposed to changes in liabilities arising from financing activities, including both changes arising from cash flows and non-cash changes.

2018 \$'000
(1,412,992)
58,746
39
25,785
-
8,903
46
(20)
67,960
403
3,997
(12,955)
(3,712)
11,210
(678)
585
191
6,601
(1,322)
(415)
13,341
72,708
(70,337)
(1,231,916)

Notes to the Financial Statements

7.5 Restricted cash and cash equivalents

Current

Unclaimed Monies^(a)

2018 \$'000
3,887
3,887
4,762
4,762

Non-current

Restricted cash and cash equivalents^(b)

^(a) Represents stale and unpresented cheques; rejected EFT payments and moneys held in suspense as the owners cannot be found.

^(b) Funds held in the suspense account for the purpose of meeting the 27th pay in the financial year that occurs every 11-year.

7.6 Commitments

7.6.1 Non-cancellable operating lease commitments

Commitments for minimum lease payments are payable as follows:

	2018 \$'000
Within 1 year	51,619
Later than 1 year and not later than 5 years	154,539
Later than 5 years	562,014
	768,172

Operating leases are expensed on a straight line basis over the lease term as this represents the pattern of benefits derived from the leased properties.

The Department has entered into non-cancellable operating leases for the use of certain premises, motor vehicles and office equipment. The term of the leases varies between one to twenty five years, with rent payable monthly in advance.

Judgements made by management in applying accounting policies - operating lease commitments

The Department has entered into a number of leases for buildings for branch office accommodation. Some of these leases relate to buildings of a temporary nature and it has been determined that the lessor retains substantially all the risks and rewards incidental to ownership. Accordingly, these leases have been classified as operating leases.

7.6.2 Capital commitments

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

	2018 \$'000
Within 1 year	40,614
Later than 1 year and not later than 5 years	14,468
Later than 5 years	52,494
	107,576

The totals presented for other capital expenditure commitments are all inclusive of GST.

Notes to the Financial Statements

7.6.3 Other expenditure commitments

Other expenditure commitments for operational services contracted for at the end of the reporting period but not recognised as liabilities, are payable as follows:

	2018 \$'000
Within 1 year	209,097
Later than 1 year and not later than 5 years	461,400
Later than 5 years	709,130
	1,379,627

The totals presented for other expenditure commitments are all inclusive of GST.

Other expenditure commitments include the provisioning of Court Security & Custodial Services contracted, privately operated Acacia Prison and Melaleuca Remand and Reintegration Facility, the public private partnership with Eastern Goldfields Regional Prison contract and provision of Information Services related contracts.

The Court Security & Custodial Services contract expires March 2022 and has an extension clause providing for two further extensions of 5 years each. The commitment contain both fixed cost and estimated variable costs. The estimate for future variable costs is based on recent demand for services, which may be subject to change in future reporting periods.

The Acacia prison contract expires May 2021 and has an extension clause providing for a further 5 year extension.

The Melaleuca Remand and Reintegration Facility contract expires December 2021 and has an extension clause providing for two further extensions of 5 years each.

Provisioning of Information Services related contracts as follows:

- Systems Support Services for TOMS and CommBiz contract expires August 2019 and has no extension option available.
- Microsoft Enterprise Agreement for supply of Microsoft product licenses contract expires May 2020 and has no extension option available.
- Switchboard and Reception Services contract expires April 2019 and has no extension option available.

- Enterprise Architecture Services contract expires September 2018 and has one year extension option available.
- Enterprise and Cloud Architecture Services contract expires 2 January 2020 and has three options to extend the term, each option having up to one year duration.
- HR & Payroll System expires January 2019 and has no extension option available.
- Managed data network contract expires April 2020 has no extension option available.
- Voice Services contract expires Jun 2021 and has no extension option available.
- Other various telecommunication contracts expire within one year.

8. Risks and Contingencies

This section sets out the key risk management policies and measurement techniques of the Department.

	Notes
Financial risk management	8.1
Contingent assets and liabilities	8.2
Fair value measurements	8.3

Notes to the Financial Statements

8.1 Financial risk management

Financial instruments held by the Department are cash and cash equivalents, restricted cash and cash equivalents, loans and receivables, payables and finance leases. The Department has limited exposure to financial risks. The Department's overall risk management program focuses on managing the risks identified below.

(a) Summary of risks and risk management

Credit risk

Credit risk arises when there is the possibility of the Department's receivables defaulting on their contractual obligations resulting in financial loss to the Department. Credit risk also arises from cash and cash equivalents held at banks and financial institutions.

The maximum exposure to credit risk at the end of the reporting period in relation to each class of recognised financial assets is the gross carrying amount of those assets inclusive of any allowance for impairment as shown in the table at Note 8.1(c) 'Financial instrument disclosures' and Note 6.1 'Receivables'.

Credit risk associated with the agency's financial assets is minimal because the main receivable is the amounts receivable for services (holding account). For receivables other than Government, the agency trades only with recognised, creditworthy third parties. The agency has policies in place to ensure that sales of products and services are made to customers with an appropriate credit history. In addition, receivable balances are monitored on an ongoing basis with the result that the agency's exposure to bad debts is minimal. At the end of the reporting period there were no significant concentrations of credit risk.

Liquidity risk

Liquidity risk arises when the Department is unable to meet its financial obligations as they fall due.

The Department is exposed to liquidity risk through its trading in the normal course of business. The Department has appropriate procedures to manage cash flows including drawdowns of appropriations by monitoring forecast cash flows and keeping regular communications with the Departments of Treasury to ensure that sufficient funds are available to meet its commitments.

Market risk

Market risk is the risk that changes in market prices such as foreign exchange rates and interest rates will affect the Department's income or the value of its holdings of financial instruments. The Department does not trade in foreign currency and is not materially exposed to other price risks because it does not hold investments in securities or bonds.

The majority of the cash and cash equivalents and restricted cash balances are deposited in non-interest bearing accounts. All of the finance lease liabilities have fixed interest rates and are carried at amortised cost. They are therefore not subject to interest rate risk as defined in AASB 7: Financial Instruments: Disclosures, since neither the carrying amount nor the future cash flows will fluctuate because of a change in market interest rates.

(b) Categories of financial instruments

The carrying amounts of each of the following categories of financial assets and financial liabilities at the end of the reporting period are as follows:

	2018 \$'000
<u>Financial assets</u>	
Cash and cash equivalents	72,722
Restricted cash and cash equivalents	8,649
Receivables ^(a)	7,500
Amounts receivable for services	416,018
Total financial assets	504,889
<u>Financial liabilities</u>	
Finance lease liabilities	406,302
Payables	93,412
Total financial liabilities	499,714

^(a) The amount of Receivables excludes GST recoverable from the Australian Taxation Office (statutory receivable).

Notes to the Financial Statements

8.1 Financial risk management (continued)

(c) Ageing analysis of financial assets.

	Carrying amount \$'000	Not past due and not Impaired \$'000	Past due but not impaired					Impaired financial assets \$'000
			Up to 1 month \$'000	1 - 3 months \$'000	3 months to 1 year \$'000	1 - 5 years \$'000	More than 5 years \$'000	
2018								
Cash and cash equivalents	72,722	72,722	-	-	-	-	-	-
Restricted cash and cash equivalents	8,649	8,649	-	-	-	-	-	-
Receivables ^(a)	7,500	6,671	344	166	132	187	-	-
Amounts receivable for services	416,018	416,018	-	-	-	-	-	-
	504,889	504,060	344	166	132	187	-	-

^(a) The amount of receivables excludes GST recoverable from the Australian Taxation Office (statutory receivable).

Notes to the Financial Statements

8.1 Financial risk management (continued)

(d) Liquidity risk and interest rate exposure

The following table details the contractual maturity analysis of financial assets and financial liabilities. The amounts disclosed in the table are the contractual undiscounted cash flows (interest and principal). Balances due within 12 months equal their carrying balances as the impact of discounting is not significant.

	Weighted average effective interest rate	Interest rate exposure				Maturity dates					
		Carrying amount \$'000	Fixed interest rate \$'000	Variable interest rate \$'000	Non- interest bearing \$'000	Nominal amount \$'000	Up to 1 month \$'000	1 - 3 months \$'000	3 months to 1 year \$'000	1 - 5 years \$'000	More than 5 years \$'000
2018											
<u>Financial Assets</u>											
Cash and cash equivalents		72,722			72,722	72,722	72,722	-	-	-	-
Restricted cash and cash equivalents		8,649			8,649	8,649	3,887	-	-	-	4,762
Receivables ^(a)		7,500			7,500	7,500	7,500	-	-	-	-
Amounts receivable for services		416,018			416,018	416,018	1,272	1,700	8,075	46,500	358,471
		504,889	-	-	504,889	504,889	85,381	1,700	8,075	46,500	363,233
<u>Financial Liabilities</u>											
Payables		93,412			93,412	93,412	93,412	-	-	-	-
Finance lease liabilities	8.87%	406,302	406,302	-		849,875	1,578	9,676	33,408	199,655	605,558
		499,714	406,302	-	93,412	943,287	94,990	9,676	33,408	199,655	605,558

^(a) The amount of receivables excludes GST recoverable to the Australian Taxation Office (statutory receivable). Impaired receivables have also been excluded.

Notes to the Financial Statements

8.2 Contingent assets and liabilities

Contingent assets and contingent liabilities are not recognised in the statement of financial position but are disclosed and, if quantifiable, are measured at nominal value. Contingent assets and liabilities are presented inclusive of GST receivable or payable respectively.

8.2.1 Contingent assets

The department has no contingent assets.

8.2.2 Contingent liabilities

The following contingent liabilities are additional to the liabilities included in the financial statements:

Litigation in progress

Claims against the Department of Justice from the general public and offenders

Criminal injuries compensation court appeals

Disclosure regarding criminal injuries

Claims yet to be assessed

The contingent liability for criminal injuries is in relation to the *Criminal Injuries Compensation Act 2003* (the Act) to compensate applicants for injuries and some losses suffered as a consequence of an offence. Compensation can be awarded for bodily harm, mental and nervous shock, and pregnancy suffered as a consequence of an offence. Compensation is available for pain and suffering, loss of enjoyment of life, loss of income, the cost of reports, some personal items and treatment expenses. The maximum amount payable is \$75,000 for an offence committed in Western Australia after 1 January 2004, and lesser amounts for offences prior to that.

Contaminated sites

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

Karnet Prison Farm – the contaminated site classified as remediation required, has now been cleaned up and final remediation is underway. The Department of Biodiversity, Conservation and Attractions have undertaken preliminary inspections and are working with the Department to finalise the issue.

Riverbank Detention Centre – the site was identified as a potential contaminated site in 2003, there have been a couple of investigations undertaken, one in 2006 and 2010. The 2010 tests undertaken by Property Fire Maintenance and tested by the ChemCentre and SGC Australia indicated no contamination detected.

Acacia Prison Wastewater – reported as suspected contaminated site to DWER. This has yet to be classified. The department will assess the likely outcome of the classification.

Notes to the Financial Statements

8.3 Fair value measurements

Assets measured at fair value:	Level 1	Level 2	Level 3	Fair value at end of period
2018	\$'000	\$'000	\$'000	\$'000
Land (Note 5.1)	-	9,006	159,504	168,510
Buildings (Note 5.1)	-	965	1,563,218	1,564,183
Leased buildings (Note 5.1)	-	-	411,587	411,587
	-	9,971	2,134,309	2,144,280

There were no transfers between Levels 1, 2 or 3 during the current and previous periods.

Valuation techniques to derive Level 2 fair values

Level 2 fair values of non-current assets held for sale, Land and Buildings (office accommodation) are derived using the market approach. Market evidence of sales prices of comparable land and buildings (office accommodation) in close proximity is used to determine price per square metre. Non-current assets held for sale have been written down to fair value less costs to sell. Fair value has been determined by reference to market evidence of sales prices of comparable assets

Notes to the Financial Statements

8.3 Fair value measurements (continued)

Fair value measurements using significant unobservable inputs (Level 3)

	Land	Buildings	Leased Buildings
2018	\$'000	\$'000	\$'000
Fair Value at start of period	-	-	-
Additions	-	571	-
Contribution by owner	165,283	1,625,596	437,673
Revaluation increments recognised in Other Comprehensive Income	(10,192)	(43,882)	(13,635)
Transfers	4,413	14,038	(3,695)
Depreciation expense	-	(33,105)	(8,756)
Fair Value at end of period	159,504	1,563,218	411,587

Valuation processes

There were no changes in valuation techniques during the period.

Transfers in and out of a fair value level are recognised on the date of the event or change in circumstances that caused the transfer. Transfers are generally limited to assets newly classified as non-current assets held for sale as Treasurer's instructions require valuations of land, buildings and infrastructure to be categorised within Level 3 where the valuations will utilise significant Level 3 inputs on a recurring basis.

Notes to the Financial Statements

8.3 Fair value measurements (continued)

Land (Level 3 fair values)

Fair value for restricted use land is based on comparison with market evidence for land with low level utility (high restricted use land). The relevant comparators of land with low level utility is selected by the Western Australian Land Information Authority (Valuations and Property Analytics) and represents the application of a significant Level 3 input in this valuation methodology. The fair value measurement is sensitive to values of comparator land, with higher values of comparator land correlating with higher estimated fair values of land.

Buildings (Level 3 fair values)

Fair value for existing use specialised buildings and infrastructure assets is determined by reference to the cost of replacing the remaining future economic benefits embodied in the asset, i.e. the current replacement cost. Current replacement cost is generally determined by reference to the market observable replacement cost of a substitute asset of comparable utility and the gross project size specifications, adjusted for obsolescence. Obsolescence encompasses physical deterioration, functional (technological) obsolescence and economic (external) obsolescence.

Valuation using current replacement cost utilises the significant Level 3 input, consumed economic benefit/obsolescence of asset which is estimated by the Western Australian Land Information Authority (Valuations and Property Analytics). The fair value measurement is sensitive to the estimate of consumption/obsolescence, with higher values of the estimate correlating with lower estimated fair values of buildings and infrastructure.

Basis of Valuation

In the absence of market-based evidence, due to the specialised nature of some non-financial assets, these assets are valued at Level 3 of the fair value hierarchy on an existing use basis. The existing use basis recognises that restrictions or limitations have been placed on their use and disposal when they are not determined to be surplus to requirements. These restrictions are imposed by virtue of the assets being held to deliver a specific community service.

Amendments to AASB 136

Mandatory application of AASB 2016-4 Amendments to Australian Accounting Standards – Recoverable Amount of Non-Cash-Generating Specialised Assets of Not-for-Profit Entities has no financial impact for the Department as the Department is classified as not-for-profit and regularly revalues specialised infrastructure, property, plant and equipment assets. Therefore, fair value the recoverable amount of such assets is expected to be materially the same as fair value.

9. Other disclosures

This section includes additional material disclosures required by accounting standards or other pronouncements, for the understanding of this financial report.

	Notes
Events occurring after the end of the reporting period	9.1
Future impact of Australian standards issued not yet operative	9.2
Key management personnel	9.3
Related party transactions	9.4
Related bodies	9.5
Affiliated bodies	9.6
Special purpose accounts	9.7
Remuneration of auditors	9.8
Services provided free of charge	9.9
Equity	9.10
Supplementary financial information	9.11
Explanatory statement	9.12

9.1 Events occurring after the end of the reporting period

There were no events occurring after the end of the reporting period.

Notes to the Financial Statements

9.2 Future impact of Australian Accounting Standards not yet operative

The Department cannot early adopt an Australian Accounting Standard unless specifically permitted by TI 1101 Application of Australian Accounting Standards and Other Pronouncements or by an exemption from TI 1101. Where applicable, the Department plans to apply the following Australian Accounting Standards from their application date.

		Operative for reporting periods beginning on/after
AASB 9	<p><i>Financial Instruments</i></p> <p>This Standard supersedes AASB 139 Financial Instruments: Recognition and Measurement, introducing a number of changes to accounting treatments.</p> <p>The mandatory application date of this Standard is currently 1 January 2018 after being amended by AASB 2012-6, AASB 2013-9 and AASB 2014-1 Amendments to Australian Accounting Standards.</p> <p>The Department has not yet determined the application or the potential impact of the Standard.</p>	1 Jan 2018
AASB 15	<p><i>Revenue from Contracts with Customers</i></p> <p>This Standard establishes the principles that the Department shall apply to report useful information to users of financial statements about the nature, amount, timing and uncertainty of revenue and cash flows arising from a contract with a customer. The mandatory application date of this Standard is currently 1 January 2019 after being amended by AASB 2016 7.</p> <p>The Department's income is principally derived from appropriations which will be measured under AASB 1058 Income of Not for Profit Entities and will be unaffected by this change. However, the Department has not yet determined the potential impact of the Standard on 'User charges and fees' and 'Sales' revenues. In broad terms, it is anticipated that the terms and conditions attached to these revenues will defer revenue recognition until the Department has discharged its performance obligations.</p>	1 Jan 2019
AASB 16	<p><i>Leases</i></p> <p>This Standard introduces a single lessee accounting model and requires a lessee to recognise assets and liabilities for all leases with a term of more than 12 months, unless the underlying asset is of low value.</p> <p>Whilst the impact of AASB 16 has not yet been quantified, the entity currently has operating lease commitments for \$768,172,000. The Department anticipates most of this amount will be brought onto the statement of financial position, excepting amounts pertinent to short term or low value leases. Interest and amortisation expense will increase and rental expense will decrease.</p>	1 Jan 2019

Notes to the Financial Statements

		Operative for reporting periods beginning on/after
AASB 1058	<p><i>Income of Not-for-Profit Entities</i></p> <p>This Standard clarifies and simplifies the income recognition requirements that apply to not for profit (NFP) entities, more closely reflecting the economic reality of NFP entity transactions that are not contracts with customers. Timing of income recognition is dependent on whether such a transaction gives rise to a liability, a performance obligation (a promise to transfer a good or service), or, an obligation to acquire an asset.</p> <p>The Department has not yet determined the application or the potential impact of the Standard.</p>	1 Jan 2019
AASB 1059	<p><i>Service Concession Arrangements: Grantors</i></p> <p>This Standard addresses the accounting for a service concession arrangement (a type of public private partnership) by a grantor that is a public sector entity by prescribing the accounting for the arrangement from the grantor's perspective. Timing and measurement for the recognition of a specific asset class occurs on commencement of the arrangement and the accounting for associated liabilities is determined by whether the grantee is paid by the grantor or users of the public service provided.</p> <p>The Department has not yet determined the application or the potential impact of the Standard.</p>	1 Jan 2019
AASB 2010-7	<p><i>Amendments to Australian Accounting Standards arising from AASB 9 (December 2010) [AASB 1, 3, 4, 5, 7, 101, 102, 108, 112, 118, 120, 121, 127, 128, 131, 132, 136, 137, 139, 1023 and 1038 and Int 2, 5, 10, 12, 19 & 127]</i></p> <p>This Standard makes consequential amendments to other Australian Accounting Standards and Interpretations as a result of issuing AASB 9 in December 2010.</p> <p>The mandatory application date of this Standard has been amended by AASB 2012-6 and AASB 2014-1 to 1 January 2018. The Department has not yet determined the application or the potential impact of the Standard.</p>	1 Jan 2018
AASB 2014-1	<p><i>Amendments to Australian Accounting Standards</i></p> <p>Part E of this Standard makes amendments to AASB 9 and consequential amendments to other Standards. It has not yet been assessed by the Department to determine the application or potential impact of the Standard.</p>	1 Jan 2018

Notes to the Financial Statements

		Operative for reporting periods beginning on/after
AASB 2014-5	<p><i>Amendments to Australian Accounting Standards arising from AASB 15</i></p> <p>This Standard gives effect to consequential amendments to Australian Accounting Standards (including Interpretations) arising from the issuance of AASB 15. The mandatory application date of this Standard has been amended by AASB 2015 8 to 1 January 2018.</p> <p>The Department has not yet determined the application or the potential impact of the Standard.</p>	1 Jan 2018
AASB 2014-7	<p><i>Amendments to Australian Accounting Standards arising from AASB 9 (December 2014)</i></p> <p>This Standard gives effect to the consequential amendments to Australian Accounting Standards (including Interpretations) arising from the issuance of AASB 9 (December 2014). The Department has not yet determined the application or the potential impact of the Standard.</p>	1 Jan 2018
AASB 2015-8	<p><i>Amendments to Australian Accounting Standards – Effective Date of AASB 15</i></p> <p>This Standard amends the mandatory application date of AASB 15 to 1 January 2018 (instead of 1 January 2017). It also defers the consequential amendments that were originally set out in AASB 2014-5. There is no financial impact arising from this Standard.</p>	1 Jan 2018
AASB 2016-3	<p><i>Amendments to Australian Accounting Standards – Clarifications to AASB 15</i></p> <p>This Standard clarifies identifying performance obligations, principal versus agent considerations, timing of recognising revenue from granting a licence, and, provides further transitional provisions to AASB 15. The Department has not yet determined the application or the potential impact.</p>	1 Jan 2018
AASB 2016-7	<p><i>Amendments to Australian Accounting Standards – Deferral of AASB 15 for Not-for-Profit Entities</i></p> <p>This Standard defers, for not-for-profit entities, the mandatory application date of AASB 15 to 1 January 2019, and the consequential amendments that were originally set out in AASB 2014-5. There is no financial impact arising from this standard.</p>	1 Jan 2018
AASB 2016-8	<p><i>Amendments to Australian Accounting Standards – Australian Implementation Guidance for Not for Profit Entities</i></p> <p>This Standard inserts Australian requirements and authoritative implementation guidance for not-for-profit entities into AASB 9 and AASB 15. This guidance assists not-for-profit entities in applying those Standards to particular transactions and other events. There is no financial impact.</p>	1 Jan 2019

Notes to the Financial Statements

9.6 Affiliated bodies

An affiliated body is a body that receives more than half its funding and resources from a Department but is not subject to operational control by that agency. The following agencies receive more than half their funding and resources from the Department but are not subject to operational control by it and are therefore considered to be affiliated body under the *Financial Management Act 2006*:

	2018 \$'000
The Legal Aid Commission of Western Australia (note 3.4)	47,914
The Legal Costs Committee (note 9.9)	55
The Law Reform Commission of Western Australia (note 9.9)	175

Notes to the Financial Statements

9.7 Special Purpose accounts

During the reporting period the Department maintained the following special purpose accounts:

Account name	2017-2018			
	Opening balance \$'000	Receipts \$'000	Payments \$'000	Closing balance \$'000
1. Courts Trust Account	9,324	286,638	283,998	11,964
2. Sheriff's and District Court Bailiff's Trust Account	156	599	607	148
3. Prisoners Private Cash Trust Account	307	8,897	8,973	231
4. Juveniles' Private Cash Trust Account	21	15	12	24

The following table summarises the purpose of the special purpose accounts maintained by the Department:

Account name	Purpose of the Special Purpose Account
1. Courts Trust Account	To hold moneys paid into the Supreme, District, Family, Children's and Magistrates Courts in civil and criminal actions, as ordered by those Courts; to hold moneys paid into the Sheriff's Office for service and enforcement action; and to hold moneys collected in the course of Court activities for disbursement to other parties.
2. Sheriff's and District Court Bailiff's Trust Account	To hold monies collected from the Execution by the Sheriff, Supreme Court or Bailiff District Courts of Western Australia.
3. Prisoners Private Cash Trust Account	To hold funds in trust for prisoner's private use.
4. Juveniles' Private Cash Trust Account	To hold funds in trust for Juvenile offenders under the Juvenile Justice Program.

The above accounts have been established under section 16.1(c) of the *Financial Management Act of 2006*.

9.8 Remuneration of auditors

Remuneration paid or payable to the Auditor General in respect of the audit for the current financial year is as follows:

	2018 \$'000
Auditing the accounts, financial statements and key performance indicators	386

Notes to the Financial Statements

9.9 Services provided free of charge

During the period the following services were provided to other agencies free of charge for functions outside the normal operations of the Department:

	2018 \$'000
Legal services provided by the State Solicitor's Office to:	
Department of Biodiversity, Conservation and Attractions	839
Department of Communities	1,275
Department of Education	845
Department of Finance	1,747
Department of Health	654
Department of Jobs, Tourism, Science and Innovation	458
Department of Local Government, Sport and Cultural Industries	751
Department of Mines, Industry Regulation and Safety	2,172
Department of Planning, Lands and Heritage	2,840
Department of Premier and Cabinet	2,625
Department of Primary Industries and Regional Development	924
Department of Transport	459
Department of Treasury	846
Department of Water and Environmental Regulation	1,341
Insurance Commission of Western Australia	957
Main Roads	1,141
Public Transport Authority	1,842
South Metropolitan Health Services	385
Western Australia Police Force	419
Western Australian Land Information Authority	425
WA Country Health Service	296
Other ^(a)	2,753
Corporate support provided by the Department to:	
Commissioner for Children and Young People	112
Department of Biodiversity Conservation and Attractions	94
Law Reform Commission	175
Legal Costs Committee	55
Office of the Director of Public Prosecutions	972
Parliamentary Inspector of the Corruption and Crime Commission	144
Professional Standards Council	44
	27,589

^(a) Comprises 64 agencies

Notes to the Financial Statements

9.10 Equity

Contributed equity

	2018 \$'000
Balance at start of period	-
<i>Contributions by owners</i>	
Capital appropriation	22,323
<i>Other contributions by owners</i>	
Royalties for Regions Fund - Regional Infrastructure and Headworks Account	1,605
<i>Transfer of net assets from other agencies</i>	
Transfers as a result of restructure of administrative arrangements - Machinery of Government:	
Department of Corrective Services	1,546,542
Department of the Attorney General	575,689
Total contributions by owners	2,146,159
Balance at end of period	2,146,159
<u>Accumulated deficit</u>	
Balance at start of period	-
Result for the period	(64,421)
Balance at end of period	(64,421)
Total Equity at end of period	2,081,738

9.11 Supplementary financial information

(a) Write-offs

During the financial year, revenue and outstanding debts owed to the state were written off under the authority of:

	2018 \$'000
The Accountable Authority	83
	83

Administered (Fines Enforcement Registry)

	2018 \$'000
The Accountable Authority	21,246
The Minister	150
	21,396

(b) Losses through theft, defaults and other causes

	2018 \$'000
Losses of public money and public and other property through theft or default	17
Amounts recovered	(14)
	3

(c) Gifts of public property

No gifts of public property were provided by the Department.

9.12 Explanatory statement (Controlled Operations)

All variances between estimates (original budget) and actual results for 2017 are shown below. Narratives are provided for selected major variances, which are generally greater than:

- 5% and \$ 25 million for the Statements of Comprehensive Income and Cash Flows; and
- 5% and \$ 25 million for the Statement of Financial Position.

Notes to the Financial Statements

9.12 Explanatory statement (continued)

Statement of Comprehensive Income Variances

	Variance note	Estimate 2018 \$'000	Actual 2018 \$'000	Variance between estimate and actual \$'000
COST OF SERVICES				
<u>Expenses</u>				
Employee benefits expenses		765,812	773,122	7,310
Supplies and services		388,321	388,847	526
Depreciation and amortisation expense		62,225	58,746	(3,479)
Finance costs		36,426	36,025	(401)
Accommodation expenses		56,735	57,356	621
Grants and subsidies		85,021	83,017	(2,004)
Prisoner gratuities		11,569	11,210	(359)
Cost of sales		11,085	12,401	1,316
Loss on disposal on non-current asset		-	26	26
Loss on revaluation	1	-	67,960	67,960
Other expenses		90,584	88,033	(2,551)
Total cost of services		1,507,778	1,576,743	68,965
<u>Income</u>				
Revenue				
User charges and fees		112,909	108,558	(4,351)
Sales		15,968	15,449	(519)
Commonwealth grants and contributions		19,258	19,429	171
Other revenue		19,706	20,315	609
Total Revenue		167,841	163,751	(4,090)
Total income other than income from State Government		167,841	163,751	(4,090)
NET COST OF SERVICES		1,339,937	1,412,992	73,055

Notes to the Financial Statements

9.12 Explanatory statement (continued)

Statement of Comprehensive Income Variances

	Variance note	Estimate 2018 \$'000	Actual 2018 \$'000	Variance between estimate and actual \$'000
Income from State Government				
Service appropriation		1,311,397	1,309,087	(2,310)
Liabilities assumed by the Treasurer		16,450	25,785	9,335
Services received free of charge		3,832	4,327	495
Royalties for Regions Fund		9,038	9,372	334
Total income from State Government		1,340,717	1,348,571	7,854
SURPLUS/(DEFICIT) FOR THE PERIOD		780	(64,421)	(65,201)
OTHER COMPREHENSIVE INCOME				
Items not reclassified subsequently to profit or loss				
Changes in asset revaluation surplus		-	-	-
Total other comprehensive income		-	-	-
TOTAL COMPREHENSIVE INCOME FOR THE PERIOD		780	(64,421)	(65,201)

Notes to the Financial Statements

9.12 Explanatory statement (continued)

Statement of Financial Position Variances

	Variance note	Estimate 2018 \$'000	Actual 2018 \$'000	Variance between estimate and actual \$'000
ASSETS				
<u>Current Assets</u>				
Cash and cash equivalents	2	34,407	72,722	38,315
Restricted cash and cash equivalents		7,105	3,887	(3,218)
Inventories		3,328	3,138	(190)
Receivables		19,358	16,284	(3,074)
Amounts receivable for services		11,047	11,047	-
Other current assets		2,747	1,806	(941)
Biological assets		-	1,963	1,963
Total Current Assets		77,992	110,847	32,855
<u>Non-Current Assets</u>				
Restricted cash and cash equivalents		5,882	4,762	(1,120)
Amounts receivable for services		409,495	404,971	(4,524)
Property, plant and equipment	3	2,402,355	2,216,279	(186,076)
Intangible assets		13,044	10,583	(2,461)
Total Non-Current Assets		2,830,776	2,636,595	(194,181)
TOTAL ASSETS		2,908,768	2,747,442	(161,326)

Notes to the Financial Statements

9.12 Explanatory statement (continued)

Statement of Financial Position Variances

	Variance note	Estimate 2018 \$'000	Actual 2018 \$'000	Variance between estimate and actual \$'000
LIABILITIES				
<u>Current Liabilities</u>				
Payables	4	66,586	93,412	26,826
Borrowings		16,734	8,866	(7,868)
Provisions		127,941	139,307	11,366
Total Current Liabilities		211,261	241,585	30,324
<u>Non-Current Liabilities</u>				
Borrowings		402,286	397,436	(4,850)
Provisions		29,401	26,683	(2,718)
Total Non-Current Liabilities		431,687	424,119	(7,568)
TOTAL LIABILITIES		642,948	665,704	22,756
NET ASSETS				
		2,265,820	2,081,738	(184,082)
EQUITY				
Contributed equity	5	1,433,935	2,146,159	712,224
Reserves		831,105	-	(831,105)
Accumulated surplus		780	(64,421)	(65,201)
TOTAL EQUITY		2,265,820	2,081,738	(184,082)

Notes to the Financial Statements

9.12 Explanatory statement (continued)

Statement of Cash Flows Variances

	Variance note	Estimate 2018 \$'000	Actual 2018 \$'000	Variance between estimate and actual \$'000
CASH FLOWS FROM STATE GOVERNMENT				
Service appropriation		1,272,331	1,249,051	(23,280)
Capital appropriation		24,887	22,323	(2,564)
Equity contribution		48,071	65,757	17,686
Holding account drawdown		10,628	10,628	-
Royalties for Regions Fund		11,243	9,543	(1,700)
Net cash provided by State Government		1,367,160	1,357,302	(9,858)
Utilised as follows:				
CASH FLOWS FROM OPERATING ACTIVITIES				
<u>Payments</u>				
Employees benefits		(745,816)	(749,128)	(3,312)
Grants and subsidies		(98,747)	(83,016)	15,731
Supplies and services		(364,389)	(374,656)	(10,267)
Accommodation		(80,543)	(52,779)	27,764
Finance costs		(34,633)	(36,025)	(1,392)
GST payments on purchases	7	(47,254)	(74,576)	(27,322)
GST payments to taxation authority		(4,467)	(4,393)	74
Other payments		(88,479)	(81,257)	7,222
<u>Receipts</u>				
Sales of goods and services		2,196	2,493	297
User charges and fees		116,810	108,537	(8,273)
Commonwealth grants and contributions		14,755	14,852	97
GST receipts on sales		4,988	4,682	(306)
GST receipts from taxation authority	8	48,371	75,037	26,666
Other receipts		29,502	18,313	(11,189)
Net cash used in operating activities		(1,247,706)	(1,231,916)	15,790

Notes to the Financial Statements

9.12 Explanatory statement (continued)

Statement of Cash Flows Variances

	Variance note	Estimate 2018 \$'000	Actual 2018 \$'000	Variance between estimate and actual \$'000
CASH FLOW FROM INVESTING ACTIVITIES				
Payments				
Purchase of non-current physical assets	6	(61,381)	(34,345)	27,036
Receipts				
Proceeds from sale of non-current physical assets		-	52	52
Net cash used in investing activities		(61,381)	(34,293)	27,088
CASH FLOW FROM FINANCING ACTIVITIES				
Payments				
Repayments of borrowings		(10,679)	(9,722)	957
Net cash used in financing activities		(10,679)	(9,722)	957
Net increase in cash and cash equivalents		47,394	81,371	33,977
Cash and cash equivalents at the beginning of the period		-	-	-
CASH AND CASH EQUIVALENTS AT THE END OF THE PERIOD		47,394	81,371	33,977

Notes to the Financial Statements

9.12 Explanatory statement (continued)

Major Variance Narratives

Variances between estimate and actual for 2018

1. Revaluation variances arise as the Department is not in a position to budget for changes in revaluations of Land and Buildings. The loss on revaluation of Land and Buildings is a result of the machinery of government changes that amalgamated the former Department of Corrective Services and the Department of Attorney General. As there is no revaluation reserve brought forward from the former departments the revaluation decrement is required to be disclosed in the Statement of Comprehensive Income as an expense.
2. Cash and Cash Equivalents are higher than budget mainly as a result of increased unpaid payables at 30 June 2018 which will be paid in the 2018/19 financial year.
3. The actual for Property, Plant and Equipment is lower than budget mainly as a result of a revaluation done by Landgate which resulted in a \$68 million decrease in the asset and repositioning of capital works expenditure to the forward estimates.
4. Payables are higher than budgeted mainly as a result of increased unpaid invoices at 30 June 2018 which will be paid in the 2018/19 financial year.
5. Following the machinery of government changes that amalgamated the former Department of Corrective Services and Department of the Attorney General, the revaluation reserve was not brought forward from the former departments
6. Purchase of non-current physical assets is lower than budget due to repositioning of capital works expenditure to the forward estimates.
7. There was an \$18.607m GST refund payment to a 3rd party for the completing of the EGRP prison facility. This was not budgeted as the payment was refunded by the taxation authority, see Note 8.
8. There was an \$18.607m receipt from the taxation authority for the invoices related to the EGRP prison facility. This is not budgeted as the refund was passed to the 3rd party as per note 7.

10. Administered disclosures

This section sets out all of the statutory disclosures regarding the financial performance of the entity.

	Notes
Disclosure of administered income and expenses by service	10.1
Explanatory statement for Administered Items	10.2
Administered assets and liabilities	10.3

Notes to the Financial Statements

10.1 Disclosure of administered income and expenses by service

COST OF SERVICES

Income

	Court and Tribunal Services	Services to Government	General - Not Attributed	Total
	2018 \$'000	2018 \$'000	2018 \$'000	2018 \$'000
Judicial fines and penalties	39,075			39,075
Infringement penalties	11,255			11,255
Copyright income received on behalf of the State	1			1
Revenue for transfer - other Government agencies		20,485		20,485
Criminal property confiscations		8,482		8,482
Law Library Fund			600	600
Land acquisition		101,475		101,475
Other	441		588	1,029
Total administered income	50,772	130,442	1,188	182,402

Expenses

Payments to the Consolidated Account	43,755			43,755
Criminal property confiscations - grants		1,669		1,669
Criminal property confiscations - supplies and services		7,958		7,958
Law Library Fund payments			600	600
Payment to Road Trauma Trust Account		20,484		20,484
Land acquisition payments		99,150		99,150
Allowance for impairment of receivables - Fines Enforcement Registry	5,044			5,044
Other	410		634	1,044
Total administered expenses	49,209	129,261	1,234	179,704

Notes to the Financial Statements

10.2 Explanatory statements for administered items

All variances between estimates (original budget) and actual results for 2018, and between the actual results for 2018 and 2017 are shown below. Narratives are provided for key major variances, which are generally greater than 5% and **\$1.579 million**.

	Variance note	Original budget 2018 \$'000	Actual 2018 \$'000	Variance between estimate and actual \$'000
COST OF SERVICES				
<u>Income</u>				
Judicial fines and penalties	8	33,646	39,075	5,429
Infringement penalties	1	9,304	11,255	1,951
Copyright income received on behalf of the State		227	1	(226)
Revenue for transfer - other Government agencies	2	23,513	20,485	(3,028)
Criminal property confiscations	3	11,000	8,482	(2,518)
Law Library Fund		600	600	-
Land acquisition	4	-	101,475	101,475
Other		677	1,029	352
Total administered Income		78,967	182,402	103,435
<u>Expenses</u>				
Payments to the Consolidated Account		43,553	43,755	202
Criminal property confiscations - grants	5	4,000	1,669	(2,331)
Criminal property confiscations - supplies and services		7,000	7,958	958
Law Library Fund payments		600	600	-
Payment to Road Trauma Trust Account	6	23,513	20,484	(3,029)
Land acquisition payments	7	-	99,150	99,150
Allowance for impairment of receivables - Fines Enforcement Registry	9	-	5,044	5,044
Other		301	1,044	743
Total administered expenses		78,967	179,704	100,737

Notes to the Financial Statements

10.2 Explanatory statements for administered items (continued)

Major Variance Narratives (Administered Items)

Variances between estimate and actual for 2018

1. The increase in Infringement penalties of \$1.95 million or 21% compared to estimates was mainly attributed to higher traffic infringement fines issued by Police officers and collected on behalf of the Department of Transport.
2. Revenue for transfer is collected on behalf of the Main Roads WA for speed and red light fines. Collection of revenue was \$3 million lower than estimates, partially attributed to a lower than estimate number of speed and red light infringements issued by WA Police during the period.
3. Criminal property confiscations were \$2.5 million or 23% lower than estimates. This is due to less criminal monies confiscated by the WA Police and the Office of the Director of Public Prosecutions during the period and a decline in values of properties seized.
4. There is no budget/ funding set for Land Acquisition account which is used to hold monies on behalf of Government departments and authorities pending finalisation of property acquisitions and disposals.
5. The lower than estimate criminal property confiscations grants of \$2.3 million was due to lower than expected number of programs granted and the timing of the community grants payments.
6. The \$3 million lower payment to Road Trauma Trust Account reflected lower funds available for distribution due to lower speed and red light camera fine revenue collected.
7. See variance explanation in note 4.
8. Judicial fines and penalties collection exceeded estimates by \$5.4 million (16%) mainly due to an increase in fines and infringements registered at the Fines Enforcement Registry.
9. The allowance in respect of Court fees and fines outstanding and referred to the Fines Enforcement Registry is based on objective evidence that the Department will not be able to collect the debts. An allowance for impairment was not established in the budget.

10.3 Administered assets and liabilities

Assets

Cash and cash equivalents

Departmental receipts in suspense

Restricted cash and cash equivalents

Suitors' fund

Law Library

Land Acquisitions

Confiscation Proceeds Account

Receivables

Fines Enforcement Registry

Less: Allowance for impairment of receivables

Total administered current assets

Total administered assets

Liabilities

Amounts due to the Treasurer (Appeals Cost Board) ^(a)

Total administered current liabilities

Total administered liabilities

2018 \$'000
43
479
2
12,465
22,714
193,876
(96,990)
132,589
132,589
2,500
2,500
2,500

Notes to the Financial Statements

10.3 Administered assets and liabilities (continued)

Summary

Special Purpose Accounts section 16 1(b) of *Financial Management Act 2006*.

Special Purpose Account

Suitors' fund

To hold funds, in accordance with section 4 of the Suitor's Fund Act (The Act), to meet the liability for costs of certain litigation and for incidental and other purposes pursuant to the Act.

	2018 \$'000
Balance at start of the period	515
Receipts	46
Payments	82
Balance at the end of the period	479

^(a) Expenditure advance approved by the State Treasurer to provide a temporary advance for funding of the *Suitors' Fund Act*. The funds advanced by the State Treasurer are subject to reimbursement.

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

- Supreme and District Court fines and forfeitures; and
- Magistrates Courts criminal fines.

Outstanding fines and costs include:

- District and Supreme Court fines and costs and those which are referred to the Fines Enforcement Registry (FER) for action and are outstanding as at 30 June 2018; and
- Magistrates Courts criminal fines which are outstanding in each Court and have not been referred to the FER as at 30 June 2018.

10.4 Administered assets and liabilities (continued)

Infringement penalty details are not included as the State Solicitor provided an opinion that infringements form no liability or obligation to pay until a Court orders the offender to pay the penalty. Bail is a system that governs the status of individuals charged with committing crimes, from the time of arrest to the time of their next hearing with the major purpose of ensuring their presence at that hearing. Failure to comply with the bail may result in the forfeiture or requirement to pay an amount to the court for the breach of bail. Bail only becomes payable when the court issues a Court order to pay. This is then treated in the same manner as any other court penalty in the administered section of the financial statements.

Provision for unrecoverable debts - administered items

The provision in respect of Court fees and fines outstanding and referred to the FER is based on objective evidence that the Department will not be able to collect the debts.

Key Performance Indicators

Certification of Key Performance Indicators For the year ended 30 June 2018

I hereby certify that the key performance indicators are based on proper records, are relevant and appropriate for assisting users to assess the Department of Justice's performance, and fairly represent the performance of the Department for the financial year ended 30 June 2018.



Dr Adam Tomison
Director General
Department of the Attorney General
14 September 2018

Key Performance Indicators

Our Purpose

To provide a fair, just and safe community for all Western Australians.

Relationships to Government goals

Broad, high-level government goals are supported at agency level by more specific agency level desired outcomes. Agencies deliver services to achieve these desired outcomes that ultimately contribute to meeting the higher level government goals.

The following table illustrates the relationship between the Department of Justice's agency level desired outcomes, services delivered by the Department and the Government's goals.

Government Goals	Department of Justice Desired Outcomes	Services
Strong Communities: Safe communities and supported families	1. An efficient, accessible court and tribunal system	1. Court and Tribunal Services
	2. Trustee, Guardianship and Administration services are accessible to all Western Australians	2. Advocacy, Guardianship and Administration Services 3. Trustee Services
	3. Western Australian birth, death and marriage certificates are accurate and accessible	4. Births, Deaths and Marriages
	4. Government receives quality, timely legal and legislative drafting services	5. Services to Government
	5. Equitable access to legal services and information*	6. Legal Aid Assistance*
	6. A safe, secure and decent corrective services which contributes to community safety and reduces offenders' involvement in the justice system	7. Adult Corrective Services 8. Youth Justice Services

* This outcome and service is delivered by the Legal Aid Commission. The Legal Aid Commission is partly funded through the Department of Justice but prepares a separate annual report including reporting against Key Performance Indicators.

Changes to the Department's Outcome Based Management structure

The Department's Outcome Based Management (OBM) structure for 2017/18 reflects outcomes, services and key performance information following the amalgamation of the Department of the Attorney General and Department of Corrective Services due to Machinery of Government changes on 1 July 2017.

Key Performance Indicators

The Department of Justice is required under Section 61 of the *Financial Management Act 2006* and Treasurer's Instruction TI 904, to disclose key performance indicators in agency annual reports.

The Department has developed key performance indicators of effectiveness and efficiency to assist senior management and stakeholders assess and monitor the extent to which agency level government desired outcomes have been achieved and the efficiency of service delivery. The key performance indicators are monitored on a regular basis by the Department's Corporate Executive Committee.

Key effectiveness indicators provide information on the extent to which agency level outcomes have been achieved, or contributed to, through the delivery of services. Key efficiency indicators relate services to the level of resource inputs required to deliver them and show the average cost per output to deliver the service. Service costs are calculated based on the Department's internal cost allocation model to reflect the full cost of the service.

Key effectiveness and key efficiency indicator results for years prior to the amalgamation of the Departments are consistent with audited key performance indicator results published in the former Department of the Attorney General and Department of Corrective Services annual reports. Key performance indicator results for these years have not been adjusted to reflect Machinery of Government changes.

The following performance indicators should be read in conjunction with the accompanying notes to the key performance indicators. Explanations are provided where the 2017/18 Actual results varied significantly from the 2017/18 Target and 2016/17 Actual results ($\pm 10\%$ or more).

Outcome 1: An efficient, accessible court and tribunal system

The Department aims to provide a court system that is responsive to community needs for access to justice. This supports the Government's strategic goal of strong communities: safe communities and supported families.

To be accessible, the court system must be available to resolve disputes in a timely manner. Accessibility is diminished if there are lengthy delays in bringing matters to trial or finalising matters brought before the courts. The time taken to achieve an outcome in the courts is considered a primary indicator of the accessibility of the court system and therefore the extent to which the agency level outcome is

achieved. The timely resolution of matters brought before the courts is also a measure of the efficiency of the courts system.

Effectiveness indicators are measured separately for key jurisdictions and the Fines Enforcement Registry. The jurisdictions measured are considered key indicators because, combined, they represent the majority of the workload and/or expenditure for the courts.

The key effectiveness indicators comprise measures of time to trial, time to finalise matters and time to finalise non-trial matters.

The measure used is dependent on the type of matter and the jurisdiction. In criminal jurisdictions, the majority of matters may go to trial therefore time to trial is an appropriate measure whereas in civil jurisdictions most matters may be finalised without going to trial and time to finalise non-trial matters is used.

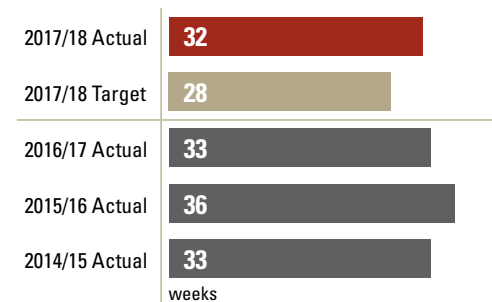
Key Effectiveness Indicators

Supreme Court – Criminal – Time to trial

What does this indicator measure? Time to trial is a measure of the median time taken from a specified initial date (i.e. committal date, which is the date the matter is sent to the Supreme Court from a lower court) to the first listed trial date. The proportion of matters needing a trial, and the time required for the court and associated services to satisfy complex pre-trial issues, increases with the seriousness and complexity of the matter.

How is this indicator calculated? This measure is calculated by taking the median time from the specified initial date to first trial date allocated to the matter. The information for this indicator has been derived from the Integrated Courts Management System (ICMS).

What does this indicator show? The higher than target result is due to a large and complex criminal trial workload being managed within operational constraints which include restricted and/or delayed availability of judiciary, courtrooms, evidence and/or counsel.

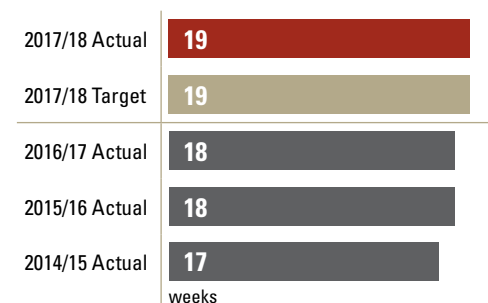


Supreme Court – Civil – Time to finalise non-trial matters

What does this indicator measure? This indicator measures the median time to finalise cases that are heard by a Registrar or Judge at conferences or hearings, before proceeding to trial and is an indicator of the capacity of the court to resolve matters by methods other than formal trial.

How is this indicator calculated? This measure is calculated by taking the median time from date of lodgment to first date of finalisation, excluding matters finalised by trial and matters finalised administratively. Information for this indicator is derived from the Integrated Courts Management System (ICMS).

What does this indicator show? No significant variation.

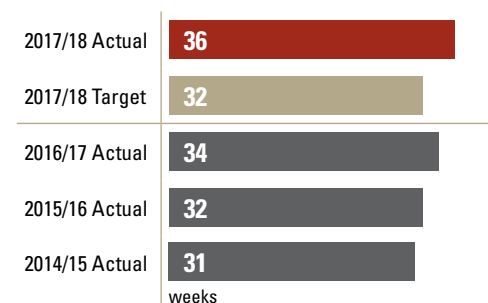


District Court – Criminal – Time to trial

What does this indicator measure? Time to trial is a measure of the median time taken from a specified initial date (i.e. committal date, which is the date the matter is sent to the District Court from a lower court) to the first listed trial date. The proportion of matters needing a trial, and the time required for the court and associated services to satisfy complex pre-trial issues, increases with the seriousness and complexity of the matter.

How is this indicator calculated? This measure is calculated by taking the median time from the specified initial date to the first listed trial date. The information for this indicator is derived from the Integrated Courts Management System (ICMS).

What does this indicator show? The higher than target result is due to a consistent increase in the number of cases committed for trial.

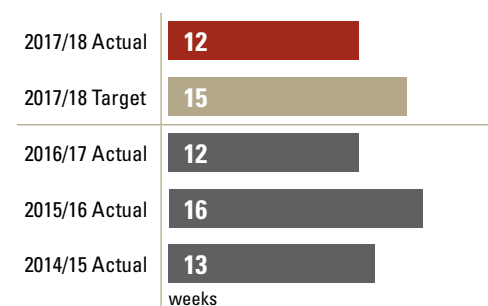


State Administrative Tribunal – Time to finalise

What does this indicator measure? This indicator is measured by calculating the median time to finalise a matter from its lodgment to when a judgement is made.

How is this indicator calculated? This measure is calculated by taking the median time to finalise a matter from date of lodgment to when a judgement is made (excludes all guardianship administration matters). Information for this indicator is derived from the Integrated Courts Management System (ICMS).

What does this indicator show? The better than target result is attributed to the Tribunal's continuous improvement in case management practices, involving senior members case managing lists and includes the facilitation of direction hearings, expediting the first appearance, restricting the number of mediation sessions held for individual matters and applying closer scrutiny of requests to vacate or adjourn hearings.

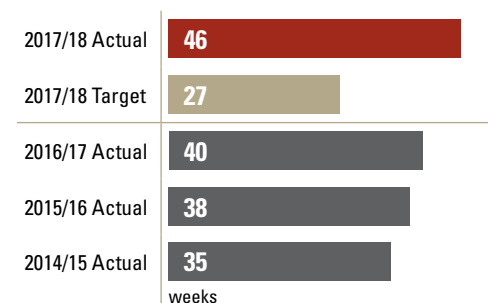


Family Court of Western Australia – Time to finalise non-trial matters

What does this indicator measure? This indicator measures the median time to finalise final order applications by court order, before proceeding to trial. This is an indicator of the capacity of the court to resolve matters by methods other than formal trial.

How is this indicator calculated? This measure is calculated by taking the median time to finalise a matter from the date of lodgment to the first date of finalisation, excluding matters finalised by trial and matters finalised administratively. Information for this indicator is derived from a national cases database (CASETRACK).

What does this indicator show? The higher than target result is due to long-term growth in the complexity and volume of final order parenting applications and court ordered finalisations; and the reallocation of magistrates to trial work to help address the delay to trial, thereby reducing the Court's capacity to hear non-trial matters.

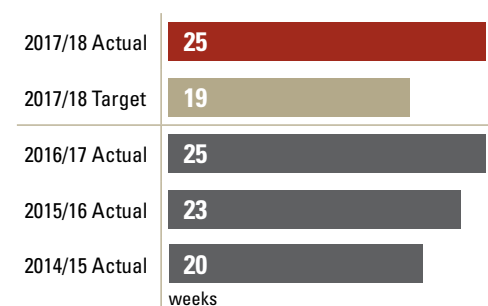


Magistrates Court – Criminal and Civil – Time to trial

What does this indicator measure? Time to trial is a measure of the median time taken from a specified initial date (i.e. lodgment for civil matters, first actual hearing date for criminal matters) to the first listed trial date. The proportion of matters needing a trial, and the time required for the court and associated services to satisfy complex pre-trial issues, increases with the seriousness and complexity of the matter.

How is this indicator calculated? This measure is calculated by taking the median time from a specified initial date to the first trial date. Information for this indicator is derived from the Integrated Courts Management System (ICMS).

What does this indicator show? The higher than target result in time to trial is due to growth in the number of criminal cases and charges per case lodged in the Magistrates Court.

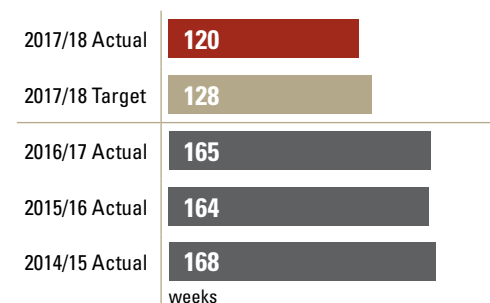


Coroner's Court – Time to trial

What does this indicator measure? Time to trial is a measure of the median time taken from the date of death to the first inquest hearing. The proportion of matters needing a trial, and the time required for the court and associated services to satisfy complex pre-trial issues, increases with the seriousness and complexity of the matter.

How is this indicator calculated? This measure is calculated by taking the median time from death to the first inquest hearing (for those cases where an inquest is held). In the Coroner's Court, a trial is defined as an inquest. Information for this indicator is derived from the National Coroners Information System (NCIS) database.

What does this indicator show? The median time to the first inquest hearing for 2017/18 was 120 weeks, compared to 165 weeks in 2016/17. The significant shift is due to a concerted focus on the finalisation of older inquest cases.



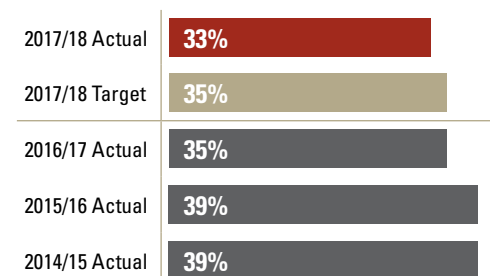
Fines Enforcement Registry - Percentage of fines satisfied within 12 months

What does this indicator measure? The Fines Enforcement Registry effectiveness indicators demonstrate to the community that the appropriate systems, procedures and resources are in place to enforce fines, costs and infringement penalties in a timely manner. It also demonstrates to the community that a court fine is a viable sentencing option.

Fines and Costs

How is this indicator calculated? This indicator measures the number of fines satisfied within 12 months of referral to the Fines Enforcement Registry (FER). It is calculated by expressing the number of fines satisfied within 12 months of referral as a percentage of the total number of fines referred to FER. Information is extracted from the Integrated Courts Management System (ICMS) database.

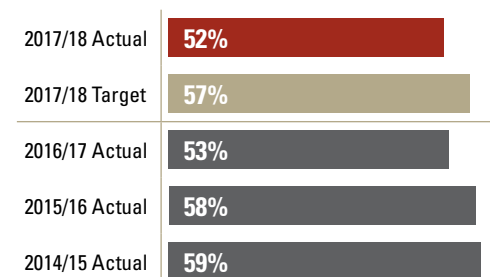
What does this indicator show? No significant variation.



Infringements

How is this indicator calculated? This indicator measures the number of infringements satisfied within 12 months of referral to the Fines Enforcement Registry (FER). It is derived by expressing the number of infringements satisfied within 12 months of referral as a percentage of the total number of infringements referred to FER. Information is extracted from the Integrated Courts Management System (ICMS) database.

What does this indicator show? No significant variation.



Service 1: Court and Tribunal Services

This service is delivered by Court and Tribunal Services. Two distinct groups administer courts in Western Australia: the independent judicial officers who preside over the various courts and the Department of Justice that provides court facilities, administrative support and judicial support staff to enable the determination of cases brought before a court or tribunal.

Part of this function also involves the delivery of court counselling services and a range of civil and criminal enforcement services.

The loss on revaluation of Land and Building is a result of the machinery of government changes that amalgamated the former Department of the Attorney General and the Department of Corrective Services.

Changes in asset revaluations would normally only impact the Balance Sheet.

As there is no Asset Revaluation Reserve brought forward from the former departments, the revaluation decrement is required to be disclosed in the statement of comprehensive income as an expense.

For comparability, the loss on revaluations totalling \$23,353,172 have been excluded from the calculation of Court and Tribunal Services key efficiency measures.

Key Efficiency Indicators

What does this indicator measure? The following indicators measure the average cost per case for all matters finalised within each jurisdiction (including matters finalised without trial and those finalised administratively), and the cost per enforcement action to finalise outstanding fines and infringements.

How are the cost per case indicators calculated? The cost per case indicators are calculated by dividing the total cost of processing cases by the number of finalisations.

The efficiency indicators for Court and Tribunal Services are calculated from the Department's Cost Allocation Model in the Planning and Budgeting Cloud Services system (PBCS).

Total operating costs used to calculate the efficiency measure are extracted from the Department's jurisdiction based cost management system (PBCS).

The number of finalisations is obtained from various in house case management and tracking systems maintained by the jurisdictions.

Supreme Court – Criminal – Cost per case

The 13% reduction in the cost per case in 2017/18, compared to 2016/17, is mainly due to an increase in finalisations. The gain in criminal finalisations is likely due to both an increase in co-accused per trial and a greater representation of offences that take less time to finalise.

2017/18 Actual	\$40,347
2017/18 Target	\$43,844
2016/17 Actual	\$46,302
2015/16 Actual	\$37,688
2014/15 Actual	\$34,674

Supreme Court – Civil – Cost per case

No significant variation.

2017/18 Actual	\$11,068
2017/18 Target	\$10,118
2016/17 Actual	\$11,158
2015/16 Actual	\$13,381
2014/15 Actual	\$10,573

**Court of Appeal –
Cost per case**
No significant variation.

2017/18 Actual	\$21,856
2017/18 Target	\$20,696
2016/17 Actual	\$22,232
2015/16 Actual	\$35,851
2014/15 Actual	\$25,829

**State Administrative Tribunal –
Cost per case**
No significant variation.

2017/18 Actual	\$3,766
2017/18 Target	\$4,129
2016/17 Actual	\$3,956
2015/16 Actual	\$3,862
2014/15 Actual	\$3,413

**District Court –
Criminal – Cost per case**
The better than target result is due to an increase in finalisations, resulting from the appointment of an additional two judges to the District Court during 2017/18.

2017/18 Actual	\$16,627
2017/18 Target	\$19,788
2016/17 Actual	\$18,351
2015/16 Actual	\$21,395
2014/15 Actual	\$22,428

**Family Court of
Western Australia –
Cost per case**
No significant variation.

2017/18 Actual	\$2,057
2017/18 Target	\$2,095
2016/17 Actual	\$2,177
2015/16 Actual	\$1,905
2014/15 Actual	\$1,894

**District Court –
Civil – Cost per case**
No significant variation.

2017/18 Actual	\$4,250
2017/18 Target	\$4,204
2016/17 Actual	\$4,289
2015/16 Actual	\$6,798
2014/15 Actual	\$6,457

**Magistrates Court –
Criminal – Cost per case**
No significant variation.

2017/18 Actual	\$673
2017/18 Target	\$635
2016/17 Actual	\$666
2015/16 Actual	\$918
2014/15 Actual	\$912

**Magistrates Court –
Civil – Cost per case**
No significant variation.

2017/18 Actual	\$598
2017/18 Target	\$571
2016/17 Actual	\$593
2015/16 Actual	\$354
2014/15 Actual	\$370

**Children's Court –
Civil – Cost per case**

The better than target result is due to an increase in finalisations, mainly in restraining order matters and continued improvement in case management of protection and care matters.

2017/18 Actual	\$1,692
2017/18 Target	\$1,963
2016/17 Actual	\$2,041
2015/16 Actual	\$768
2014/15 Actual	\$604

**Coroner's Court –
Cost per case**
No significant variation.

2017/18 Actual	\$5,648
2017/18 Target	\$5,492
2016/17 Actual	\$5,772
2015/16 Actual	\$5,252
2014/15 Actual	\$5,666

**Fines Enforcement Registry –
Cost per enforcement**

How is the cost per enforcement indicator calculated? The total cost of processing fines and infringements is divided by the number of lodgments where a lodgment represents an individual enforcement registered with the Fines Enforcement Registry for enforcement. The data sources for this Key Performance Indicator are PBCS and the departmental information management system (COGNOS) for the number of lodgments.

What does this indicator show? The better than target result is mainly due to a significant increase in the number of registrations of Electoral Commission infringements during 2017/18.

2017/18 Actual	\$26
2017/18 Target	\$30
2016/17 Actual	\$27
2015/16 Actual	\$26
2014/15 Actual	\$27

**Children's Court –
Criminal – Cost per case**
No significant variation.

2017/18 Actual	\$499
2017/18 Target	\$537
2016/17 Actual	\$538
2015/16 Actual	\$1,024
2014/15 Actual	\$972

Outcome 2: Trustee, guardianship and administration services are accessible to all Western Australians

The Department, through the operations of the Public Advocate, safeguards the rights of adults with decision-making disabilities, and reduces the incidence of risk, neglect and exploitation while the Public Trustee ensures equitable access to trustee services for all Western Australians.

This supports the Government's strategic goal of strong communities: safe communities and supported families.

The following indicators show the extent to which the Department has achieved this outcome.

The indicators measure the accessibility of trustee, guardianship and administration services to all Western Australians.

Key Effectiveness Indicators

Percentage of Guardians of last resort allocated in one day

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

How is this indicator calculated? The indicator is based on the Public Advocate's best practice to ensure the needs of the represented person are met immediately. It is measured by dividing the number of new appointments of guardians of last resort made by the State Administrative Tribunal (SAT) at the hearing and accepted by the Public Advocate's delegate within one working day of receipt of the guardianship order, by the total number of new guardianship appointments made by the SAT appointing the Public Advocate.

The Public Advocate is appointed as guardian of last resort only when considered necessary and when there is no one else suitable, available or willing to take on the role. The information for this indicator is extracted from the Public Advocate Case Management System (PACMAN).

What does this indicator show? No significant variation.

2017/18 Actual	94%
2017/18 Target	95%
2016/17 Actual	95%
2015/16 Actual	98%
2014/15 Actual	96%

Percentage of Western Australian deceased estates administered by the Public Trustee

What does this indicator measure? The Public Trustee offers a secure value for money alternative for administration of deceased estates in Western Australia. This ensures that trustee services are accessible to people in the state. The percentage of deceased estates administered by the Public Trustee indicates the use being made of the service and therefore the overall accessibility of trustee services to Western Australians.

The indicator represents the number of deceased estate files reported as a percentage of the number of adult deaths in Western Australia.

How is this indicator calculated? The Public Trustee operates in a commercial environment offering services that can be provided by numerous professional service providers.

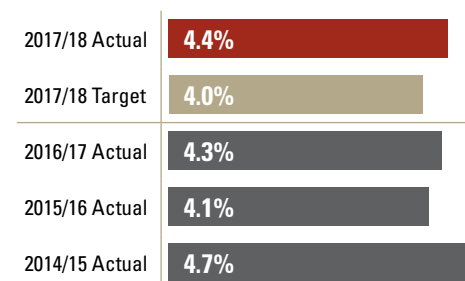
The Public Trustee administers the estates where it has been appointed as executor. Some estates may not require formal administration but still require work to be undertaken in order that assets may be registered in the survivor or beneficiaries' name.

The indicator represents the number of deceased estate files reported as a percentage of the number of adult deaths in Western Australia.

Data for this indicator is sourced from the Registry of Births, Deaths and Marriages and the Public Trustee's Management Accounting and Trust Environment (MATE) system.

Note: From 2017/18, the Target was reduced from 6.5% to 4.0% to align the target with historically lower actual results and a declining trend.

What does this indicator show? No significant variation.



Percentage of clients who have services provided by the Public Trustee under an operating subsidy

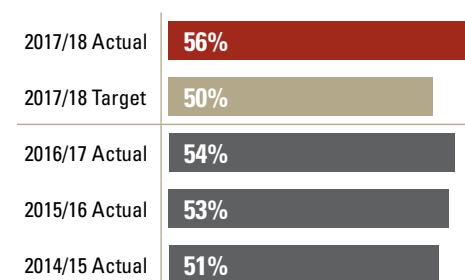
What does this indicator measure? In addition to providing affordable services thereby making trustee services more accessible, the Public Trustee provides services free of charge, or at a reduced cost, to clients who cannot afford them. This further increases the accessibility of trustee services by ensuring that all Western Australians have access to trustee services.

The indicator represents the proportion of services provided free of charge or at a reduced cost under the Public Trustee's community service.

How is this indicator calculated? This indicator measures the proportion of clients provided with services by the Public Trustee under the operating subsidy. The fees raised are rebated back to the clients who meet the minimum requirements under the operating subsidy. The indicator is calculated by dividing the number of operating subsidy clients by the total trust clients administered, and reported as a percentage.

Note: From 2017/18, the Target was increased from 35% to 50% to align the target with historically higher actual results and an increasing trend.

What does this indicator show? The higher actual result compared to target is due to an increased number of appointments from the State Administrative Tribunal, where the Public Trustee provides services at a subsidised cost to vulnerable persons.



Service 2: Advocacy, guardianship and administration services

This service is delivered by the Public Advocate.

Advocacy, guardianship and administration services protect and promote the financial interests and welfare of people with decision-making disabilities by providing:

- access to investigation and advocacy services;
- appropriate appointment of guardians and administrators and appropriate interventions in relation to Enduring Powers of Attorney and Enduring Powers of Guardianship;

- guardianship and administration community education services; and
- guardianship and administration services provided by the Public Advocate.

The following efficiency indicator measures the cost of delivering the service.

Key Efficiency Indicators

Average cost of providing advocacy and guardianship services

What does this indicator measure? This indicator measures the average cost per case of providing advocacy and guardianship services on behalf of people with decision-making disabilities.

How is this indicator calculated? This indicator is calculated by dividing the total cost of providing advocacy, guardianship and administration services by the number of advocacy and guardianship services provided. The information for this indicator is extracted from Department's activity based cost management system (PBCS) and the Public Advocate Case Management System (PACMAN).

What does this indicator show? No significant variation.

2017/18 Actual	\$1,789
2017/18 Target	\$1,670
2016/17 Actual	\$1,735
2015/16 Actual	\$1,744
2014/15 Actual	\$1,649

Service 3: Trustee Services

This service is delivered by the Public Trustee.

The Public Trustee is a statutory authority within the provisions of the *Financial Management Act 2006*.

It provides a funds management and investment service 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.

The following efficiency indicators measure the cost of delivering the service.

Key Efficiency Indicators

Average cost per deceased estate administered

What does this indicator measure? This indicator measures the average cost per deceased estate administered.

How is this indicator calculated? This indicator is calculated by dividing the total cost of administration services by the number of deceased estates administered during the year. The total number of deceased estates administered is held in the Public Trustee's internal information system and the total cost of administration services is derived from the Department's activity based cost management system (PBCS).

What does this indicator show? No significant variation.

2017/18 Actual	\$2,815
2017/18 Target	\$2,579
2016/17 Actual	\$2,639
2015/16 Actual	\$2,664
2014/15 Actual	\$2,914

Average cost per trust managed

What does this indicator measure? This indicator measures the average cost of managing a trust.

How is this indicator calculated? This indicator is calculated by dividing the total cost to manage trusts by the number of trusts under management during the year. The number of trusts under management is held in Public Trustee's internal information system and the total cost of providing trust management services is derived from the Department's activity based cost management system (PBCS).

What does this indicator show? No significant variation.

2017/18 Actual	\$1,808
2017/18 Target	\$1,855
2016/17 Actual	\$1,812
2015/16 Actual	\$1,870
2014/15 Actual	\$1,919

Average cost per will prepared

What does this indicator measure? This indicator measures the average cost per will prepared.

How is this indicator calculated? This indicator is calculated by dividing the total cost of preparing wills by the number of wills prepared during the year. The total number of wills prepared is held in Public Trustee's internal information system and the total cost of preparing wills is derived from the Department's activity based cost management system (PBCS).

What does this indicator show? No significant variation.

2017/18 Actual	\$653
2017/18 Target	\$670
2016/17 Actual	\$655
2015/16 Actual	\$797
2014/15 Actual	\$751

Outcome 3: Western Australian birth, death and marriage certificates are accurate and accessible

The Department seeks to ensure eligible people are able to obtain accurate documentary proof of key life events and approved organisations can obtain accurate information for research, statistical and planning purposes in a timely manner.

This supports the Government's strategic goal of strong communities: safe communities and supported families.

The following effectiveness indicators show the extent to which the Department, through the activities of the Registry of Births, Deaths and Marriages, has achieved this outcome.

The indicators measure the accuracy and accessibility of certificates of birth, death and marriage to all Western Australians.

Key Effectiveness Indicators

Percentage of certificates of birth, death or marriage issued within two days

What does this indicator measure? The growing need for people to access certificates for identification in a timely manner means that time taken to obtain a certificate of birth, death or marriage is a major determiner of accessibility. This indicator measures the extent to which certificates of birth, death and marriage are issued in a timely manner. This directly measures the extent to which the agency level outcome has been achieved.

How is this indicator calculated? The Western Australian Registration System (WARS) keeps track of the date customers request certificates and the date the certificates are issued. For the purposes of this indicator, issued means printed.

This indicator is calculated by dividing the number of birth, death and marriage certified certificates issued within two days by the total number of certified certificates issued, with the result expressed as a percentage. Information for this indicator is sourced from the WARS "Service Requested and Delivery Times" management report.

What does this indicator show? No significant variation.

2017/18 Actual	92%
2017/18 Target	90%
2016/17 Actual	97%
2015/16 Actual	97%
2014/15 Actual	95%

Extent to which births, deaths and marriages source information is recorded error free

What does this indicator measure? This indicator measures the percentage of new registrations accurately recorded by the registry, excluding incorrect source information provided by customers.

How is this indicator calculated? This indicator 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.

The number of registry errors in death registrations is used to calculate this indicator because immediate feedback is provided if an error is evident in the death certificate, which is always needed for estate settlement. Any errors made on birth or marriage certificates are not immediately detected, as these certificates may not be requested for many years after registration. As the processes for recording births, deaths and marriages are nearly identical; the number of errors in death registrations is considered representative of all three registration types.

The computerised Western Australian Registration System (WARS) counts the number of death registrations corrected using the WARS report 'Registration Accuracy'.

This indicator is calculated by dividing the number of death registrations accurately recorded by the total number of deaths registered for the year.

What does this indicator show? No significant variation.

2017/18 Actual	98%
2017/18 Target	97%
2016/17 Actual	98%
2015/16 Actual	97%
2014/15 Actual	97%

Service 4: Births, Deaths and Marriages

This service is delivered by the Registry of Births, Deaths and Marriages.

The purpose of the Registry is to create and permanently store birth, death and marriage records to enable the public to obtain documentary proof of key life events for legal, personal and historical purposes and also to enable approved organisations to obtain information for research, statistical and planning purposes.

The following efficiency indicator measures the cost of delivering the service.

Key Efficiency Indicators

Average cost of registration services

What does this indicator measure? This indicator measures the unit cost of creating, amending and issuing information and storing records perpetually.

How is this indicator calculated? 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.

To obtain this measure, the full cost of registration services is divided by the total number of new registration services added to records held in storage. The total cost of registration services is derived from the Department's activity based cost management system (PBCS).

What does this indicator show? No significant variation.

2017/18 Actual	\$1.95
2017/18 Target	\$2.09
2016/17 Actual	\$1.76
2015/16 Actual	\$1.76
2014/15 Actual	\$1.92

Outcome 4: Government receives quality, timely legal and legislative drafting services

The Department delivers services to Government to support justice outcomes and activities of other Government agencies.

This supports the Government’s strategic goal of strong communities: safe communities and supported families.

The following effectiveness indicators show the extent to which the Department, through the activities of the State Solicitor’s Office and the Parliamentary Counsel’s Office, has achieved this outcome.

The indicators measure the satisfaction of recipients of legal services and the timeliness of the drafting of legislation.

Key Effectiveness Indicators

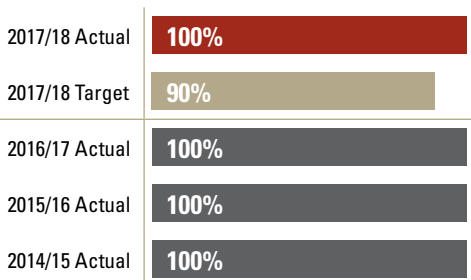
Extent to which government departments are satisfied with legal services

What does this indicator measure? This indicator measures client satisfaction with the quality of legal services provided by the State Solicitor’s Office.

How is this indicator calculated? The indicator is measured through a client survey, which targets Chief Executive Officers (CEOs) of Government departments and agencies. Copies of the survey are forwarded in advance to CEOs and are followed by an interview conducted by the State Solicitor and/or senior lawyers. The top 20 client agencies, plus four (4) randomly selected client agencies were surveyed. The number of agencies surveyed represents approximately 95% of the chargeable work of the State Solicitor’s Office.

The criterion used to assess satisfaction with service was the overall extent to which Government departments are satisfied with legal services.

What does this indicator show? The variation from the budget target is a result of the delivery of better than expected levels of client service in 2017/18, as rated by the State Solicitor’s Office’s clients.



Extent to which legislation was drafted in a timely manner to effect the Government's legislative program

What does this indicator measure? This indicator measures whether the legislative program has been met by determining the extent to which the drafting of legislation that Cabinet has authorised to be prepared has been completed according to the priorities set by Cabinet.

How is this indicator calculated? The indicator represents the total number of Cabinet authorities of various priorities, for which legislation was completed by the relevant cut-off dates in a Parliamentary year. It is expressed as a percentage of the total number of Cabinet authorities to which the legislative program relates. The information is recorded in databases located within the Parliamentary Counsel's Office.

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: From 2017/18, the Target was increased from 90% to 95% to align the target with historically higher actual results achieved in previous years.

What does this indicator show? No significant variation.

2017/18 Actual	98%
2017/18 Target	95%
2016/17 Actual	100%
2015/16 Actual	98%
2014/15 Actual	100%

Service 5: Services to Government

This service is delivered by the State Solicitor's Office and the Parliamentary Counsel's Office.

The State Solicitor's Office provides a broad-based legal service to Government and its agencies.

The Parliamentary Counsel's Office provides comprehensive

legislative drafting services and access to up to date Western Australian legislation.

The following efficiency indicators measure the cost of delivering the service.

Key Efficiency Indicators

Average cost per legal matter

What does this indicator measure? This indicator measures the average cost of a legal matter during the reporting year.

How is this indicator calculated? This indicator measures the average cost of a legal matter, which is defined as an initiating instruction received from a client in the reporting year, plus any other matter active during the reporting year and upon which some legal work was conducted. It also includes work in progress.

The cost per legal matter is calculated by dividing the total cost of providing legal services by the number of matters dealt with during the financial year. Number of matters is extracted from the Time and Matter Costing System and the total cost of service is derived from the Department's activity based cost management system (PBCS).

What does this indicator show? No significant variation.

2017/18 Actual	\$4,464
2017/18 Target	\$4,400
2016/17 Actual	\$4,441
2015/16 Actual	\$4,313
2014/15 Actual	\$3,962

Average cost per page of output

What does this indicator measure? This indicator measures the average cost per new or changed page of Bills, subsidiary legislation and reprinted texts produced each financial year.

How is this indicator calculated? The average cost per drafting service is calculated by dividing the Parliamentary Counsel's Office total operating expenses by the number of pages of bills, subsidiary legislation and reprinted texts produced by the office each financial year. The information is recorded in Access databases located within the Parliamentary Counsel's Office. The total cost of service is derived from the Department's activity based cost management system (PBCS).

What does this indicator show? The better than target cost per page of output is due to lower operating costs, attributed to reduced staffing, and a higher than expected number of pages produced.

2017/18 Actual	\$200
2017/18 Target	\$232
2016/17 Actual	\$257
2015/16 Actual	\$190
2014/15 Actual	\$214

Outcome 6: A safe, secure and decent Corrective Services which contributes to community safety and reduces offenders' involvement in the justice system

The Department contributes to the Government's strategic goal of strong communities: safe communities and supported families through the administration of adult and youth correctional sentences in a manner that is safe, secure and decent.

The following effectiveness indicators show the extent to which the Department, through the activities of Corrective Services, has achieved this outcome.

The indicators measure the Department's contribution to community safety through the safe, secure and

decent management of people in custody, as well as the Department's objectives of ensuring court sanctions are completed and reducing the rate of reoffending and imprisonment.

Key Efficiency Indicators

ADULT

Number of escapes – Adult (by security rating)

What does this indicator measure? This indicator measures the number of escapes by prisoners in the custody of the Department by the prisoner's personal security rating.

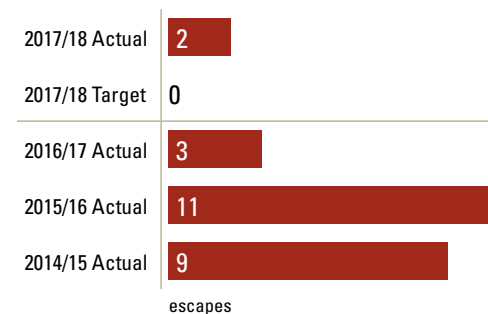
How is this indicator calculated? The number of escapes includes a count of all escapes that have occurred from both private and publicly operated facilities and during the escorted movement of prisoners between facilities and to other locations such as hospital or court.

An escape occurs when a prisoner breaches physical security; flees from an authorised escort; or flees from or leaves any facility, hospital or location whereby they are lawfully meant to be. The target for this indicator is set at zero.

A breakdown of the number of escapes by security rating for each year is provided in the accompanying table.

What does this indicator show? There were two escapes from adult custody during the 2017/18 period. This was a decrease in the number of escapes from three in the previous year. One escape was from a prison facility and one took place while the prisoner was outside a facility under escort. Each escape is investigated by the Department to identify factors that preceded or contributed to the escape so that the risk of further escapes can be minimised.

	2014/15 Actual	2015/16 Actual	2016/17 Actual	2017/18 Target	2017/18 Actual
Maximum	0	1	2	0	0
Medium	1	2	1	0	1
Minimum	8	8	0	0	1
Total	9	11	3	0	2



Rate of return - offender programs - Adult

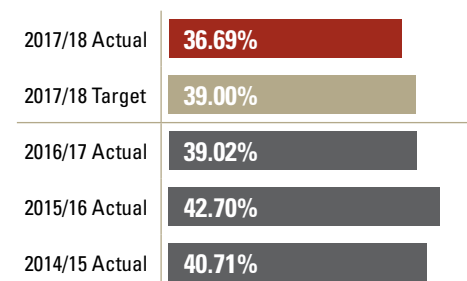
What does this indicator measure? This indicator measures the rate at which sentenced adult prisoners return to corrective services within two years of their release from custody, where the person had completed at least one offender program prior to release. This is an indicator of how effectively the Department is providing program interventions to reduce the rate of reoffending and imprisonment.

How is this indicator calculated? This indicator is calculated by dividing the number of offenders who return to either community corrections or custody under sentence within two years of their release from custody, where the offender completed at least one offender treatment program prior to release, by the number of sentenced offenders released from custody who had completed at least one program. The result is expressed as a percentage.

The rate includes offenders who returned to custody due to cancellation of an early release order (parole) by the court for either reoffending or non-compliance with the terms and conditions of release. The rate excludes offenders who were in custody on sentences that relate only to default of a court imposed fine and offenders who return to custody due to the suspension of an early release order (parole).

This indicator refers to criminogenic programs only and does not include programs relating to education and vocational training or life skills.

What does this indicator show? No significant variation.

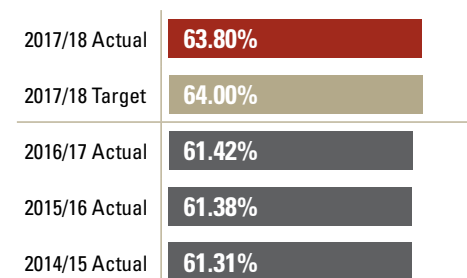


Successful completion of community corrections orders - Adult

What does this indicator measure? This indicator measures the percentage of community orders completed during the period that were not terminated for a breach of order for failure to meet the order requirements or because further offences were committed. This is an indicator of the Department's objective of ensuring court sanctions are completed.

How is this indicator calculated? This indicator is calculated by dividing the number of orders successfully completed by the total of all orders validly terminated, completed, or expired, and is expressed as a percentage. Orders are considered successfully completed if they run their full course without breach action that is finalised or pending. Terminated orders exclude those terminated due to the death of an offender.

What does this indicator show? No significant variation.



Average out of cell hours - Adult

What does this indicator measure? This indicator provides the annual average number of hours that prisoners are not confined to their cells or units.

How is this indicator calculated? This indicator is measured in accordance with national standards and is calculated by dividing the total out of cell hours for the year by the number of days in the year and the average daily population. The out of cell hours each day will vary due to lock downs during normal hours for reasons such as staff meetings, staff training and security requirements.

What does this indicator show? Providing a secure, safe and decent custodial environment includes managing prisoners in a way that minimises the risks they pose to the community while enabling them to achieve an acceptable quality of life. Time spent out of cells provides a greater opportunity for prisoners to participate in activities such as work, education, well-being, recreation, treatment programs, visits, and interacting with other prisoners and staff.

The full year 2017/18 average out of cell hours result of 12.00 hours is based on the default out of cell hours for all prisons, which excludes nightly prisoner lock downs, as well as reported lock downs during normal hours.

In March 2018, the Department implemented improved recording of lock downs. Prior to March 2018, seven adult prisons had recorded lock downs during normal hours, compared to twelve prisons during the March to June 2018 period. The omission of some lock down records during the July to February period overstated the final 2017/18 result by approximately 3%. The average out of cell hours result for the March to June 2018 period, which included improved recording of lock downs, was 11.66 hours.

2017/18 Actual	12.00
2017/18 Target	12.00
2016/17 Actual	12.33
2015/16 Actual	12.46
2014/15 Actual	12.44

Rate of serious assault per 100 prisoners - Adult

What does this indicator measure? This indicator measures the rate of serious assaults per 100 prisoners and is an indicator of the Department's objective of providing a safe, secure and decent custodial environment. This includes providing a prison environment in which there is a low level of violence, whether perpetrated by prisoners against other prisoners or against staff.

How is this indicator calculated? This indicator is measured in accordance with national standards and is calculated by dividing the number of victims of serious assault by prisoners against prisoners and prisoners against staff, by the average daily population for the year, with the result expressed as a rate per 100 prisoners.

Serious assaults are defined as acts of physical violence resulting in injuries that require treatment involving hospitalisation in a medical facility or ongoing medical treatment, as well as all sexual assaults.

The target for this indicator is set at a rate of <0.48 per 100 prisoners.

What does this indicator show? The 2017/18 rate of serious assaults per 100 prisoners was based on 45 serious assaults during the 2017/18 period, comprising seven serious assaults by prisoners against staff and 38 serious assaults by prisoners against other prisoners. This was a decrease of 18 serious assaults from the 2016/17 period (i.e. a 28.6% decrease).

A 4.3% increase in the prisoner population also contributed toward the reduced rate of serious assault, from 0.97 in 2016/17 to 0.66 in 2017/18.

2017/18 Actual	0.66
2017/18 Target	< 0.48
2016/17 Actual	0.97
2015/16 Actual	1.01
2014/15 Actual	0.68

YOUTH

Number of escapes – Youth

What does this indicator measure? This indicator measures the number of escapes by young people in the custody of the Department.

How is this indicator calculated? The number of escapes includes a count of all escapes that have occurred from detention and during the escorted movement of young people between facilities and to other locations such as hospital or court.

An escape occurs when a young person in custody of the Department breaches physical security; flees from an authorised escort; or flees from or leaves any facility, hospital or location whereby they are lawfully meant to be.

The target for this indicator is set at zero.

What does this indicator show? There were no escapes from youth detention in 2017/18, or the preceding three years.

2017/18 Actual	0
2017/18 Target	0
2016/17 Actual	0
2015/16 Actual	0
2014/15 Actual	0
escapes	

Rate of return to detention - Youth

What does this indicator measure? This indicator measures the rate at which young people return to sentenced detention within two years of their release from detention. This is an indicator of the Department's goal of reducing the rate of reoffending and detention.

How is this indicator calculated? This indicator is calculated by dividing the number of young people who return to detention under sentence within two years of their release from detention, by the number of sentenced young people released from detention during the exit year, with the result expressed as a percentage. The rate includes young people who re-enter detention because of a new sentence and those who return to detention because their supervised release order is cancelled or suspended. A young person is counted once, even if they leave and re-enter detention multiple times within the year, or return more than once within two years of release.

What does this indicator show? The 2017/18 result is the percentage of young persons who returned to detention on a subsequent sentenced episode within two years of release, who were released during the 1 July 2015 to 30 June 2016 period. There were 189 young people released from detention following a period of sentenced detention during the 2015/16 period. Of these, 111 young people returned to detention on a sentenced episode within two years of their release.

The Department did not achieve improvements in the rate of return to detention result for 2017/18 due to an increased number of young people returning to detention relative to the number of young people exiting detention. This occurred due to the return of young people released on supervised release orders where breach action occurred following non-compliance, or where young people returned to detention for subsequent offending behaviour.

2017/18 Actual	58.73%
2017/18 Target	50.00%
2016/17 Actual	55.00%
2015/16 Actual	54.63%
2014/15 Actual	57.56%

Successful completion of community-based orders - Youth

What does this indicator measure? This indicator measures the percentage of sentenced community corrections orders during the period where all attendance, community work and/or supervision conditions of the order have been fulfilled. This is an indicator of the Department's objective to rehabilitate young people by diverting young people from offending, providing timely intervention and resolution of justice issues, ensuring that statutory requirements are met, and reducing the rates of reoffending and detention.

How is this indicator calculated? This indicator is calculated by dividing the number of orders completed during the period that were not terminated for a breach of order for failure to meet the order requirements or because further offences were committed by the number of orders validly terminated and expressed as a percentage. Terminated orders exclude those terminated due to death of an offender.

What does this indicator show? The 2017/18 result is the percentage of orders completed where all attendance, community work and/or supervision conditions of the order were satisfied.

The result of 57.14% was an increase from the 2016/17 period, however was lower than the target of 68%.

The Department did not meet the 2017/18 target due to young people failing to comply with conditions of their order or reoffending. When young people do not comply with orders and pose a risk to the community, breach action is warranted in line with the relevant legislation and Departmental procedures.

2017/18 Actual **57.17%**

2017/18 Target **68.00%**

2016/17 Actual **56.17%**

2015/16 Actual **55.23%**

2014/15 Actual **57.65%**

Service 7: Adult Corrective Services

This service is delivered by Corrective Services.

The Department strives towards an adult corrective services system that contributes to community confidence, provides timely offender services, ensures court sanctions are completed and contributes to reducing the rate of reoffending and imprisonment.

Services are provided to adults in prison custody and through a range of community corrections orders and programs (for example, parole, intensive supervision).

Both public and privately operated facilities are included, however, the scope does not extend to youth justice which is reported under Service 8.

The loss on revaluation of Land and Building is a result of the machinery of government changes that amalgamated the former Department of the Attorney General and the Department of Corrective Services. Changes in asset revaluations would normally only impact the Balance Sheet. As there is no Asset Revaluation Reserve brought forward

from the former departments, the revaluation decrement is required to be disclosed in the statement of comprehensive income as an expense.

For comparability, the loss on revaluations totalling \$44,606,470 have been excluded from the calculation of Adult Corrective Services key efficiency measures.

The following efficiency indicators measure the cost of delivering the service.

Key Efficiency Indicators

Cost per day of keeping an offender in custody - Adult

What does this indicator measure? This indicator measures the average cost per day of keeping an adult prisoner in custody.

How is this indicator calculated? This indicator is calculated by dividing the total accrual cost of managing adult prisoners in custody by the average daily number of adult prisoners and the number of days in the period.

What does this indicator show? No significant variation.

2017/18 Actual	\$299
2017/18 Target	\$293
2016/17 Actual	\$297
2015/16 Actual	\$307
2014/15 Actual	\$336

Cost per day of managing an offender through community supervision - Adult

What does this indicator measure? This indicator measures the average cost per day of managing adult offenders through supervision of community orders.

How is this indicator calculated? This indicator is calculated by dividing the total accrual cost of managing adult offenders through community supervision by the average daily number of adult offenders supervised and the number of days in the period.

What does this indicator show? The cost per day of managing an offender through community supervision decreased by 19% from \$42 in 2016/17 to \$34 in 2017/18. This change reflects a reduction in total costs associated with management of offenders in the community combined with an increase in the number of offenders managed from 5,086 to 5,418 and the subsequent economies of scale.

2017/18 Actual	\$34
2017/18 Target	\$41
2016/17 Actual	\$42
2015/16 Actual	\$45
2014/15 Actual	\$50

Service 8: Youth Justice Services

This service is delivered by Corrective Services. The Department is responsible for the safety, security and rehabilitation of young people in custody and those engaged with Youth Justice Services in the community. The Department is focused on:

- Security and safety of young people at every stage of the youth justice system.
- Safety of our people.
- Rehabilitation of young people.

The Department’s core objective is to reduce reoffending among young people through:

- programs and services to divert young people away from the criminal justice system
- programs and services for young people on orders in the community
- programs and services in custody.

Youth Justice Services is responsible for administering justice to young people who have committed or allegedly committed an offence while considered by law to be a juvenile (aged 10-17 years).

Youth Justice Services balances the care of young people with the responsibility to ensure community safety and will always:

- Prioritise the safety of the young person and the community.
- Consider what is in the best interests of the young person and their family.
- Deliver services to young people that recognise vulnerability, developmental levels, gender, and cultural and religious beliefs and practices.
- Be informed by evidenced based practice.
- Deliver a comprehensive ‘through-care’ model of practice that is informed by:

- The needs of each young person and is age, gender, culturally and linguistically appropriate.
- A recognition and understanding that many young people in the justice system have experienced multiple traumas and that rehabilitation and care will need to address the trauma’s causes and symptoms.
- The identification of protective and risk factors.
- Communicate clearly and in a timely manner with all key stakeholders.
- Partner with other agencies and organisations to address complex issues contributing to youth offending in the planning and delivery of services.
- Engage with Aboriginal people to seek, promote and support culturally competent and Aboriginal-designed and led initiatives that reduce reoffending.

The following efficiency indicators measure the cost of delivering the service.

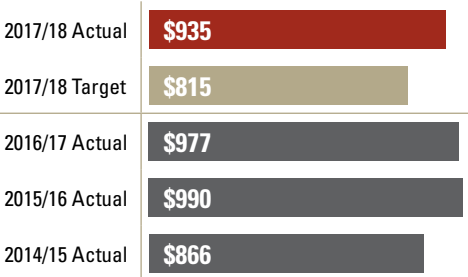
Key Efficiency Indicators

Cost per day of keeping a young person in detention

What does this indicator measure? This indicator measures the average cost per day of keeping a young person in detention.

How is this indicator calculated? This indicator is calculated by dividing the total accrual cost of managing young people in detention by the average daily number of young people in detention and the number of days in the period.

What does this indicator show? The cost per day of keeping a young person in detention decreased by 4.4% from \$977 in 2016/17 to \$934 in 2017/18. This change reflects an increase in the number of young people in detention from 142 to 148 and the subsequent economies of scale.



Cost per day of managing a young person through community supervision

What does this indicator measure? This indicator measures the average cost per day of managing young offenders through supervision of community orders.

How is this indicator calculated? This indicator is calculated by dividing the total accrual cost of managing young offenders through community supervision by the average daily number of young offenders supervised and the number of days in the period.

What does this indicator show? The cost per day of managing a young person through community supervision decreased by 9% from \$100 in 2016/17 to \$91 in 2017/18. This change reflects a reduction in total costs associated with management of young people in the community combined with an increase in the number of young people managed from 680 to 686 and the subsequent economies of scale.

2017/18 Actual	\$91
2017/18 Target	\$106
2016/17 Actual	\$100
2015/16 Actual	\$97
2014/15 Actual	\$95

Disclosures and Legal Compliance

Governance Disclosures

Ministerial Directives

No ministerial directives.

Pricing Policy of Services

The pricing policy adopted across the Department conforms with Treasury guidelines. The Department charges for goods sold from Prison Industries. The charges comply with national Competition Policy principles.

Court and Tribunal Services

Fees are collected for a variety of services. This includes court hearing time, transcripts and the enforcement of orders including infringements lodged at the Fines Enforcement Registry for enforcement by various prosecuting authorities.

The cost recovery is largely confined to the civil jurisdictions.

A review of fees is conducted annually to ensure a balance between the criteria of access to justice, incentives to settle and user pays contributions.

Court fees and Fines and Enforcement fees were increased in 2017/18 by an average of 1.75 per cent. This was published in the Government Gazette on 7 July 2017 and came into effect on 8 July 2017.

Registry of Births, Deaths and Marriages

The fees charged by the Registry of Births, Deaths and Marriages are reviewed annually. The pricing aims to achieve full cost recovery, and takes into account the Consumer Price Index, the cost of providing and maintaining services and the level of fees charged by other Australian registries for similar services. Seven fees charged by the Registry of Births, Deaths and Marriages were increased on 1 October 2017 by an average of 1.75 per cent.

Public Trustee

The Public Trustee collects fees for a variety of services.

The fees are based on a user pays system adopting a work effort methodology, whilst recognising the Public Trustee's operating subsidy obligations regarding a client's ability to pay. The Public Trustee's hourly rate was increased by 1.75 per cent in 2017/18 and came into effect on 1 July 2017.

State Solicitor's Office

The State Solicitor's Office charges client agencies for various legal services that are non-core in nature. These fees are based on hourly rate charges and are struck to reflect no more than cost recovery. The fees were increased by 1.5 per cent and came into effect on 1 July 2017.

Financial Interests

At the date of reporting, other than normal contracts of employment of service, no senior officers had any interests in existing or proposed contracts with the Department.

Act of Grace and Ex Gratia Payments

The Department from time to time processes act of grace and ex gratia payments on behalf of the Government. Eleven ex gratia payments were made in 2017/18 that totalled \$2.827 million.

Unauthorised Use of Credit Cards

Purchase cards provide an efficient mechanism for the purchase of goods and services.

Officers hold a Departmental purchase card where their functions warrant it. Despite having an obligation to utilise the card facility in accordance with policy, only for business purposes, during 2017/18, 32 employees utilised the purchase cards for private purposes.

The matters were referred to the Chief Finance Officer and the accountable authority in line with Departmental policies.

A summary of the aggregated amounts of personal use expenditure is as follows:

Amount	2017/18 \$
Settled within 5 working days	98.30
Settled after 5 working days	3,483.37
Outstanding	0
Aggregate amount of personal use expenditure	3,581.67

Major Capital Works

Capital expenditure for 2017/18 was \$30.6 million mainly due to assets associated with the Custodial Infrastructure Program, Courts Infrastructure and security upgrades.

Capital projects in progress

Custodial Infrastructure

A total of \$12.3 million was added to capital works in progress in 2017/18 as part of the following Custodial Infrastructure projects:

- Construction of the Wandoo alcohol and other drug rehabilitation prison for women.
- Casuarina Expansion Project including the new alcohol and other drug treatment unit for men.
- Bunbury Regional Prison 160 bed Expansion Project.
- Broome Prison Security and Condition upgrade.
- Final stages of the Immediate Bed Expansion Project within the male custodial estate.

Capital projects completed

During 2017/18 a number of capital projects were completed with a value of \$12.7 million, including:

- The establishment (fit-outs) and refurbishments of offices within Community Corrections, including Mirrabooka.
- Immediate Bed Expansions Project including Karnet Prison Farm, Roebourne Regional Prison, Bunbury Regional Prison (Unit 5) upgrade and Acacia Prisons.
- Physical and technological security upgrades at metropolitan and regional courthouses

Customer Feedback

The Department of Justice is committed to providing quality service to Government, agencies and the community and welcomes feedback on performance. The Department is committed to openness and transparency and ensures all complaints are addressed in a timely and appropriate manner.

Feedback management systems

Following the Machinery of Government changes amalgamating the former Departments of the Attorney General and Corrective Services into the Department, the Department of Justice continued to operate dual customer feedback systems. The Customer Feedback Management System (CFMS) of the former Department of the Attorney General, and the Administration of Complaints, Compliments and Suggestions (ACCESS) of the former Department of Corrective Services remain operational, managing complaints, compliments and suggestions for and related to prisoners and offenders state-wide.

Feedback can be provided in various formats including, online, mail, phone, in person and email.

Outcomes 2017/18

During 2017/18:

- CFMS received a total of 514 pieces of feedback. A review of this feedback has identified 377 as complaints, 66 compliments and 68 suggestions. Of the feedback received 66 percent was answered within ten working days. Court and Tribunal Services received the most feedback, accounting for 56 percent of the total submissions made.

- ACCESS received 3,945 matters comprising of 3,551 complaints, 62 compliments, 23 suggestions, 222 request for information, 48 contact only, 17 staff grievance and 22 other (not categorised).

No upgrades have been made to the CFMS or ACCESS online feedback system during 2017/18.

Employment and Industrial Relations

Breach of Human Resource Management Standards

There were 10 breach claims lodged with the Department during the 2017/18 reporting year. No claims were successful.

There were nine claims lodged against the employment standard. There was one claim lodged against the termination standard. There were zero claims reported against performance, redeployment or discipline management standard.

Social Media Policy

The Department implemented the Social Media Policy, which established a clear set of requirements for the use of social media. The Department recognises that staff may choose to use social media in their personal life. Social media may also be used for official interests and professional interests. The policy does not intend to discourage nor unduly limit the personal interests of staff or their online activities.

Summary of Employee Numbers by Occupational Group and Gender

Row Labels	2016/17					2017/18				
	Number			%		Number			%	
	F	M	Total	F	M	F	M	Total	F	M
Catering Employees and Tea Attendants	1.86	0	1.86	100	0	1	0	1	100	0
Child Care Workers	1	0	1	100	0	1	0	1	100	0
Cleaners and Caretakers	3.03	0	3.03	100	0	2.06	0	2.06	100	0
Enrolled Nurses and Nursing Assistants	2	0	2	100	0	2	0	2	100	0
Jury Officers	1.58	0.14	1.72	30.86	69.14	1	0.31	1.31	76.34	23.66
Juvenile Custodial Officers	76.01	171.60	247.61	26.67	73.33	73.60	182.86	256.46	28.70	71.30
Medical Practitioners Agreement	3.50	9.70	13.20	81.25	18.75	2.90	9.30	12.20	23.77	76.23
Nurses Industrial	81.11	18.69	99.80	23.39	76.61	87.80	18.03	105.83	82.96	17.04
Prison Officers Agreement	532.95	1,750.31	2,283.26	23.34	76.66	552.17	1,798.33	2,350.50	23.49	76.51
Public Service Employees	2,176.97	1,040.62	3,217.59	35.29	64.71	2,095.63	977.93	3,073.56	68.18	31.82
Salaries and Allowances Tribunals	6.65	14	20.65	0	0	6.65	12	18.65	35.66	64.34
TAFE Lecturers	1	0	1	90.91	9.09	0.32	0	0.32	100	0
Youth Detention Centre Teachers	10.40	8	18.40	61.90	38.10	10	6	16	62.50	37.50
Total	2,898.06	3,013.06	5,911.12	49.03	50.97	2,836.13	3,004.76	5,840.89	48.56	51.44
Judicial Award Groups										
Govt Officers (GOSAC/GOSGA Award)	87.67	48.50	136.17	64.38	35.62	103.70	45.90	149.60	69.32	30.68
Prisoners Review Board	1	0	1	100	0	1	0	1	100	0
Public Service Employees	5	3	8	62.50	37.50	7	2	9	77.78	22.22
State Administrative Tribunal	11.20	7	18.20	61.54	38.46	9	7	16	56.25	43.75
Total	104.87	58.50	163.37	64.19	35.81	120.70	54.90	175.60	68.74	31.26

Employee and Industrial Relations

Summary of Employee Numbers

The Department has 5,840.89 full time equivalent employees (excluding judicial officers and including trainees).

NB: This table provides the employee numbers by Award Groups as at the last pay of the 2018 financial year being pay period ending 28/06/2018 and the previous financial year's last pay being pay period 29/06/2017.

Other Legal Requirements

Code of Conduct

The Department is committed to providing a fair, responsive and supportive workplace. The Department's Code of Conduct aims to encompass the values of respect, integrity, unity and diversity, justice and collaboration in all staff members.

The Department complied with the Public Sector Standards in Human Resource management, the Public Sector Code of Ethics and the Department's Code of Conduct.

The Code of Conduct was updated in 2018 to comply with Public Sector Commission standards and to strengthen the Department's commitment towards ethical principles, obligations and workplace standards and behaviour, following the joining of the two agencies as part of the MOG changes. The updated Code of Conduct was published on the Department's intranet. The Code specifies standards of behaviour and helps inform employees about how to exercise judgement and accept personal responsibility in their professional roles.

Compliance with Sector Standards and Ethical Codes

The Department complied with the Public Sector Standards in Human Resource management, the Code of Ethics and the Department's Code of Conduct.

The Department's Code of Conduct is the guiding source for all employees on the ethical principles, obligations

and standards applying to staff. It aims to instill the values of "respect integrity, unity and diversity, justice and collaboration" in all staff.

The Code specifies standards of behavior and helps inform employees how to exercise judgement and accept personal responsibility in their professional roles.

Corruption Prevention

The Department emphasises effective corruption prevention. The 2011/16 Governance Fraud and Corruption Control Plan and Corruption Prevention Policy and Reporting Procedures identify key strategies, actions and responsibilities for managing fraud and corruption risk within the Department. This is reinforced by Departmental policies, and the Department's Code of Conduct. The Department reports quarterly on the offer and acceptance of gifts, benefits and other rewards.

During 2017/18, offers of 147 gifts were registered.

A total of 76 (51 per cent) gifts were accepted.

Of the gifts accepted 19 (25 per cent) relate to hospitality events (including briefings, seminars and presentations), seven (9 per cent) relate to food/alcohol (including meal vouchers), 20 (26 per cent) relate to events/courses (including physical tickets to performances as well as complimentary placement on training courses) and 30 (40 per cent) relate to other items (including flowers, plaques and books). Of the 30 other items, 16 (53 per cent) relate to resource donations made to prison facilities for the purposes of education and programs.

During this reporting period 43 (56 per cent) of the 76 accepted gifts were valued between \$0 - \$50, 12 (16 per cent) were valued between \$51 - \$100, 9 (12 per cent) were valued between \$101 - \$200 and 12 (16 per cent) were valued over \$201. Eight of the 12 accepted gifts valued over \$201 relate to the resource donations made to prison facilities.

Records and Compliance

In 2017/18, the Department began planning to amalgamate and upgrade the Electronic Document and Records Management Systems of the former Departments of the Attorney General and Corrective Services to create a single system and maintain currency and integration with the Department's Standard Operating Environment.

The Department continued the roll-out of the EDRMS implementation program, with several business areas making significant progress toward transitioning away from paper-based records and manual processes to managing records electronically and an increased focus on process improvement.

A digital solution has been introduced to assist in reducing the volumes of hardcopy records for correctional activities. Templates have been developed to enable automatic document data capture from the offender management system, ensuring a seamless integration with the Department's EDRMS, and resulting in a more automated solution for managing records. Next year these templates will be implemented across the Department, as part of the

Department's progression towards a digital information management environment.

On 5 April 2018, the State Records Office announced a disposal freeze on all records relating to child-related proceedings in response to recommendations of the Royal Commission into Institutional Child Sexual Abuse. The Department halted its destruction program and is currently in the process of identifying any records that may incorporate relevant information.

Recordkeeping Plan (*State Records Act 2000* and State Records Commission Standard 2, Principle 6)

The *State Records Act 2000* requires an agency to submit a new Recordkeeping Plan within six months of establishment. On 2 January 2018, the Department registered its Recordkeeping Plan with the State Records Office and on 23 March 2018 the Plan was approved by the State Records Commission.

1. The efficiency and effectiveness of the organisation's recordkeeping systems is evaluated not less than once every 5 years.

The recordkeeping systems were further evaluated and configured to more closely meet business and recordkeeping requirements, including:

- Targeted reporting and monitoring of system usage.
- Improvements to security features attached to classifications and records.
- New profiles for advanced end-users to make use of more complex Electronic Document and Records Management Systems features.

- The development of tools to assist with the coordination and transfer of legacy records.

Future upgrades are planned to the Department's recordkeeping system to ensure that the EDRMS remains current, works with recent releases of Microsoft software and incorporates new features.

2. The organisation conducts a recordkeeping training program.

Recordkeeping training for metropolitan and regional sites in 2017/18 continued to promote EDRMS use and implementation of standardised recordkeeping procedures throughout the State. A total of 93 training sessions were provided in 2017/18.

Standard training in basic recordkeeping was delivered monthly, with customised training provided on request to cater for particular learning needs. Support materials were published online and in print.

In 2017/18, 1,814 staff completed the online Records Awareness Course, bringing the total number of staff who have completed the course to 5,691, or 86.5 per cent of the workforce. In addition, training on the use of EDRMS was provided to 472 staff.

The need to increase the capture of email within EDRMS was identified in 2017/18 with 32 customised information sessions delivered for 195 staff. It is expected that this re-education of staff will result in an increased capture of legacy and current emails during 2018/19.

3. The efficiency and effectiveness of the recordkeeping training program is reviewed from time to time.

An annual review of in-house training was conducted and new instructions for the management of legacy hardcopy records were introduced to support the transition from a hybrid environment to electronic recordkeeping.

An assessment component was incorporated into all EDRMS training, to further assess the effectiveness of the training delivered and confirm staff understanding of their responsibilities.

4. The organisation's induction program addresses employee roles and responsibilities in regard to their compliance with the organisation's recordkeeping plan.

The Records Awareness course is one component of induction for new staff, completed alongside other online courses and onsite employee induction.

The Department's Records Awareness online courses were reviewed and updated to include a greater level of customisation for Departmental records and specific instructions on recordkeeping responsibilities for staff in different roles within the Department.

Statements regarding recordkeeping and the proper use of information are included in the Department's Code of Conduct 2018.

Advertising and Allied Expenditure

In compliance with section 175ZE of the *Electoral Act 1907*, the Department reports on expenditure incurred for advertising, market research, polling, direct mail and media during 2017/18.

Advertising Agencies	\$199,650
Adcorp Australia Ltd	\$152,150
Carat Australia Media Services	\$20,797
Marketforce Advertising	\$159
Optimum Media Decisions (WA) Ltd	\$26,544
Market Research Organisations	Nil
Polling Organisations	\$395
Survey Monkey	\$395
Direct Mail Organisations	Nil
Media Advertising	179,617
Australian Psychological Society	241
Bunbury South Western Times	474
Commonwealth Association of Legislative Counsel	4,451
Department of Premier & Cabinet	934
DPS Publishing Pty Ltd	3,590
Facebook	1,380
Kalgoorlie Miner	136
Law Society of Western Australia	967
Law Society of South Australia	210
Law Society of New South Wales	300
Midwest Times	126
Royal Australian and New Zealand College of Psychiatrists	450
Seek	1,998
Shire of Christmas Island	202
State Law Publisher	24,163
Telstra	128,780
WA Prison Officers Union of Workers	977
West Australian Newspapers	10,238
Total	\$379,662

Freedom of Information

In 2017/18, the Department received 1,131 Freedom of Information (FOI) applications. During this time, 1,077 applications were completed and 131 remain outstanding. 75 applications were transferred to other agencies and 119 applications withdrawn. In this period, seven decisions were reviewed internally at the applicants' request. The original decision was varied on three occasions and upheld on four occasions. There were five requests for external review by the Information Commissioner. Five reviews were completed, of these, three were withdrawn, one confirmed the Department's original decision and one was closed by conciliation.

At the end of this period, one review remains outstanding with the Information Commissioner.

Summary of FOI applications for 2017/18

Applications Processed	
Personal information requests	983
Non-personal information requests	73
Amendment of personal information	0
Applications transferred in full	75
Total	1,131
Outcomes	
Applications completed	1,077
Applications withdrawn	119
Internal reviews completed	7
External reviews completed	5
Applications being processed	131

The Office of the Public Advocate, the Public Trustee, State Administrative Tribunal, Parliamentary Counsel's Office, Acacia Prison and Melaleuca Remand and Reintegration Facility are not listed as being part of the Department in the Freedom of Information Regulations 1993 and compile separate statistics.

Disability Access and Inclusion Planning

The Department's Disability Access and Inclusion Plan complies with the *Disability Services Act 1993* (WA) and ensures that professional and appropriate services are provided to customers with a disability, their carers and families. Feedback from staff and the public was sought and used in the development of the Department's new Disability Access and Inclusion Plan, covering the period from 2018 to 2023. The DAIP was finalised and put into operation in May 2018. During 2017/18, the Department achieved the following.

Outcome 1: People with a disability have the same opportunities as other people to access the services of, and any events organised by, the Department of Justice.

The Department updated and communicated its updated Code of Conduct to all staff in May 2018. The Code of Conduct is a public statement that guides our decision making and how we are expected to behave.

The Department formed a partnering charter with the Department of Communities, Disability Services to share information on treatment programs, education and vocational training, and services available to offenders with an intellectual disability.

The Intellectual Disability Diversion Program is delivered through the Perth Magistrates Court which aims to divert offenders with disability who are charged with minor offences, towards community based interventions.

The Department provides a legal and social awareness program, and pre and post release services for offenders with a cognitive disability.

Prison officers are provided with training and support to help them manage and supervise offenders with an intellectual impairment.

The Office of the Public Advocate continued to provide accessible events consistent with the accessible event checklist on the Department's intranet. Events included seminars on the guardianship and administration system, enduring powers of attorney and enduring powers of guardianship.

To improve the awareness of the DAIP with contractors and service providers who deal with the public, the Department identified current contracts where the contract is providing services to the community. In the former Department of the Attorney General (DotAG), this applied to only one contract. This contract provides services to the community for Victim Support and Child Witness Service in regional locations.

The Department's Coordinator of Regional Services provides access to the Department's DAIP via the intranet, discusses access issues as they arise in regular fortnightly teleconferences held across the regions, and ensures that contractors are following policies and procedures.

The former Department of Corrective Services (DCS) has a contract for the provision of transport and custodial services at a number of locations. The contract includes a number of clauses specifically addressing access issues.

These clauses highlight the contractor's responsibility in respect to persons who have a disability or special need and include provisions for the welfare of persons that suffer mental or physical disability and have been identified as having special needs. The contract is actively managed by the Department to ensure terms and conditions are met.

Acacia Prison and the Melaleuca Remand and Reintegration Facility are privately operated prisons in Western Australia, operated by Serco and Sodexo respectively.

The contracts require compliance with Department legislation and policies. Both contractors have developed a number of local policies which deal with the management of prisoners with identified needs. The contracts and policies are actively managed by the Department to ensure terms and conditions are met.

Outcome 2: People with a disability have the same opportunities as other people to access the buildings and facilities of the Department of Justice.

In 2017/18 the David Malcolm Justice Centre was completed providing extra wide slow revolving public entrance, audible lift buttons on selected public floors, automatic toilet door on the reception floor (Level 23), hearing augmentation in seven meeting rooms and in the collaboration area.

In April 2018 in response to customer feedback provided to the Magistrates Court, a new webpage was created providing details on accessible courtrooms, toilets, parking, assistance animals and other requirements.

This page includes a form "Requesting court assistance for people with a disability" and offers the applicant the opportunity to identify support required prior to attending court.

Outcome 3: People with a disability receive information from the Department of Justice in a format that will enable them to access the information as readily as other people are able to access it.

The Department's new website was tested and validated to meet international web standards, specifically the World Wide Web Consortium (W3C) and its public website is Level AA compliant with the web content accessibility guidelines, a State Government requirement.

In April 2018 the new Family Court website was developed and published. It meets all accessibility requirements ensuring people with a vision or cognitive impairment can understand the information and includes the use of plain English to ensure content is easily understood.

The Public Trustee continues to review and amend correspondence templates to ensure accessibility for people with intellectual, cognitive or sensory disabilities. The Registry of Births, Deaths and Marriages continues to provide Auslan interpreters and hearing loops as requested. Front counter staff are trained to assist people requiring an Auslan interpreter and one employee is able to communicate in Auslan.

Outcome 4: People with a disability receive the same level and quality of service from the Department of the Justice staff as other people receive.

In July 2017 the Department had a training session delivered by the Deputy Ombudsman WA for staff in 'effective complaints handling' and 'managing unreasonable complainants'. This session assisted staff by raising awareness regarding complainants that may have a disability and/or limited capacity to navigate or access services provided by the Department.

The Department continued to work to raise awareness of disability issues by promoting associated events. An article was posted on the Department's intranet promoting Mental Health Week 2017 (October 2017).

In December 2017 the Department raised money for the Western Australian Deaf Society.

During 2017/18, disability awareness training entitled 'People with disability and the criminal justice system' was delivered as part of the Youth Custodial Officers and Youth Justice Officers foundation programs.

The Public Trustee continued to offer their Wills on Wheels service to people in their home or hospital as well as National Relay Training for staff to assist clients with verbal or hearing difficulties.

Outcome 5: People with a disability have the same opportunities as other people to make complaints to the Department of Justice.

The Office of the Public Advocate continued to provide a feedback banner advertisement on their home webpage to direct users to service standards for feedback.

The Department continued to track data of feedback logged involving people or issues that disclose disability criteria with a view to using the data to improve services.

Outcome 6: People with a disability have the same opportunities as other people to participate in any public consultation by the Department of Justice.

Business areas continued to consult relevant stakeholders, agencies and organisations to ensure people with disability are engaged and their views represented. Policy and Aboriginal Services continued to ensure people with disability are able to participate in regional Open Days and other public events.

Likewise, the many events conducted by the Public Trustee, Registry of Births, Deaths and Marriages and the Office of the Public Advocate continued to be held in accessible venues and in an accessible manner to suit specific client needs.

Outcome 7: People with a disability have the same opportunities as other people to access employment to the Department of Justice.

In 2017 the Department created a Senior Human Resources officer (Diversity, Equal Opportunity) in its structure tasked to ensure the Department's policies and procedures are maintained and adhere to the Department's DAIP.

Government Policy Requirements

Substantive Equality

Following the Machinery of Government (MOG) changes in July 2017, the Department of Justice has continued to work towards achieving equitable service opportunities and outcomes to meet the needs of our employees and stakeholders, as per the Government's Policy Framework for Substantive Equality.

Our commitment to the Government's policy is reflected in our Code of Conduct and embedded into our human resource policies, procedures and guidelines.

Court and Tribunal Services

The Court and Tribunal Services (CTS) division developed and implemented a Substantive Equality Plan for 2017-2022 and has a clear strategy for implementation of the plan, coordinated by a project officer within the division.

Achievements included the introduction of a tool to assess substantive equality impact on all new project proposals, revision of the CTS Induction Program to include employee responsibilities for substantive equality, updating and improving CTS websites for assistive technology and rural/regional users, and the commitment to providing compulsory disability awareness training for CTS staff throughout the State.

Corrective Services

Two Aboriginal Health Worker positions were established within the Health Services Directorate to improve the health care for offenders at Eastern Goldfields Regional Prison and

at Wandoo Rehabilitation Prison.

Aboriginal Health Workers have a working knowledge of Aboriginal family structure, knowledge and understanding of Aboriginal culture, customs and history which can then be utilised in a model of care that supports health care planning and recognises trauma-informed care.

They play an important role in facilitating an understanding and awareness of local Aboriginal issues, social structures, culture and traditions for clinical staff to influence a more effective delivery of clinical services and interventions to Aboriginal people within this environment.

The Department's first Aboriginal Health Worker started in 2017/18 at EGRP on a casual contract awaiting a formal recruitment process.

In addition to this, the Department established an Aboriginal Mental Health Worker position at Wandoo Rehabilitation Prison, which will be appointed in 2018/19 in time for the opening of the new Prison Health Centre.

These roles contribute to a more culturally secure health workforce, ensuring the prison health system has the capacity to address and be responsive to the needs of Aboriginal people.

These roles are crucial to improving health outcomes of Aboriginal people and will provide ongoing support to clinical teams by providing culturally appropriate care (physical, emotional and social) from admission to transition back to the community.

Reconciliation Action Plan

During the reporting period the Department developed its inaugural Reconciliation Action Plan (RAP) and obtained endorsement from Reconciliation Australia on 27 June 2018.

The RAP brings together initiatives from across the former Departments of the Attorney General and Corrective Services.

It focuses on initiatives that improve outcomes for Aboriginal and Torres Strait Islander offenders and clients, through increasing the cultural competency of services, better engaging with Aboriginal people and communities, and increasing the number of Aboriginal people employed by the Department.

Through the RAP, the Department will work with Aboriginal communities, groups and representatives to develop more effective ways of addressing the complex factors that contribute to offending among Aboriginal and Torres Strait Islander people.

OSH and Injury Management

The Department of Justice is committed to providing and maintaining a safe and healthy workplace for employees, volunteers, contractors and visitors.

Through the effective implementation of occupational safety and health (OSH) policies, procedures and safety and health systems, the Department aims to provide a workplace free from work-related harm, disease and injury.

The Department provides a number of formal mechanisms for workplace OSH consultation. These include the OSH session at corporate induction, a face-to-face session, which highlights the Department's commitment to, and practical application of, OSH in the workplace.

The bi-monthly Joint Consultative Committee and the quarterly Corporate Executive Committee include a standing OSH item reporting on hazards, incidents, closed out corrective action, workers compensation, injury management and the employee assistance program usage.

The Department provides ongoing commitment and support to Departmental OSH committees and continues to support the growing network of OSH representatives.

The Department is committed to providing high quality

workers compensation and injury management services to all employees, in accordance with the *Workers' Compensation and Injury Management Act 1981*.

The Department is committed to assisting workers return to work as soon as medically appropriate in the event of a work-related injury. The Department supports the injury management process, working in consultation with the treating practitioner, the injured worker and the business area to develop appropriate return to work plans and monitor progress towards the return to work goal.

Workers Compensation

The Department actively manages workplace injuries focusing on prevention and early intervention.

The workers' compensation officers and injury management consultants provide assistance and support for a smooth transition to an early return to work.

Between 1 July 2017 and as at 30 June 2018 the Department received 515 workers' compensation claims of which 468 claims were approved.

The Department continues to improve and focus on reducing the volume of all compensable injuries.

2017/18						
Number of Fatalities	Number of Lost time Injury or Disease	Number of Severe Claims	Lost Time Injury Severity Rate	Number of Lost Time Injuries within 13 weeks and returned to work	Number of Lost Time Injuries within 26 weeks and returned to work	Number of Lost Time Injuries more than 26 weeks and returned to work
0	397	145	36.5239	91 (22%)	12 (3%)	1 (0.25%)

Acts Administered through the Department of Justice

Acts Amendment and Repeal (Courts and Legal Practice) Act 2003

Acts Amendment (Equality of Status) Act 2003

Administration Act 1903

Age of Majority Act 1972

Anglican Church of Australia Act 1976

Anglican Church of Australia Constitution Act 1960

Anglican Church of Australia Lands Act 1914

Anglican Church of Australia (Diocese of North West Australia) Act 1961

Anglican Church of Australia (Diocesan Trustees) Act 1888

Anglican Church of Australia (Swanleigh Land and Endowments) Act 1979

Artificial Conception Act 1985

Australia Acts (Request) Act 1985

Bail Act 1982

Bail Amendment Act 2008

Baptist Union of Western Australia Lands Act 1941

Bills of Exchange (day for payment) (1836) (Imp)

Bills of Exchange (non-payment) (1832) (Imp)

Births, Deaths and Marriages Registration Act 1998

Charitable Trusts Act 1962

Child Support (Adoption of Laws) Act 1990

Children's Court of Western Australia Act 1988

Choice of Law (Limitation Periods) Act 1994

Civil Judgments Enforcement Act 2004

Civil Liability Act 2002

Civil Procedure Act 1833 (Imperial)

Classification (Publications, Films and Computer Games) Enforcement Act 1996

Commercial Arbitration Act 2012

Commissioner for Children and Young People Act 2006

Commonwealth Places (Administration of Laws) Act 1970

Commonwealth Powers (De Facto Relationships) Act 2006

Companies (Administration) Act 1982

Constitutional Powers (Coastal Waters) Act 1979

Co-operative Schemes (Administrative Actions) Act 2001

Coroners Act 1996

Corporations (Administrative Actions) Act 2001

Corporations (Ancillary Provisions) Act 2001

Corporations (Commonwealth Powers) Act 2001

Corporations (Consequential Amendments) Act (No. 3) 2003

Corporations (Taxing) Act 1990

Corporations (Western Australia) Act 1990

Court Security and Custodial Services Act 1999

Courts and Tribunals (Electronic Processes Facilitation) Act 2013

Crimes at Sea Act 2000

Criminal Appeals Act 2004

Criminal Code Act Compilation Act 1913
Criminal Injuries Compensation Act 2003
Criminal Investigation (Extra-territorial Offences) Act 1987
Criminal Law (Mentally Impaired Accused) Act 1996
Criminal Organisations Control Act 2012
Criminal Procedure Act 2004
Criminal Property Confiscation Act 2000
Criminal Property Confiscation (Consequential Provisions) Act 2000
Cross-border Justice Act 2008
Crown Suits Act 1947
Dangerous Sexual Offenders Act 2006
Debts Recovery Act 1830 (Imp)
Debts Recovery Act 1839 (Imp)
Defamation Act 2005
District Court of Western Australia Act 1969
Domestic Violence (National Recognition) Act 2017
Domicile Act 1981
Electronic Transactions Act 2011
Escheat (Procedure) Act 1940
Evidence Act 1906
Executors Act 1830 (Imp)
Factors (1823) (Imp)
Factors (1825) (Imp)
Factors (1842) (Imp)
Factors Acts Amendment Act 1878
Family Court Act 1997
Family Court (Orders of Registrars) Act 1997
Family Legislation Amendment Act 2006

Family Provision Act 1972
Fatal Accidents Act 1959
Federal Courts (State Jurisdiction) Act 1999
Financial Transaction Reports Act 1995
Fines, Penalties and Infringement Notices Enforcement Act 1994
Freemasons' Property Act 1956
Gender Reassignment Act 2000
Guardianship and Administration Act 1990
Highways (Liability for Straying Animals) Act 1983
Imperial Act Adopting Ordinance 1847
Imperial Acts Adopting Act 1836
Imperial Acts Adopting Act 1844
Imperial Acts Adopting Ordinance 1849
Imperial Acts Adopting Ordinance 1867
Infants' Property Act 1830 (Imp)
Interpretation Act 1984
Judges' Retirement Act 1937
Judgments Act 1839 (Imp)
Judgments Act 1855 (Imp)
Juries Act 1957
Jurisdiction of Courts (Cross-vesting) Act 1987
Justices of the Peace Act 2004
Law Reform (Contributory Negligence and Tortfeasors' Contribution) Act 1947
Law Reform (Miscellaneous Provisions) Act 1941
Law Reform (Statute of Frauds) Act 1962
Law Reporting Act 1981
Law Society Public Purposes Trust Act 1985
Legal Profession Act 2008

Legal Representation of Infants Act 1977
Limitation Act 1935
Limitation Act 2005
Magistrates Court Act 2004
Magistrates Court (Civil Proceedings) Act 2004
Mercantile Law Amendment Act 1856 (Imp)
Native Title (State Provisions) Act 1999
Oaths, Affidavits and Statutory Declarations Act 2005
Occupiers' Liability Act 1985
Offenders (Legal Action) Act 2000
Official Prosecutions (Accused's Costs) Act 1973
Off-shore (Application of Laws) Act 1982
Parole Orders (Transfer) Act 1984
Partnership Act 1895
Perth Anglican Church of Australia Collegiate School Act 1885
Perth Diocesan Trustees (Special Fund) Act 1944
Perth Hebrew Congregation Lands Act 1921
Presbyterian Church Act 1908
Presbyterian Church Act 1976
Presbyterian Church Act Amendment Act 1919
Presbyterian Church Act Amendment Act 1924
Presbyterian Church of Australia Act 1901
Presbyterian Church of Australia Act 1970
Prescription Act 1832 (Imp)
Prisoners (Release for Deportation) Act 1989
Prisoners (International Transfer) Act 2000
Prisoners (Interstate Transfer) Act 1983
Prisons Act 1981

Professional Standards Act 1997
Prohibited Behaviour Orders Act 2010
Property Law Act 1969
Prostitution Act 2000 (s. 62 & Part 5 only; remainder of Act administered by the Minister for Health principally assisted by the Health Department)
Prostitution Amendment Act 2008
Public Notaries Act 1979
Public Trustee Act 1941
Reprints Act 1984
Restraining Orders Act 1997
Restraint of Debtors Act 1984
Roman Catholic Bishop of Broome Property Act 1957
Roman Catholic Bunbury Church Property Act 1955
Roman Catholic Church Lands Act 1895
Roman Catholic Church Lands Amendment Act 1902
Roman Catholic Church Lands Ordinance 1858
Roman Catholic Church Property Act 1911
Roman Catholic Church Property Act Amendment Act 1912
Roman Catholic Church Property Acts Amendment Act 1916
Roman Catholic Geraldton Church Property Act 1925
Royal Commission (Police) Act 2002
Sea-Carriage Documents Act 1997
Sentence Administration (Interstate Transfer of Community Based Sentences) Act 2009
Sentence Administration Act 2003
Sentencing Act 1995
Sentencing (Consequential Provisions) Act 1995
Sentencing Legislation Amendment and Repeal Act 2003
Solicitor-General Act 1969

Spent Convictions Act 1988
State Administrative Tribunal Act 2004
State Administrative Tribunal (Conferral of Jurisdiction) Amendment and Repeal Act 2004
Statute of Frauds (1677) (Imp)
Statutory Corporations (Liability of Directors) Act 1996
Suitors' Fund Act 1964
Supreme Court Act 1935
The Salvation Army (Western Australia) Property Trust Act 1931
Titles (Validation) and Native Title (Effect of Past Acts) Act 1995
Trustee Companies Act 1987
Trustees Act 1962
Trustees of Western Australia Limited (Transfer of Business) Act 2003
Unauthorised Documents Act 1961
Uniting Church in Australia Act 1976
Vexatious Proceedings Restriction Act 2002
Victims of Crime Act 1994
Warehousemen's Liens Act 1952
Warrants for Goods Indorsement Act 1898
West Australian Trustees Limited (Merger) Act 1989
Wills Act 1970
Yallingup Foreshore Land Act 2006
Young Offenders Act 1994