



GOVERNMENT OF
WESTERN AUSTRALIA

Department of
Justice

Annual Report 2020/21



Acknowledgement of Country

The Department of Justice respectfully acknowledges the traditional custodians of the land as being the first peoples of this country. We embrace the vast Aboriginal cultural diversity throughout Western Australia and recognise their continuing connection to country, water and sky.

We pay our respects to Elders past, present and emerging.

The Department is committed to fostering respectful partnerships with our Aboriginal colleagues, clients and those in our care.

The Department uses the term *Aboriginal people* throughout this document to refer to both Aboriginal and Torres Strait Islander peoples, acknowledging the over-representation of Aboriginal people in Western Australia in the care of the Department.

Patjarr Ngurra, Ninti Pukula Ngultjuku Tjumara (Mother's Country, Learning Family Stories)

This painting represents my mother's country, North of Warburton.

It shows the protector Marlpa guarding and overseeing the land. Marlpa is the protector of the land, stories and culture of my people.

When visitors with good intent travel through our land to learn and understand our culture, Marlpa ensures that they are protected and safe.

Marlpa also protects us when we travel through the country to visit and celebrate with other groups, sharing our knowledge through dance, song and stories.

Many times we have shared our culture with other Australians in the hope that they will understand and celebrate our culture with us.

Throughout the year and depending on the season, my whole family would travel to our favourite meeting ground near the waterhole.

We would camp there for as long as we need to, to go hunting for food such as goanna, kangaroo and emu.

After our hunting was done for the day we would all sit and eat together around a fire.

We would share our stories through dancing, storytelling and language with the younger children to make sure it gets passed down through the generations and our culture will stay strong.

Through teaching our children we hope that they can pass down our stories to all Australians so we can all come together for a better future for our grandchildren and our country.



To celebrate NAIDOC week in 2020, the Department commissioned this artwork by an artist at Bunbury Regional Prison, which was reproduced on the façade of the David Malcolm Justice Centre.

Statement of Compliance



Hon John Quigley MLA
Attorney General



Hon Bill Johnston MLA
Minister for Corrective Services

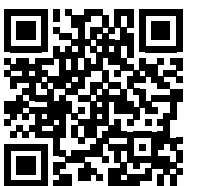
In accordance with Section 61 of the *Financial Management Act 2006*, I hereby submit for your information and presentation to Parliament, the Annual Report of the Department of Justice for the financial year ended 30 June 2021.

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

Dr Adam Tomison
Director General
Department of Justice
13 September 2021

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Justice website.

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Executive Summary



The Department of Justice supports the community, Western Australian Government, judiciary and State 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 the Minister for Corrective Services in developing and implementing policy and the administration of, and compliance with, 182 Acts of Parliament.

In the past year, the second in which we have all had to contend with COVID-19, Department of Justice staff continued to demonstrate their ability to achieve and adapt in changing and difficult circumstances. Despite unexpected disruptions and snap lockdowns, staff were able to rise to the challenge to ensure the safe, effective and continued delivery of justice services. In these uncertain times the Department also celebrated many milestones and achievements, which are documented throughout this Annual Report.

COVID-19

To date, there has not been a positive COVID-19 case in any Departmental facility, including courts and custodial corrections facilities. The pandemic had the potential to disrupt or entirely close down much of the Department and the services it provides. The Department's priority has been to continue providing frontline services while maintaining COVID-safe practices. Having put in place policies, procedures and practices to mitigate the risks posed by COVID-19 during 2019/20, the Department was well-placed to continue providing services when faced with further disruptions in 2020/21.

The Department Emergency Response Team established to coordinate the pandemic responses continued to operate as required, as did the Corrective Services Incident Management Team set up to focus specifically on the corrections portfolio, and in particular on the custodial estate given the significant risks posed by COVID-19.

After four months suspension, jury trials resumed in July 2020 with a range of pandemic preventative strategies and modified court practices in place, including physical distancing and an enhanced cleaning regime, health screening of jurors, modified jury boxes and reconfigured jury rooms.

Despite these measures, COVID-19 continued to cause delays and cancellations across court jurisdictions. During snap lockdowns, trials and substantive in-person hearings listed in affected regions were vacated unless alternative arrangements were expressly made for them to continue.

However, upgraded and additional audio-visual and video conferencing facilities enabled many hearings to continue, particularly for matters where parties needed a timely conclusion.

For a range of reasons since the pandemic first hit in March 2020, including a substantial reduction in the availability of illicit drugs in Western Australia, and the various control measures put in place by the Western Australian Government, the significant decrease in incarcerated prisoner numbers evident in 2020 continued into 2021. After WA restrictions eased in June 2020, prisoner numbers began slowly increasing from October 2020 onwards, although not to pre-COVID-19 levels. In June 2021 prisoner numbers still remained around 400 prisoners below the March 2020 population of 7,200. The average number of prisoners per day for 2020/21 was 6,662, down from 6,957 in 2019/20, while 5,934 adults were managed in the community.

Given the increased risks COVID-19 has for incarcerated populations, frontline Corrective Services staff were prioritised for vaccinations in the early phases of the State's vaccination rollout.

Many more staff members have since been able to access the vaccination program, and the Department continues to promote vaccination and assess new mitigation strategies developed by Government for our facilities and workplaces. Preparations have also been made to vaccinate prisoners across the State, with the program set to begin from July 2021 to ensure those in our care are protected against a potential outbreak.

Prisoners also made contributions to the COVID-19 pandemic response by producing tens of thousands of ready-to-wear face masks at seven metropolitan and regional prisons.

The State Solicitor's Office (SSO), Strategic Reform Division and Parliamentary Counsel's Office (PCO) continued to put in a significant effort for the Government to have a range of COVID-19-related legislation developed and passed through State Parliament.

The SSO continued to provide extensive legal and legal policy support to key agencies involved in the coordination of the State's response to COVID-19. The SSO prepared numerous legal instruments; advised on the emergency management and public health statutory frameworks; drafted over 500 instruments (directions and authorisations) of the State Emergency Coordinator under the *Emergency Management Act 2005* and *Public Health Act 2016*; assisted in the formulation of complex policy positions on matters of whole of government and community significance; and represented the State and the Commissioner of Police in relation to a variety of matters of public interest before a range of courts.

The PCO drafted six Bills within the stipulated time as part of the Government's response to COVID-19 during the year. They included a law the Department's Strategic Reform directorate urgently progressed to ensure that the information Western Australians provide when using the SafeWA app or paper-based contact registers can only be used for contact tracing purposes. Among the other laws progressed was a Bill to ensure that higher penalties would apply to serious assaults and threats against public officers committed in the context of COVID-19, and a range of provisions to ensure continuity in the administration of justice during pandemic restrictions.

Closing the gap

The Department continues to acknowledge the significant over-representation of Aboriginal people in the criminal justice system. There is a keen awareness across the Department of the need to better address this ongoing issue and we continue to work on solutions and implement actions to seek improved outcomes.

In order to be better informed and to enhance our relationship with Aboriginal communities, the Department is convening an Aboriginal Justice Advisory Committee (AJAC). Ten Aboriginal representatives from across the State involved in their local community who have knowledge and lived experience of Aboriginal culture in their region will provide cultural expertise and advice to the Director General and Corporate Executive about Aboriginal people and their engagement with the justice system.

The Committee will be engaged to assess issues holistically and to assist in identifying appropriate solutions to inform legislative change and to enhance the Department's policies and practices and service delivery across all Department business areas. Expressions of interest have been sought and a selection process is being carried out to select the AJAC members. The Committee will be an important means of keeping the Department connected and informed on Aboriginal justice matters.

In line with our Reconciliation Action Plan (RAP) 2018/19 to 2020/21, the Department revamped Aboriginal Service Committees in custodial facilities to improve the quality and effectiveness of services provided to Aboriginal offenders. We also launched Aboriginal Cultural Protocol Guidelines for staff which have been developed to improve the way we work with and relate to our Aboriginal colleagues, clients and those in our care.

Building on the Aboriginal language program that has been run at Casuarina Prison for some years, in November 2020 the Department launched an Aboriginal Languages in Custody program at Boronia Pre-Release Centre for Women, where prisoners signed up to learn the Noongar language. Following the launch, the program was rolled out to other facilities, including Hakea Prison, where the Aboriginal language taught depends on each prison's location.

Another important engagement strategy is the Department's Open Days program, where staff travel to remote and regional locations to provide a one-stop shop that enables Aboriginal people to access documentation and services from several agencies in their local community. Staff assist vulnerable people to gain access to government services in a welcoming environment and put them on a path to resolving legal matters, accessing benefits, securing accommodation and finding employment.

The reach of Aboriginal Justice Open Days was expanded across metropolitan, regional and remote areas, and the Office of Criminal Injuries Compensation participated for the first time this year. Despite 11 Open Days being cancelled due to COVID-19 travel restrictions, 2,260 community members were assisted at 69 Open Days. There have been numerous and heart-warming examples of people resolving fines, obtaining or restoring driver's licences, gaining their first identification documents and setting up job interviews in a single visit.

Driving justice reforms

Sweeping reforms and new laws aimed at tackling family and domestic violence and better protecting Western Australians came into effect in 2020/21, spearheaded by the Office of the Commissioner for Victims of Crime, with the support of Strategic Reform, Court and Tribunal Services and a range of partner agencies, including the Department of Communities, the Western Australia Police Force and Legal Aid WA.

Electronic monitoring began in August 2020 under a two-year trial tracking up to 100 high-risk offenders who have breached a family violence restraining order and committed a further act of family violence. The Government allocated \$10 million to the Department and \$5.5 million to the Western Australia Police Force to run the trial from the State Operations Command Centre.

Choking or suffocating an intimate partner became a specific criminal offence from October 2020. The new law against non-lethal strangulation and suffocation recognises that such an attack is one of the strongest indicators of an increased risk of homicide. A public education campaign was launched to inform and empower Western Australians about these violent acts, ensuring victims can get the help they need and first responders understand their medical impacts.

Persistent family violence also became a criminal offence from October 2020, recognising that physical and psychological abuse against a partner is often part of a pattern of offending.

Further, the Department developed a family violence restraining order 'shuttle' conferencing model ahead of its rollout in the Perth Magistrates Court from July 2021 with the aim of making the process easier and less traumatic for victims. The practice allows a Magistrates Court Registrar to shuttle between separate rooms at the court, enabling the parties to reach an agreement without having to go before the Magistrate.

In another reform aimed at protecting the community from serious sex offenders and other violent criminals, the *High Risk Serious Offenders Act 2020* began operating in August 2020. Replacing the *Dangerous Sexual Offenders Act 2006*, the new law expands the cohort of offenders eligible for post-sentence restrictions from dangerous sex offenders to include other serious, physically violent offenders. It allows the Attorney General to authorise the State Solicitor to make applications to the Supreme Court to seek orders for eligible offenders to continue to be detained in custody or be subject to supervision in the community beyond their sentence when the Court finds there is an unacceptable risk that the offender will commit a serious offence if released without further order.

As part of an overhaul of the State's fines enforcement regime, the Work and Development Permit Scheme began operating from 30 September 2020 to help vulnerable and disadvantaged

people who are facing hardship resolve unpaid court fines and to reduce the incarceration of people purely for unpaid fines. Under the Scheme, eligible participants can undertake work, training or treatment to reduce or clear their court fine debt.

The Scheme is being delivered by the Department of Justice in partnership with Legal Aid WA and the Aboriginal Legal Service of Western Australia Ltd. During the first 10 months of operation, a network of more than 90 sponsors including charities, not-for-profit industries, health practitioners and support agencies signed up to help people experiencing hardship to receive counselling, take part in training, study for a qualification or gain work experience.

Eligible people have taken the opportunity to not only wipe the slate clean on unpaid court fines but get a fresh start in their lives. For example, two young Indigenous women reduced their court fines by undertaking employment programs at the Wirrpanda Foundation and secured jobs on completion.

The Department has contributed to, or responded to, a number of national justice issues. The State Solicitor's Office (SSO) played a central role in coordinating input from multiple Government agencies into the Commonwealth Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability, to ensure a whole of government response to the issues raised in the hearings.

The SSO also established a team to respond to claims in relation to the removal of the limitation period to enable survivors of child sexual abuse to begin civil proceedings against the State. The Government's commitment to survivors means that this team is managing active claims alleging historical negligence against the State, on behalf of a range of Government departments.

Increased service demand

The ongoing growth in the complexity of matters, and lodgment volumes, coupled with lingering effects from the first COVID-19 lockdown in 2020, saw the median time to trial increase in most court jurisdictions. As noted, courts and tribunals were well positioned in relation to technology, including improved audio visual facilities to enable the courts to continue to deal with matters and to deliver services in very difficult circumstances, ably supported by dedicated Departmental staff.

The growing number of vulnerable people with a decision-making disability who require guardianship and administration services is providing a significant challenge and reflects the changing dynamics of our society. The State Administrative Tribunal received 5,061 applications for Guardianship and Administration matters, which accounted for 67 per cent of all applications received by the Tribunal in 2020/21. This had a flow-on effect, with demand increasing for the statutory

services provided by the Public Trustee and the Office of the Public Advocate. It also led to increased service demands for the State Solicitor's Office who are instructed by and provide legal assistance and representation to the Department of Communities in these proceedings.

Supporting victims of crime

The Office of the Commissioner for Victims of Crime continued to coordinate the State's participation in the National Redress Scheme, which seeks to compensate and support people who have experienced historical institutional child sexual abuse. During the year, the Office successfully advocated for former child migrants of Fairbridge Farm School, who will now be eligible for compensation under the scheme. In addition, the Office recruited new members for the re-established Victims of Crime Reference Group, which reports to the Attorney General on victims' issues.

The Office of Criminal Injuries Compensation (OCIC) launched its Inclusion Program in October 2020. This program aims to raise awareness of services provided by the OCIC and offers opportunities for Aboriginal people to gain a positive outcome if they have been a victim of crime. The Program was promoted at the Department's Open Days.

Offender rehabilitation

Corrective Services undertakes a complex and diverse role in managing the State's adult prison and youth detention populations, as well as adults and young people living in the community, who are being managed by community corrections.

Rehabilitation and reintegration of prisoners to prevent re-offending and thus make our community safer are fundamental goals of this Department. Following the overwhelming success of the first residential alcohol and other drug (AOD) facility in Western Australia for female prisoners, Wandoo Rehabilitation Prison, in October 2020 the Mallee Rehabilitation Centre began operations at Casuarina Prison. The \$22.5 million Mallee Rehabilitation Centre is the first residential alcohol and other drug (AOD) facility in Western Australia for male prisoners.

Wandoo has been operating in partnership with Cyrenian House since opening in 2018. To date more than 170 women have graduated from its AOD program, with only four having returned to custody.

To run the Mallee program, the Department contracted the Palmerston Association and Wungening Aboriginal Corporation to develop Solid Steps, a unique nine-month residential program to break the cycle of addiction to alcohol and other drugs that so often leads to criminal behaviour. Solid Steps is designed to support participants throughout their recovery journey, whether that be transitioning back into the community or remaining in custody.

Thirty-one prisoners started the inaugural cohort in October 2020, and 26 of those graduated on 30 June 2021. The Centre can house up to 128 prisoners and there are now rolling intakes into the program every four to six weeks. First indications about the program have been very positive. I learnt a lot more about how the Centre is working and got to know some of the program's participants when I spent the night in the Mallee Unit in June 2021 as part of the Vinnies CEO Sleepout.

The Mallee completion was part of stage one of the expansion of Casuarina Prison which delivered a total of 512 additional beds during the financial year. Stage two construction commenced in February 2021 and will provide 344 more beds. These include High Security, Mental Health and Assisted Care units. When completed, Casuarina will be the biggest and most complex prison in Western Australia.

Another achievement this year was the development of the \$2.4 million Bindi Bindi Mental Health Unit at Bandyup Women's Prison. The 29-bed unit, named after the Noongar word for butterfly, will be opened in July 2021. Bindi Bindi is the State's first prison unit dedicated to mental health and is available to women prisoners across the custodial estate.

At Karnet Prison Farm, the Carey Bindjareb training program for Aboriginal prisoners in mining and civil work has now produced nearly 60 graduates since its latest incarnation began in 2019. The program is a collaboration between the Department, traditional owners and Aboriginal contractor Carey Mining. More than three-quarters of former graduates who have been released are employed by mining, construction or related companies.

Keeping standards high

The Professional Standards Division has reviewed and updated the Department of Justice's Code of Conduct, reflecting key issues which were raised over the year.

The Code is a public statement that guides our decision making and how we as public servants, are expected to behave. The Code also has a corruption prevention focus, dealing with topics such as conflicts of interest and the appropriate use of public sector resources.

The update had input from across the Department and the key unions which represent our employees. Professional Standards aims to review and update the code on an ongoing annual basis to ensure it reflects current issues and is meaningful to staff. In 2020/21, Professional Standards moved from a focus on investigating misconduct to increase the education and support for staff to prevent or intervene early in addressing potential integrity and misconduct issues.

Information and computer technology upgrades

Delivering a statewide service in a jurisdiction as big as Western Australia remains a priority, and continuous enhancements to the information and technology resources available assist the Department to meet demand. The Department continued to build on the foundations delivered through the adoption of GovNext Services. A program commenced to modernise ICT infrastructure and migrate applications off end of life platforms, enabled the Department to be more flexible to meet security control targets, adopt changing technologies and improve disaster recovery for core applications.

As part of the COVID-19 response, key initiatives included the installation of MS Teams in integrated AV courtrooms in seven hearing rooms in the State Administrative Tribunal, two criminal courtrooms in the Supreme Court Stirling Gardens and six civil court/hearing rooms in the David Malcolm Justice Centre. High-definition digital upgrades including a video conference upgrade occurred at a number of locations including 24 courtrooms in the Central Law Courts, eight courtrooms in the Supreme Court Stirling Gardens and eight remote regional Indigenous communities – Bidyadanga, Djarindjin, Looma, Warburton, Warakurna, Warmun, Jigalong and Blackstone.

During the periods of service restrictions resulting from COVID-19 outbreaks, the Registry of Births, Deaths and Marriages closed its public counter and moved to delivering services either online or by post. Although the public counter has been reopened, the Registry maintained and extended its modernisation program to offer more services online.

In May 2021, the Registry launched the Western Australian Registrations Online portal, which enables members of the public to apply for birth, death, marriage and previous change of name certificates through a secure online facility. After almost 180 years as a paper-based system, the introduction of this new technology demonstrates the Registry's continued commitment to improving customer experience at a time when technology is a vital tool in maintaining service delivery.

Administration and governance

A key event this year was a machinery of government change in late 2020 which saw the Equal Opportunity Commission join the Department of Justice. This enables greater corporate support to be provided to the Commission, while preserving its statutory independent role. I was pleased to welcome Dr John Byrne, the Commissioner for Equal Opportunity, to the Corporate Executive Committee.

In other changes, Deputy Commissioner Michael Reynolds was appointed as the Acting Commissioner of Corrective Services, following the retirement of Commissioner Tony Hassall. Ms Kati Kraszlan was appointed the Commissioner for Victims of Crime, and Ms Alison Jackson was appointed as the Registrar of the Registry of Births, Deaths and Marriages.

Dr Shona Hyde was appointed as the inaugural Director of the Western Australian Office of Crime Statistics and Research. The office has a particular focus on developing a strong evaluation plan for monitoring the effectiveness of Departmental programs and services and will also establish a strong primary research program for the Department, in collaboration with other government and academic institutions.

The Department is the agency principally responsible for assisting the Attorney General and the Minister for Corrective Services. Former Minister for Corrective Services, the Hon Francis Logan MLA, signaled in August 2020 his intention to retire and following the State election in 2021, the Hon Bill Johnston MLA was appointed Minister for Corrective Services.

I would like to thank the Attorney General, the Hon John Quigley MLA and the Ministers for Corrective Services, for their ongoing support during the past year.

I know that staff across the Department will continue to prepare for any challenges which might arise due to COVID-19 and adapt to the 'new normal' in which we now operate. We look forward to another productive year ahead when we will continue to work together towards our mission to deliver a fair, just and safe community for all Western Australians.



Dr Adam Tomison
Director General

FOCUS

Beyond the wire

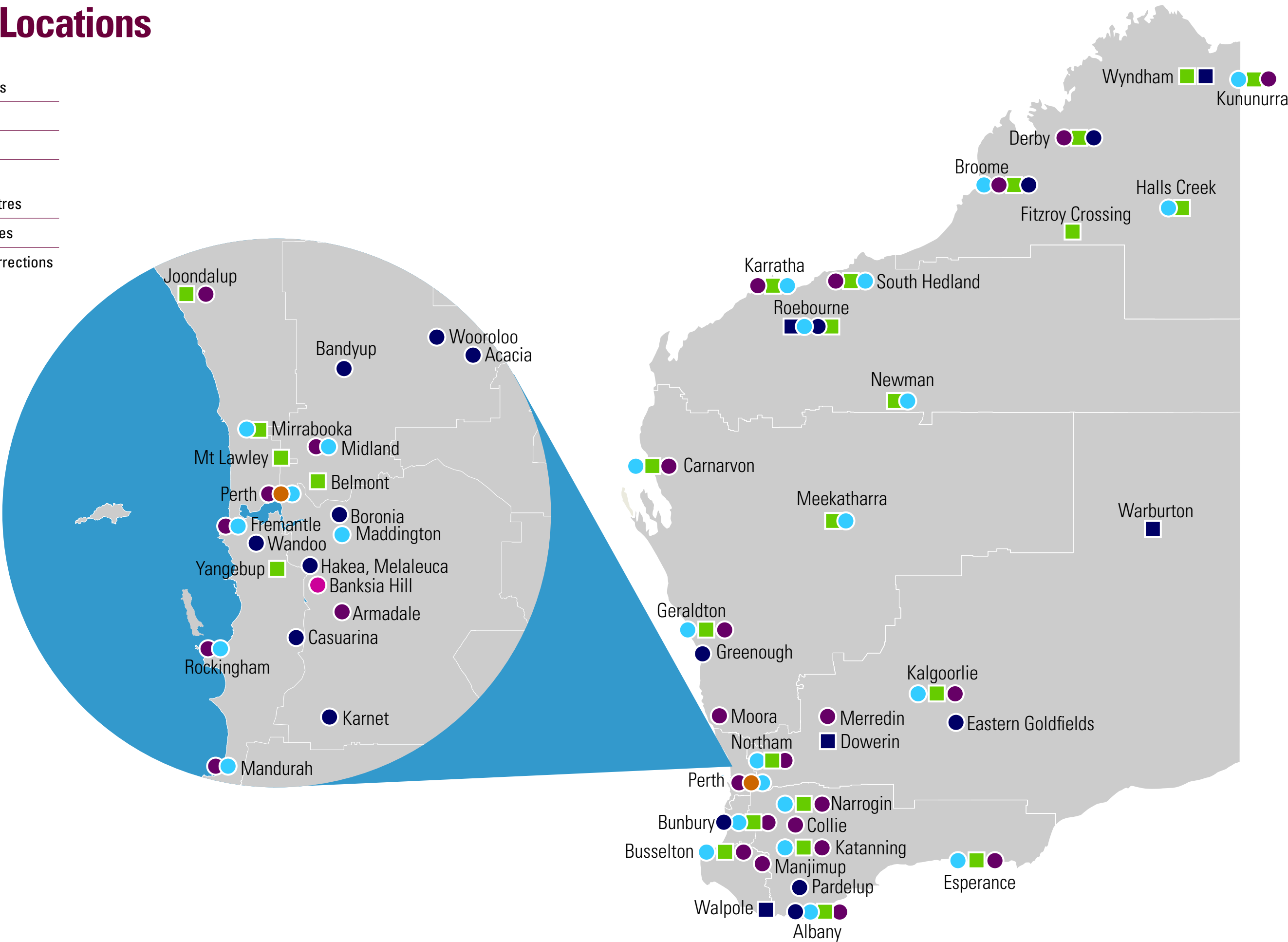
On 15 December 2020, staff and guest photographers were tasked with capturing an ordinary day on the frontline and behind the scenes of Western Australia's Corrective Services. The photographers set out at 6am gaining special access to prisons and offender services facilities. For 24 hours they recorded in pictures the essential work being done reducing reoffending and safeguarding the community. From the Kimberley to the Goldfields and Great Southern, the photographs provide an insight into the diversity of locations, people and careers in Corrective Services.

Selected images were posted on the Department's Instagram account, which was launched in January 2021 to coincide with National Corrections Day, and were also featured in a book titled 'Beyond the wire'.

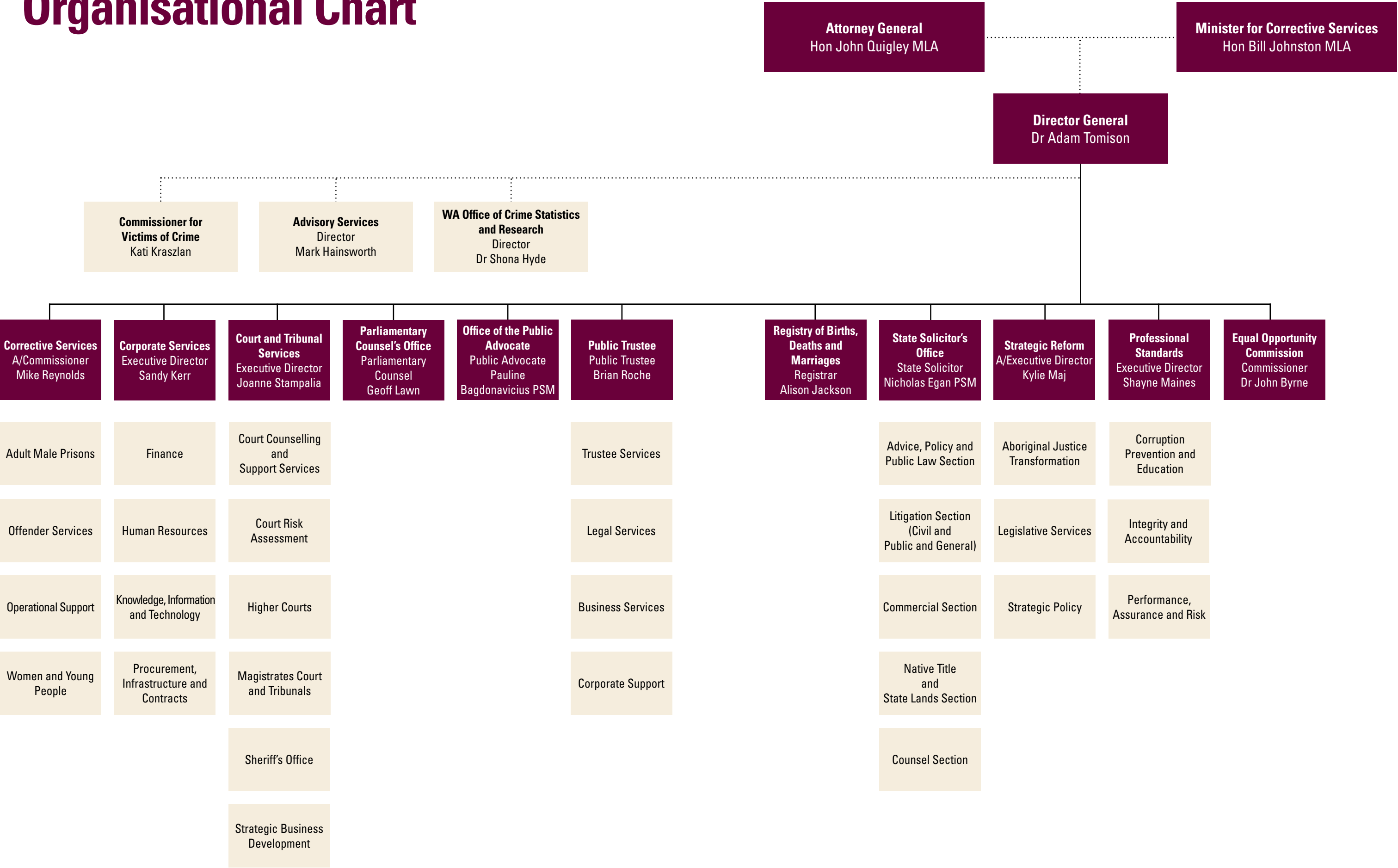


Operating Locations

- Head Office Buildings
- Courthouses
- Prisons
- Work Camps
- Youth Detention Centres
- Youth Justice Services
- Adult Community Corrections



Organisational Chart



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

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
- Improved community understanding of equal opportunity and human rights

Roles and services

The Department of Justice supports the community, Western Australian Government, judiciary and State 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 of, and compliance with, 182 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
- 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
- equal opportunity information and redress services

Services to Government

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

Performance Management Framework

Relationships to Government goals

Broad government goals are supported at agency level by specific outcomes. Agencies deliver services to achieve these outcomes. The following table illustrates the relationship between the Department’s services, desired outcomes and how the Department contributes to government goals.

The key effectiveness indicators measure the extent of impact of the delivery of services on the achievement of desired outcomes. The key efficiency indicators monitor the relationship between the service delivered and the resources used to produce the service.

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 4. National Redress Scheme for Institutional Child Sexual Abuse
	3. Western Australian birth, death, marriage and change of name certificates are accurate and accessible	5. Births, Deaths and Marriages
	4. Government receives quality and timely legal, legislative drafting and publication services	6. Services to Government
	5. The people of Western Australia are provided with information and advice about equal opportunity and human rights issues and have accessible avenues of redress under the relevant legislation	7. Provision of information and advice regarding equal opportunity and human rights 8. Avenue of redress for unlawful discrimination where there has been adverse treatment
	6. Equitable access to legal services and information ¹	9. Legal Aid Assistance ¹
	7. A safe, secure and decent corrective services which contributes to community safety and reduces offenders’ involvement in the justice system	10. Adult Corrective Services 11. Youth Justice Services

¹ This outcome and service is delivered by legal assistance agencies that support the delivery of legal services to Western Australians. Grant funding is provided through the Department of Justice to the Legal Aid Commission of Western Australia, Aboriginal Legal Service of Western Australia Limited and Community Legal Centres. These agencies prepare separate annual reports, including reporting against Key Performance Indicators.

Financial Summary

Expenses	Original Budget 2020/21 \$000	Revised Budget 2020/21 \$000	Actual Expenditure 2020/21 \$000
1. Court and Tribunal Services	388,218	425,485	432,867
2. Advocacy, Guardianship and Administration Services	9,057	9,332	10,092
3. Trustee Services	26,340	26,431	26,288
4. National Redress Scheme for Institutional Child Sexual Abuse	26,350	42,339	42,011
5. Births, Deaths and Marriages	9,168	8,230	7,070
6. Services to Government	71,672	71,767	71,257
7. Equal Opportunity Commission Services ¹	-	1,889	1,771
8. Legal Assistance	105,026	118,300	117,588
9. Adult Corrective Services	958,823	991,784	1,006,459
10. Youth Justice Services	97,121	98,977	99,283
Total cost of services	1,691,775	1,794,534	1,814,686

1 The Equal Opportunity Commission was amalgamated on 1 December 2020.

Financial Targets

	Original target 2020/21 \$000	Revised target 2020/21 \$000	Actual 2020/21 \$000	Variance	Comment
Total cost of services (expense limit)	1,691,775	1,794,534	1,814,686	(20,152)	Total Cost of Services was 1% higher than the revised target mainly due to changes in employee leave provisions, higher than expected depreciation and accused costs and unavoidable repairs and maintenance costs.
Net cost of services	1,449,380	1,570,883	1,595,121	(24,238)	Net cost of services was 1.5% higher than the revised target mainly due to lower than expected regulatory fees income and the expenditure changes outlined in the comment above.
Total equity	2,347,230	2,358,447	2,334,373	(24,074)	Refer to comments above.
Cash assets	17,492	28,384	45,969	17,585	Cash assets were higher than estimates mainly due to delays in the Asset Investment Program (Capital Expenditure).

Key Performance Indicators Summary

The Department continued to work towards achieving the key performance indicator targets set in the 2020/21 Budget statements.

The ongoing growth in the complexity of civil and criminal matters, coupled with operational constraints, impacted on the Supreme Court results this year. The median time to finalise non-trial matters within the civil jurisdiction of the Supreme Court was 25 weeks, six weeks above the 19 weeks target. This is due, in part, to a larger proportion of property possession actioned administratively and by discontinuance. Further impacting the result was the moratorium on mortgage enforcement proceedings during COVID-19. The median time to trial for criminal matters in the Supreme Court criminal jurisdiction was 53 weeks, 25 weeks above the 28 week target. The *Court Jurisdiction Legislation Amendment Act 2018*, effective 1 January 2019, resulted in the Supreme Court primarily hearing homicide and related offences which are complex in nature and require lengthy trials.

The median time to finalise non-trial matters is used in the Family Court of Western Australia to measure the capacity of the court to resolve applications for final order by methods other than by formal trial. In 2020/21, the time to finalise non-trial matters continued to be higher than expected at 48 weeks, 21 weeks above the target of 27 weeks. This was due to the long-term growth in the complexity and volume of final order parenting applications lodged, and the growth in the finalisation of these applications by court order or direction. Further impacting the court's capacity to hear non-trial matters was the allocation of trial workload to magistrates to help address the delay to trial.

In the District Court criminal jurisdiction, the median time to trial for criminal matters was 54 weeks, 22 weeks above the 32 weeks target. This is primarily due to an increase in the criminal workload and the continuing impact of the suspension of jury trials from 16 March 2020 until 20 July 2020 as a result of COVID-19 restrictions. Further affecting the result was the increased complexity of cases, including multi-accused trials.

The State Administrative Tribunal (SAT) continued to achieve positive results. The median time to finalise a matter was 16 weeks, one week above the target of 15 weeks.

The median time to trial for combined criminal and civil matters in the Magistrates Court was 24 weeks, five weeks above the 19 weeks target. The higher result is due to the sustained high proportion of matters proceeding to trial and an increase in the number of multi-day trials heard, reflecting the greater complexity of matters before the court. Further impacting this result were the COVID-19 lockdowns where trials were delayed, with counsel and witnesses being unable to travel from interstate due to border closures.

The Coroner's Court achieved a median time to inquest result of 140 weeks, 12 weeks above the target of 128 weeks. This result is 63 per cent higher than the 2019/20 actual result of 86 weeks primarily due to the discontinuation of an additional judicial resource that had been allocated in 2019/20 to assist the Court in the finalisation of 44 Long Term Missing Person cases within that financial year. In addition, during 2020/21 the Coroner's Court dealt with inquests that were more complex and required longer-term police investigation.

The Fines Enforcement Registry result of 32 per cent of fines and costs satisfied within 12 months of referral was slightly below the target of 35 per cent. The 2020/21 result for infringements satisfied within 12 months was 50 per cent, below the target of 57 per cent. The increasing average debt load per case has resulted in the reduction of clients' financial ability to finalise infringements within 12 months. The declining trend in infringement registrations and the increasing percentage of infringements being included in formal payment arrangements has further impacted the result.

The Office of the Public Advocate (OPA) continued to experience ongoing and increasing demand for its services to vulnerable adults with decision-making disabilities. The percentage of guardians of last resort allocated in one day was 78 per cent, lower than the target of 95 per cent. It is anticipated that an increase in resources in 2021/22 will assist OPA in managing its increasing caseload.

The Public Trustee administered four per cent of deceased estates in Western Australia during 2020/21, which met the annual target of four per cent. The percentage of clients whom the Public Trustee provided services at a subsidised cost has steadily increased over the years and reached 64 per cent in 2020/21, exceeding the target of 60 per cent.

The Office of the Commissioner for Victims of Crime responded to 87 per cent of requests for information from the National Redress Scheme for Institutional Child Sexual Abuse within prescribed timeframes, exceeding the target of 50 per cent. A conservative target had been set for 2020/21, based on an initial estimate of a large number of applications being received early in the operation of the Scheme. However, numbers have not been as high as anticipated and agencies, supported by the Redress Coordination Unit, have generally been able to respond within prescribed timeframes.

The Registry of Births, Deaths and Marriages achieved 87 per cent timeliness of delivery of certified certificates issued, slightly lower than the target of 90 per cent; and 96 per cent accuracy of its source information, one per cent less than the target of 97 per cent.

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.

The Parliamentary Counsel's Office continued to support the State Government's legislative agenda, meeting 100 per cent of the Government's timeframes for legislation it drafted. It also met its commitment to providing free access to the legislation of Western Australia by meeting 100 per cent of its legislation publication target.

The Equal Opportunity Commission (EOC) transitioned from a stand-alone agency to be a part of the Department of Justice during 2020/21, however remains independent in the performance of its statutory functions under the *Equal Opportunity Act 1984*. Three quarters (75 per cent) of participants of the 2021 community awareness survey were aware of and recognised the benefit of having equal opportunity enabling legislation, which was slightly lower than the target of 82 per cent. The EOC finalised 66 per cent of investigations of complaints of allegations of unlawful discrimination within six months and 91 per cent of complaints within twelve months, which was lower than the targets of 80 per cent and 95 per cent.

One measure of the Department's continued provision of safe, and secure management of people in custody is the number of escapes that occur in a financial year. The target of zero adult escapes was not met, with five escapes occurring during 2020/21. This included a prisoner at the Perth District Court who misrepresented himself as another prisoner to contracted court security officers, another who briefly escaped from contracted security officers at Karratha Airport during a prisoner transfer and a prisoner held at the Warburton Work Camp who absconded on three occasions, but returned to the Camp on each occasion. All prisoners were recaptured and each incident was investigated by the Department. There were no escapes from any prison or the youth detention centre.

The rate of return of adult prisoners (either to prison or community corrections) was 41 per cent, slightly above the target of 39 per cent. However, the rate of return to youth detention was better than the target of 50 per cent, at 44 per cent. This was also an improvement from the 53 per cent reported in the previous financial year.


The successful completion rate of adult community corrections orders at 69 per cent was better than the target of 64 per cent and the actual result of 65 per cent reported in the previous financial year. The successful completion rate of youth community-based orders was lower than the target of 68 per cent, at 63 per cent, but was an improvement on the 59 per cent achieved in the previous financial year.

Although higher than the target of <0.48, the rate of serious assault against other prisoners and staff of 1.29 per 100 prisoners was an improvement from the previous financial year's result of 1.31 per 100 prisoners. The rate of serious assaults is highly variable due to the small number of incidents.

The complete details of key performance indicators are provided in the Key Performance Indicators section of this report.

Achievements at a Glance

Court and Tribunal Services


 **112** Work and Development Permits completed, reducing **\$366,000** in court fines for individuals.


\$78 million awarded to victims of crime through the Criminal Injuries Compensation scheme.



290 referrals to the Start Court Mental Health Diversion Program. 

Corrective Services

79%  of the adult prisoner population work within the prison to provide required services, providing learning opportunities and contributing to job readiness.

 More than **170** graduates from the Alcohol and Other Drug Rehabilitation program at Wandoo Prison, with only **4** returning to custody.

96 sponsor organisations signed up to support the Work and Development Permit Scheme.



5,593 Criminal Injuries Compensation matters finalised.




822 offenders throughout the State gained access to a diversion program.




Value of goods and services contributing to self-sustainability of WA prisons: **\$87,201,476.**



Drug Detection Unit conducted **4,520** search deployments and found **163** illicit drugs and contraband items. 

More than **50,000** reusable cloth face masks produced by prisoners. 

Commissioner for Victims of Crime

 **\$40** million accepted under the National Redress Scheme.



\$162,379 paid for the funeral expenses of homicide victims.


Legislation

50 bills introduced into Parliament. Drafted and published **297** items of subsidiary legislation.



The State Solicitor's Office responded to **3,406** requests for advice and undertook **455** prosecutions.



 The Parliamentary Counsel appointed as the Government Printer.

Service delivery and enhancement


WA Registrations Online portal went live, enabling the community to apply for birth, death, marriage and change of name certificates through a secure online facility.




 **69** Open Days delivered across the State, assisting **2,260** community members to access essential identity, registration and licensing documents.

Enhanced communication with stakeholders: **612** social media posts across Instagram, Facebook, Twitter and LinkedIn, attracting **6,574** followers.



The Office of the Public Advocate conducted **2,242** investigations into the personal or financial welfare of adults with a decision-making disability. 

Public Trustee managed trusts for **6,772** clients and achieved self-funding and growth in investment returns. 

 Equal Opportunity Commission responded to more than **1,200** requests for advice.

Corrective Services

Corrective Services is responsible for the State’s adult prison and youth detention populations, as well as the adults and young people living in the community under the management of community corrections. The key priorities include offender, staff and community safety, rehabilitation and operating in an ethical and transparent way.

Corrective Services maintains the custodial estate and community corrections across regional and remote Western Australia as well as the metropolitan area. There are prisons, work camps and community corrections offices located from Wyndham in the far north, to Warburton in the east and Albany in the south.

In 2020/21 Western Australian prisons held an average daily population of 6,662 adults in custody, while 5,934 adults were managed in the community. During the year there was an average daily population of 102 young people detained at Banksia Hill Detention Centre and 1,151 young people managed in the community.

Key achievements were:

- The opening of the Mallee Rehabilitation Centre at Casuarina Prison in October 2020 to deliver the Solid Steps Alcohol and Other Drug Program. This is the first alcohol and other drug residential treatment facility for male prisoners in Western Australia.
- The construction of the \$2.4 million dollar dedicated Bindi Bindi Mental Health Unit at Bandyup Women’s Prison. This 29 bed unit will utilise trauma-informed, recovery-focused programs and care plans to provide more intensive support than is available in the mainstream prison. The unit will open in July 2021.
- Opening of 512 new beds at Casuarina Prison in July 2020 as part of the first stage of the Casuarina Expansion Project.
- Commencing construction work on the 344 bed expansion at Casuarina which will focus on the management of high need cohort groups such as those requiring mental health treatment, higher security environments or aged care assistance.
- Commencing the first phase of the Kimberley Juvenile Justice Strategy, as a result of a funding commitment of \$6.2 million.
- Progressing the Government’s \$12.3 million capital works investment in Greenough Regional Prison, with the appointment of a local contractor to build the second stage of the new women’s precinct.

- Re-tendering the operations of Acacia Prison. A replacement contract was entered into with Serco Australia Pty Ltd and commenced in May 2021. The new contract includes a number of enhanced service requirements, more stringent contractual requirements and new performance targets.
- Reinforcing security and safety across the custodial estate, Intelligence Services identified an attempt to escape lawful custody, and shared information with the Western Australia Police Force regarding the discovery of improvised weapons associated with an attempted murder investigation. On both occasions, the Western Australia Police Force were able to lay charges on all individuals involved. In February 2021, both were charged by the Western Australia Police Force with conspiracy to commit indictable (principal) offence. Both are due to appear in court in regard to this matter later in 2021.
- Disrupting illicit drug supply across the custodial estate, significantly improving the safety of both staff and offenders. This was achieved through 4,520 search deployments conducted by the Drug Detection Unit, which resulted in finding 163 illicit drugs and contraband items.
- Launching a two-year trial in August 2020 to implement the use of GPS-based electronic monitoring of family and domestic violence offenders in the community.
- Establishing a Suicide Prevention Steering Committee in August 2020 to enhance the management of at-risk prisoners and ensure Corrective Services’ strategy and processes are culturally responsive and align to the State’s Suicide Prevention Strategy.
- Building on an existing Aboriginal language program run at Casuarina Prison, launched an Aboriginal Languages in Custody Program at the Boronia Pre-Release Women’s Centre and Hakea Prison, which aligns to the 2020 Closing the Gap target of an increase in Aboriginal and Torres Strait Islander languages being spoken. Planning has commenced to roll out additional Aboriginal language programs.
- Implementing the Roebourne Prison Martu Visitors Program to provide strong culturally pre- and post-transitional release support to connect Martu people back to Country, Community and Culture.

- Implementing the Eastern Goldfield Regional Prison’s Entry to General Education course; Telling Your Story Through Music. Through this course, Ngaanyatjarra and Pitjantjatjara men from the Western Desert in remote Western Australia wrote, performed and recorded 10 tracks.
- Opening of Banksia Beats, a purpose-built music studio at Banksia Hill Detention Centre, designed as a hub for the music education program that teaches detainees to play instruments, write music and lyrics, record and produce their own songs.
- Training 149 Prison Officers, 11 Special Operations Group Officers, 31 Youth Justice Officers, 31 Youth Custodial Officers, 39 Adult Community Corrections Officers, 36 Vocational Support Officers and 23 Assistant Senior Officers.
- Fostering strong relationships with partner agencies through the COVID-19 Taskforce, in particular the Department of Health, through the State Health Incident Coordination Centre and the Public Health Emergency Operations Centre. Corrective Services jointly supported COVID-19 preparedness and response planning to ensure the safety of all custodial and community estates including staff, as well as coordination of the vaccine rollout for prisoners. In addition, the Department is represented on the State Emergency Coordination Group that is established during a State of Emergency to ensure the provision of a strategic coordinated multi-agency response to, and recovery from, the emergency.

Prison population at a glance

Western Australia has 16 public prisons, one private prison and five work camps. In 2020/21, the facilities collectively housed an average of 6,662 adult prisoners per day, including an average of 74 prisoners per day in minimum security work camps, the first reduction in prisoner numbers since 2016/17. The reduction was caused predominantly by the onset of COVID-19, resulting in a state of emergency being declared, social restrictions being implemented and a reduction in criminal behaviour. A substantial reduction in the availability of illicit drugs in Western Australia was a result of the various control measures put in place and targeted operations undertaken by the Western Australia Police Force.

Average daily population	2020/21	2019/20	Change
Overall	6,662	6,957	-4.2%
Prison location			
Metropolitan	4,844	5,017	-3.4%
Regional	1,818	1,940	-6.3%
Gender			
Male	5,992	6,219	-3.7%
Female	670	739	-9.3%
Aboriginality ¹			
Aboriginal and Torres Strait Islander	2,662	2,707	-1.7%
Non-Aboriginal	4,000	4,250	-5.9%
Personal security rating ¹			
Maximum	1,788	1,880	-4.9%
Medium	3,209	3,445	-6.9%
Minimum	1,665	1,633	2.0%

¹ Figures may not add to total due to rounding.

Acknowledging Aboriginal and Torres Strait Islander culture

Aboriginal and Torres Strait Islander people make up only four per cent of the Western Australian population but account for approximately 40 per cent of the adult prisoner population and 29 per cent of the adult community offender population. Western Australia has the highest rate of Aboriginal imprisonment nationally with 3,820 incarcerations per 100,000 population.

The daily average population of Aboriginal young people held in custody (youth detention) remained consistent this year at 77 detainees.

A statewide quality improvement review of prison Aboriginal Services Committees (ASCs) was introduced with the objectives of keeping Aboriginal people on country and promoting culture and wellbeing.

A revised ASC reporting framework was endorsed in November 2020 and piloted in Eastern Goldfields Regional Prison, Banksia Hill Detention Centre and Wooroloo Prison Farm, prior to being rolled out to all custodial sites in January 2021. During 2020/21, 55 local ASC meetings were facilitated which involved more than 160 internal and external stakeholders, including Aboriginal elders, other community leaders, prisoners and youth detainees, which saw development of initiatives to support Aboriginal culture and wellbeing.

The Department recognises that language is one of the primary drivers and foundations of Aboriginal culture that can empower Aboriginal people and connect them to their history.

Building on a well-established program offered at Kaartdijin Mia Aboriginal Centre at Casuarina Prison, Corrective Services introduced a multi-site Aboriginal Languages in Custody Program in 2020. The program is designed and tailored in consultation with the Traditional Owners and Aboriginal partners to match the local culture and language in each region. The first stage included the commencement of additional programs to teach Noongar language, delivered by the Noongar Boodjar Language Cultural Aboriginal Corporation.

Fourteen of the 17 registered participants at Boronia Pre-Release Centre for Women successfully completed the program in December 2020. In March 2021, 13 of the 15 registered participants at Hakea Prison completed the program, with two not completing due to early release.

A Martu Visitors Program was also introduced to enable Martu Community Elders and Leaders to deliver educational and aspirational sessions in Martu languages to prisoners at Roebourne Regional Prison. The program uses traditional language and culture to create alternative pathways for men and women Martu prisoners to maximise their successful transition back to family and community.

Participants in the Eastern Goldfield Regional Prison's Entry to General Education course; Telling Your Story Through Music, have written, performed and recorded 10 tracks. The group is made up of Ngaanyatjarra and Pitjantjatjara men from the Western Desert in remote Western Australia and provides prisoners a chance to write and produce an album in Aboriginal language and strengthen their traditional language skills.

Adult Male Prisons

Adult Male Prisons is responsible for the operation of four metropolitan male prisons, eight regional prisons, five regional male work camps and the statewide prison industries.

The directorate works to ensure prisons are safely and securely managed and that male prisoners are treated with respect while being offered education and training opportunities as part of their overall rehabilitative journey.

On average over the year, Adult Male Prisons was responsible for the management of 5,992 prisoners each day. Adult males constituted 90 per cent of the State's total prison population, with 39 per cent identifying as Aboriginal or Torres Strait Islander descent.

Mallee Rehabilitation Centre

As part of the State Government's Methamphetamine Action Plan, the Department has continued to strengthen its efforts to break the cycle of alcohol and drug related crime by delivering the state's first residential Alcohol and Other Drug facility for men at Casuarina Prison.

The Mallee Rehabilitation Centre is a dedicated, separate unit within the prison and was opened on 1 October 2020.

Palmerston Association and Wungening Aboriginal Consortium were awarded the contract to deliver the nine-month Solid Steps Alcohol and Other Drug Recovery Program, with the first intake of participants for the program starting in October 2020.

Twenty-six participants completed the first program on 30 June 2021; they will either remain in the Mallee Rehabilitation Centre as mentors to support incoming participants or transferred to other prisons to complete other programs or to transition to freedom.

The Department has commenced the planning for a 24 bed Alcohol and Other Drug step-up/step-down transitional program at Bunbury Regional Prison.

This will provide prisoners who are successful in completing the Mallee Rehabilitation Centre program with further support as they make the transition into the community.

Casuarina Prison expansion projects

The Casuarina Prison Expansion Project commenced in 2019 to expand the capacity of the metropolitan prison estate, to address population pressures and to meet the future infrastructure needs of the custodial estate. Stage One of the project was completed in mid August 2020 and delivered an additional 512 beds of which 128 beds were allocated for the Mallee Rehabilitation Centre. Stage Two construction commenced in February 2021 and will provide an additional 344 beds and supporting infrastructure which will provide flexible design and future proofing to meet the needs of disabled, infirm, elderly and other high needs prisoners over the next 50 years. Stage Two includes a Mental Health Unit and an Assisted Living Unit to provide health care for high needs prisoners, as well as a new High Security Unit to provide secure management of the State's most dangerous prisoners. When completed, Casuarina's bed capacity will increase by more than 850 beds and will make it one of the largest prisons in Australia.

Greenough Regional Prison Recovery Program

Significant progress has been achieved towards restoring Greenough Regional Prison to full operational capacity following a major disturbance in July 2018.

Prisoners were returned to units between December 2019 and April 2020 following repairs and a pulse-energised perimeter fence was installed around the women's unit in December 2020. The Department has also undertaken the recruitment and training of 24 new locally recruited Prison Officers. This is in addition to an enhanced response capability within the prison and improved systems and processes to ensure security and safety. A local company was awarded the tender for the construction of additional support buildings for the women's precinct in October 2020 and construction is in progress. The project, which will include medical, education and industries facilities will allow women at Greenough to serve their sentences on country, be closer to families and community supports and to connect with local services to assist with their transition into the community.

Australian Corrections Medal winners

In 2020 four Corrective Services staff received the Australian Corrections Medal for distinguished service.

Susan Andrews
Manager, Family and Community Services at Boronia Pre-release Centre for Women
Ms Andrews has served in the Department since 1988. In her current role, Ms Andrews has been instrumental in developing and establishing initiatives for the centre's residents, their children and the local community. These have included promoting reintegration through engagement with voluntary organisations.

Andrea Bowen
Superintendent at Bandyup Women's Prison
Ms Bowen served as a prison officer in New South Wales for 18 years, progressing through the ranks. After relocating to Western Australia in 2017 Ms Bowen became Deputy Superintendent at Casuarina Prison where she was a champion for Indigenous engagement. Since taking the leadership role at Bandyup she has assisted prisoners to improve their employment prospects post-release.

Maria McGinty-Duggan
Custodial Training Officer at West Kimberley Regional Prison
A Pitjantjatjara woman, Ms McGinty-Duggan served from 2004 as prison officer in regional facilities before becoming a trainer at Eastern Goldfields Regional Prison and then West Kimberley Regional Prison in Derby. Ms McGinty-Duggan has promoted the importance of the Indigenous community serving in a custodial environment as well as providing prisoners with an identifiable role model.

Andrea Rees-Carter
Deputy Superintendent Specialist Services at Hakea Prison
Ms Rees-Carter joined Corrective Services in 2003 and has since served at three prisons. Ms Rees-Carter has led a number of initiatives at Hakea which have made a positive difference to the lives of prisoners, while supporting the training and development of prison officers. During the COVID-19 pandemic Ms Rees-Carter led the development of the Pandemic Containment Plan for Hakea, which became a blueprint for all prisons in Western Australia.



New Broome Regional Prison

In May 2019, the Government announced \$1.4 million funding for planning of the replacement to the existing Broome Regional Prison. The Department has been working with the traditional owners through Nyamba Buru Yawuru. Further consultation with external stakeholders is ongoing. Work has commenced on a brief and concept design for the new facility which will inform a detailed project definition for further consideration.

Prison Industries

Prison Industries, coordinated by Adult Male Prisons, is an integral part of the Western Australian prison system and provides a diverse range of opportunities for prisoners across Corrective Services facilities to be employed in meaningful work while also developing skills and experience to assist with rehabilitation into the community. Prisoners can complete accredited TAFE courses and apprenticeships in areas such as the dairy, abattoir, bakery, laundry, kitchen and textiles, carpentry and metal work.

The goods and services produced by Prison Industries also contribute to increasing self-sufficiency and sustainability across the custodial estate. The Department is fully self-sufficient in milk and processed meat products (lamb and beef) and 85 per cent of the required egg supply.

In 2020/21, Prison Industries produced food to the value of \$25,291,790. This included 778,806 kgs of processed meat products, 1,408,258 litres of milk and 133,736 dozen eggs and 538,913 units of fruit and vegetables for use across the prison estate. Essential secondary and support industries provided \$61,909,686 of value for Western Australian prisons.

COVID-19 face mask production

In September 2020, the Department was provided with funding from the Government to produce reusable cloth face masks as part of the State's COVID-19 outbreak preparedness.

The masks are continuing to be produced by seven prisons across the State, including Albany Regional Prison, Bandyup Women's Prison, Casuarina Prison, Greenough Regional Prison, Karnet Prison Farm, West Kimberley Regional Prison and Wooroloo Prison Farm. As of 30 June 2021, more than 50,000 masks had been produced.

Section 95 Community Support and Activities

Section 95 of the *Prisons Act 1981* allows eligible minimum security prisoners who are nearing release to make reparation to the community and undertake training and gain new skills in the wider community to assist with their reintegration into the community.

These activities are undertaken by Walpole, Wheatbelt (Dowerin), Warburton, Roebourne and Wyndham Work Camps and several prisons across the custodial estate.

Section 95 activity hours

Type of Work	2020/21	2019/20 ¹
Community Work	71,719	71,201
Government Work	45,156	34,915
Total	116,875	106,116

Examples of some of the external projects that were undertaken by prisoners over the year include:

- Fire hydrant maintenance for the Shire of Serpentine.
- Gazebo refurbishment and construction of new fencing at Denmark Cemetery.
- Supply of meals, laundry services and garden maintenance at the Derby Aboriginal Short Stay Accommodation.
- Construction of more than 1,600 bollards and 30 wheel stops for the Department of Biodiversity Conservation and Attractions Ngajarli (Deep Gorge) Dampier.
- Refurbishment of a caravan into a command post for the Department of Fire and Emergency Services at Roebourne.

During the period when COVID-19 restrictions prevented some Section 95 work from being undertaken in the community, prisoners were diverted to completing a range of general maintenance, cleaning, painting and gardening projects within the prisons. For example, West Kimberley Regional Prison undertook work on the restoration of an old Derby fire truck which will be displayed at the annual Boab Festival parade.

Corrective Services will continue to review the range and scope of activities available for prisoners to undertake work within the context of any future COVID-19 restrictions.

Women and Young People

Women and Young People manages the needs of female prisoners in custody, and young people in custody and in the community.

In 2020/21, Women and Young People were responsible for the management of an average of 670 female prisoners and 102 youth detainees per day. In addition to those in custody, it managed a daily average of 1,151 young people in the community.

Youth Justice

Youth Justice staff work with some of the State's most disadvantaged and challenging young people. The primary focus is to keep the community safe, divert young people from the justice system and reduce reoffending through the provision of programs and services.

The 1,151 average daily population of young people being managed in the community was a 12 per cent decrease compared to the year prior. It has been identified that there was an overall decrease of young people on community-based orders due to COVID-19.

The diversion of young people from custody, where possible, and ensuring young people's contact with the formal justice system is as limited as possible, is an integral part of the *Young Offenders Act 1994*.

Youth Justice Teams (also known as Juvenile Justice Teams) play an important role in diverting vulnerable young people from entering the justice system. Conducted in a partnership between Youth Justice Services and Western Australia Police Force, the Teams manage young people who have committed offences, or may be in the early stages of offending, by working with the young person, the family and the victim through a restorative process. A total of 436 young people were referred to Youth Justice Teams (including court conferencing); a 16 per cent decrease from last year.

The Metropolitan Youth Bail Service seeks to reduce the number of young people remanded in custody in circumstances where they are deemed eligible for bail, but a responsible person or an appropriate placement cannot be found. Over the past 12 months the service saw the number of young people being granted bail rather than placed into custody, decrease from 388 to 271, a decrease of 30 per cent.

Of particular importance given COVID-19, significant improvements were made over the past year to Youth Justice Information Technology systems to allow staff, particularly from regional and remote locations, to facilitate e-Visits and video link calls between young people in detention and their families, or to enable them to connect with community and culture.

In addition, e-Visits provided Youth Justice staff with a means to maintain contact with young people in custody where face to face visits were not possible.

A key focus for 2020/21 has been improving practice through training and development and a Strategic Plan to set the direction and goals is under development. Youth Justice has rolled out statewide training in specialist areas namely, foetal alcohol spectrum disorder, youth mental health, trauma-informed practice and cultural capability.

Kimberley Juvenile Justice Strategy

The Department implemented the first full year of the Kimberley Juvenile Justice Strategy. With funding of \$6.2 million provided as part of the Commitment to Aboriginal Youth Wellbeing, investment has focused on delivering structured, safe place activities, night patrols, an educational industry skills TAFE program, an alternative education program for disengaged young people from the Broome region and the Youth Engagement Program operated by the Aboriginal Legal Service of Western Australia.

The initiatives in this strategy make an important contribution towards key recommendations of the Government's response to the 2016 Parliamentary Inquiry: Learnings from the Message Stick - the report of the Inquiry into Aboriginal youth suicide in remote areas.

The Department has endeavoured to work in consultation with Aboriginal Community Controlled Organisations and the Kimberley shire councils to fund culturally responsive solutions where local community members are employed to provide structured activities and conduct night patrols to engage with street present young people and ensure they are taken to a safe place.

Early achievements include 40 to 60 young people attending events in Broome and 80 to 120 young people attending in Derby. The numbers of young people engaging in night patrols varies depending on location, with Broome averaging 42, Derby 30, and Halls Creek 19 young people engaged by patrols on an average night.

The Aboriginal Legal Service of Western Australia is providing young people with case management, court support and referrals to external programs and services. Twelve young people in West Kimberley are currently receiving support to meet their court conditions.

The TAFE learning program at the Broome and Kununurra campuses is underway and is targeted towards young people in the justice system resulting in increased attendance and referrals to other employment transition programs.

1 Following a review of calculation methods for Section 95 activity, Prisons Industries enhanced data capture and reporting to ensure more accurate reporting. As a result of this improvement, yearly results are not comparable.

Banksia Hill Detention Centre

Banksia Hill Detention Centre offers a range of programs and services to address a young person’s health and emotional wellbeing, with the aim of reducing reoffending rates. A report by the Inspector of Custodial Services commended Banksia Hill’s Leadership Team for improvements in health, education, welfare, recreation, case planning and re-entry services. The Department has undertaken to review the operating model and management requirements for young people at Banksia Hill and will continue to invest in site infrastructure, including intensive support and crisis care in the coming years.

Keys for Life

Preparing young people for safer driving is an important part of the Western Australian road safety strategy as they are over-represented in road crash statistics each year. Keys for Life is a comprehensive, national award winning, evidence-based pre-driver program that assists schools to educate young people about road rules, licensing, safer vehicles and safer driving. At Banksia Hill, 49 young people completed the Keys for Life course this year.

White Card – Prepare to Work Safely in the Construction Industry

The White Card course is a mandatory requirement for anyone who wants to work in the construction industry in Western Australia. The course is delivered at Banksia Hill by a qualified instructor and takes three days to complete. On successful completion, participants will receive a Western Australian White Card and a Statement of Attainment for the unit of competency which is accepted in every state and territory in Australia. Twenty-six young people completed their White Card.

Banksia Beans Café

The barista course was completed by 11 young people at Banksia Hill and upon completion of the course the young men and women practise their skills by working in Banksia Beans Café. This work experience builds capacity in the young baristas, teaching them important customer service skills while learning to work under pressure in a busy café setting.

Banksia Beats music program

Banksia Beats Music Program runs daily, with outcomes ranging from improved literacy and increased self-esteem to the development of leadership skills and teamwork. It also offers many Aboriginal young people the opportunity to share their culture through stories and song. The group has performed at the official launch of the Banksia Beats Studio, NAIDOC Week celebrations, 16 Days in WA, the occasional Recess on the Green performance as well as impromptu sessions at lunch time and in classrooms.

Australian Army Cadets

The Australian Army Cadets is a Commonwealth national strategic youth development program for adolescents between the ages of 12 and 19 years. It is conducted in communities and schools across Australia in partnership with the Australian Army. This program has been tailored to the young people of Banksia Hill and is the only army cadet program to operate in a youth detention centre in Australia. The activities and experiences are aimed at enhancing the individual, their local community and the Australian Army. The program provides activities and experiences in a military-like structure that develop skills and confidence in young people. During the year Banksia Hill ran three 10 week male cadet programs seeing a total of 22 young men graduate.

Emergency Services program

The Banksia Hill Youth in Emergency Services program was created as a collaboration between Corrective Services and the Department of Fire and Emergency Services and is in its third year of operation. The program aims to create a pathway for these participants into the emergency services, be it in a volunteer or a career role and provides them with the skills to engage with services including State Emergency Service; Volunteer Fire and Rescue Service; Bush Fire Service; Canine Unit; Volunteer Marine Rescue Service. A total of 25 young people graduated from this program this year.

Young people managed in the community

Average daily population	2020/21	2019/20	Change
Overall ¹	1,151	1,305	-11.89%
Gender ²			
Male	887	991	-10.5%
Female	262	313	-16.3%
Aboriginality ²			
Aboriginal	621	724	-14.2%
Non-Aboriginal	416	469	-11.3%
Order category ³			
Court order (including bail)	446	577	-22.7%
Supervised release order	27	33	-18.2%
Youth justice team	436	520	-16.2%
Other youth justice services	368	342	7.6%

- 1 Includes persons whose gender or Aboriginality is unknown.
- 2 Does not total to overall due to persons whose gender or Aboriginality is unknown.
- 3 Does not total to overall as an individual could be counted in multiple categories.
- 4 May not total to overall due to rounding.

Young people in custody

Average daily population	2020/21	2019/20	Change
Overall	102	107	-4.7%
Status			
Sentenced	44	41	7.3%
Unsentenced	59	66	-10.6%
Gender ⁴			
Male	93	96	-3.1%
Female	10	10	0.0%
Aboriginality			
Aboriginal	77	77	0.0%
Non-Aboriginal	25	30	-16.7%

FOCUS

Banksia Hill says YES to new skills

In collaboration with the Department of Fire and Emergency Services, staff at Banksia Hill Detention Centre deliver the six-week Youth in Emergency Services (YES) program designed to teach young people a range of practical life skills while instilling a sense of community. The YES program offers young people in custody a hands-on opportunity to be successful at building practical skills outside the classroom, and encourages them to re-engage with other forms of learning.



Women in Custody

Overseeing the operations of four metropolitan female prisons and providing support to the female offenders within five mixed-gender regional prisons, Women and Young People aims to provide a gender-responsive, culturally appropriate and trauma-informed approach to support women to rehabilitate, reconnect with their family and communities and to provide them with the skills to break the cycle of offending.

The development of an overarching philosophy and strategy for the Management of Women in Custody is expected to be completed by October 2021. The approach outlines the distinct needs of women in custody and the principles by which they will be managed. Further, it articulates how the women’s prisons function as a network from reception into custody to preparation for release into the community.

Bandyup Women’s Prison

Most of the State’s maximum security sentenced female prisoners are housed at Bandyup. Many of these women suffer from the effects of trauma, domestic violence, drug addiction and have underlying mental health issues. The operating philosophy supports recovery and rehabilitation by encouraging women to take personal responsibility while being provided with support and guidance in the form of programs, education, employment opportunities and constructive activities.

Bandyup was approved to receive \$2,377,000 of capital funding as part of the Western Australian Recovery Plan to complete refurbishment works for a Mental Health Unit. Named after the Noongar word for butterfly, Bindi Bindi is the State’s first prison unit dedicated to mental health and is available to women prisoners across the custodial estate.

The refurbishment of the six cells for the high dependency unit was completed as Stage 1 in February 2021. Refurbishment of the remaining 22 cells (one with two beds) has been completed and the unit will officially open on 23 July 2021. Bandyup provides training opportunities for prisoners to gain industry qualifications in hair and beauty through The Beauty Spot, its in-house salon where traineeships were offered to 12 prisoners.

Bandyup has specialised mother and baby units available so that, where appropriate, mothers can have their infants and young children reside with them. This aims to build the mother child bond, support positive parenting and contribute to the child’s development. In the past year there have been 18 residential mothers with 18 babies living in these specialised units at Bandyup Women’s Prison.

Wandoo Rehabilitation Prison

Wandoo was re-purposed as Western Australia’s first dedicated female Alcohol and Other Drug Rehabilitation Facility in August 2018 as part of the Government’s Methamphetamine Action Plan.

In partnership with Cyrenian House the prison offers a 26-week intensive therapy course designed to tackle the root causes of addiction.

Women at Wandoo are supported via multi-disciplinary case management teams to address their addiction, improve mental health and wellbeing and are supported with follow up care upon their release.

Since commencement in August 2018, more than 170 women have graduated from the program, with significant success in reducing reoffending with only four graduates to date receiving subsequent convictions and returning to custody.

Boronia Pre-Release Centre for Women

Boronia Pre-Release Centre for Women manages minimum security female prisoners in a community style setting and prepares them for release by offering meaningful rehabilitation activities and work placements.

Every year Boronia holds a charity Gala Day. A new record of \$25,000 was raised this year in support of local not-for-profit organisation ‘No Limits’ who help members of the community in crisis.

In November 2020 the Aboriginal Languages in Custody program was launched at Boronia with the prison being the first to deliver this innovative program in conjunction with the Noongar Boodjar Language Cultural Aboriginal Corporation.

As part of the commitment to reducing Aboriginal imprisonment, in May 2021, in partnership with Langford Aboriginal Association, Boronia commenced delivery of the National Empowerment Project Cultural, Social and Emotional Wellbeing Program which has been funded by Psyche Foundation. Importantly the program is designed by and delivered by Aboriginal people.

Pathways to Employment Program

Boronia has secured a grant for a two-year Prison to Work program entitled ‘Pathways to Employment’ to the value of \$1,022,000. The program will support the training of up to 25 Aboriginal women per year and provide a pathway to employment through industry-based qualifications and support on release. The grant includes funding to modernise the existing kitchen infrastructure to establish an industry standard training facility as well as other catering requirements.

This program is expected to commence in September 2021.

Melaleuca Women’s Prison

Melaleuca Women’s Prison was returned to public operation on 4 April 2020 and is the primary reception prison for women in the Perth metropolitan area.

In the past year there has been a renewed focus on developing a trauma-informed approach to the care of women in custody through the adoption of a new operating philosophy.

The transition has allowed women remanded in custody increased access to meaningful and constructive day activities as well as improved access to essential services including health and mental health supports.

Offender Services

Offender Services manages the complex needs of offenders and addresses criminal behaviours with a range of interventions. Services include adult community corrections, health, mental health, alcohol and other drug, prisoner support, reintegration and rehabilitation, education, employment and transitional services and offender programs.

Adult Community Corrections

Adult Community Corrections is responsible for the management and supervision of adult offenders who are completing their sentence in the community. This includes those who are subject to bail and offenders completing court orders, parole and post sentence orders. This can include offenders requiring intensive supervision such as those assessed as high-risk offenders pursuant to the *High Risk Serious Offenders Act 2020* or a Post Sentence Supervision Order under the *Sentence Administration Act 2003*.

Adult Community Corrections also provides advice reports to the Courts and releasing authorities such as the Western Australian Prisoners Review Board.

The average number of offenders managed in the community has increased by 17 per cent over the last five years, generally due to an increase in Parole Orders and Conditional Suspended Imprisonment Orders. The introduction of Post Sentence Supervision Orders on 1 July 2017 has seen the number of orders incrementally increased from 39 during the first year of operation to 159 as of 30 June 2021.

There are 26 Adult Community Corrections Centres in Western Australia, managing an average of 5,934 adult offenders, each day throughout the metropolitan and regional areas of the State. In addition, there are four specialty teams located at the Central Law Courts and two specialty teams operating from the central business district.

The percentage of successfully completed Community Corrections Orders increased from 65 per cent for 2019/20 to 69 per cent for 2020/21.

On 26 August 2020, the *High Risk Serious Offenders Act 2020* came into operation, repealing the *Dangerous Sexual Offenders Act 2006*. The new Act expands the provisions contained in the *Dangerous Sexual Offenders Act 2006* to apply to serious violent offenders.

As at 30 June 2021 Corrective Services were managing 26 High Risk Serious Offenders on Community Supervision Orders, 37 High Risk Serious Offenders on Continuing Detention Orders and 159 offenders on Post Sentence Supervision Orders.

Adults managed in the community

Average daily population	2020/21	2019/20	Change
Overall	5,934	5,884	0.8%
Gender ¹			
Male	4,632	4,553	1.7%
Female	1,293	1,324	-2.3%
Aboriginality ²			
Aboriginal	1,731	1,755	-1.4%
Non-Aboriginal	4,177	4,108	1.7%
Order category ³			
Bail order	555	431	28.8%
Court order	3,934	3,948	-0.4%
Early release order	1,290	1,314	-1.8%
Work development order	96	169	-43.2%
Post Sentence Order	155	150	3.3%

1 Includes persons whose gender or Aboriginality is unknown.
2 Does not total to overall due to persons whose gender or Aboriginality is unknown.
3 Does not total to Overall as an individual could be counted in multiple categories.

Support for victims of crime

Victims of crime are kept informed of an offender's progress through the justice system by the staff of the Victim-offender Mediation Unit and the Victim Notification Register, which provides an opportunity for the victims to provide comment and input into the releasing conditions for the offender.

As at 30 June 2021 there were 1,869 victims registered in relation to 1,509 offenders. In 2020/21, the Victim-offender Mediation Unit received 5,077 referrals and 600 new applications for the Victim Notification Register. This unit also prepared 1,692 reports for sentencing and releasing authorities and provided input into protective conditions for victims registered in relation to community-based offenders. This service will be moved to the Office of the Commissioner for Victims of Crime on 1 July 2021.

Expansion of electronic monitoring

In 2020, new legislation was introduced, and amendments were made to existing legislation that expanded the cohort of offenders in the community under supervision that are subject to electronic monitoring. This expansion had a focus on perpetrators of family violence.

The changes to the legislation have facilitated the GPS monitoring of offenders as a sentencing option for most community-based sanctions. GPS contributes to effective offender/defendant management by helping to provide an additional level of community and victim safety and assists with the case management of the offender/defendant by restricting or monitoring the movements of the wearer.

As at 30 June 2020, there were 96 people subject to Radio Frequency (RF) Electronic Monitoring, with an additional 26 subject to GPS. As at 30 June 2021, there were 108 people subject to radio frequency monitoring and 66 people subject to GPS.

Health Services

Health Services provides primary health care services at all Western Australian prisons. The Health Centres are fully accredited under the Royal Australian College of General Practitioners Standards for Health Services in Australian Prisons and provide every prisoner access to health services delivered by registered health professionals at a standard comparable to that which is available in the general community.

Health Services is now also a registered training provider with the Royal Australian College of General Practitioners enabling the delivery of Continuing Professional Development Education to Prison Medical Officers.

All prisoners undertake a comprehensive health assessment within 24 hours of admission to prison by a clinical nurse.

Prisoners are triaged based on clinical need and referred for further medical assessment or treatment as required. In 2020/21, 8,304 adult initial assessments were conducted along with 1,302 juvenile assessments.

Response to COVID-19

The outbreak of COVID-19 brought a raft of changes and processes across the prison estate for Health Services. From the establishment of joint contingency plans with the Department of Health in the event of an outbreak of COVID-19 to additional risk screening of all prisoners, COVID-19 training scenarios and early detection methods.

As part of a prevention strategy, COVID-19 vaccinations will be rolled out in all Western Australian prisons. Prisoner education has been ongoing to ensure prisoners are able to make an informed decision about the vaccine. Planning is well under way with vaccinations commencing in July 2021.

Mental Health, Alcohol and Other Drugs

The Mental Health, Alcohol and Other Drugs branch provide mental health care to offenders in Western Australian prisons. Services are delivered by multidisciplinary teams made up of specialised staff including nurses, consultant psychiatrists, psychologists, social workers, Aboriginal mental health workers and Prison Support Officers.

In the month of June 2021, data indicated that mental health teams were working with a total of 754 prisoners with a major mental illness, which had decreased from June 2020, when 813 prisoners were under the care of mental health teams.

This was predominantly a function of the overall decrease in prisoner numbers experienced in 2020/21 as a consequence of COVID-19.

Prisoner Support

Psychological Health Services are available to all prisoners who require support. The service comprises of registered psychologists, clinically experienced social workers and occupational therapists located in prisons statewide. They provide clinical assessments and interventions to prisoners at acute risk of suicide or self-harm, vulnerable within the prison system, with poor mental health or having difficulty coping in prison.

Prison Support Services are also available to all prisoners and detainees who require support. The service is comprised of Prison Support Officers and the Aboriginal Visitors Scheme (AVS). The services provide cultural, welfare and social support as well as assisting prisoners and detainees who are vulnerable or at risk of self-harm or suicide. The AVS is comprised of Aboriginal employees who visit Aboriginal

prisoners and detainees to promote resilience, healing and connection to culture and community. The AVS had 7,820 contacts with Aboriginal prisoners and detainees this year which decreased from the 8,004 contacts made in 2019/20 due to restrictions imposed during COVID-19 lockdowns.

Suicide Prevention Steering Committee

The Suicide Prevention Steering Committee was established in August 2020 to review all ongoing operational practices within Corrective Services relating to suicide prevention. The Steering Committee includes internal and external members and focuses on how processes and systems can be improved to safeguard the welfare of at-risk prisoners. An independent review into the current practices relating to suicide prevention was undertaken in early 2021 and the findings were presented to the Steering Committee in May 2021. A Working Group has been convened and an Action Plan developed to progress the review findings in 2021/22.

Reintegration and Rehabilitation

Reintegration and Rehabilitation delivers a range of services to address the rehabilitation and reintegration needs of prisoners and offenders in the community. This includes education and employment services, contract management of Non-Government Organisations who provide support services, programs to address offending behaviour, psychological services and sentence management.

Education, Employment and Transition Services

Prisoner education and vocational training is delivered through registered training organisations and in partnership with universities and TAFE colleges throughout Western Australia. A range of career and employment services, such as job readiness and employability skills, are delivered to support prisoners and ex-prisoners so that they can acquire and keep work on release.

There were 7,658 prisoners enrolled in an education or vocational training course. This is a decrease from the 8,500 recorded the previous year as the impacts of COVID-19 restricted service delivery from outside providers. Following the Independent Review of Education, Employment and Transitional Services in 2020, an implementation plan addressing the approved recommendations has commenced.

Prisoner training is focused on industry areas that would support sentenced prisoners gaining employment post-release, taking into account labour market skills shortages and the prisoners' work history whilst in custody. In 2020/21, 628 prisoners were enrolled in traineeships and apprenticeships (five per cent of the prison population).

The Office of the Auditor General undertook a performance audit on Improving Prisoner Literacy and Numeracy which was tabled in Parliament on 23 June 2021. The audit assessed how effectively Corrective Services addressed the literacy and numeracy needs of adult prisoners. An implementation plan for the audit's recommendations is currently under development.

Offender programs

Offender Programs are responsible for the delivery of therapeutic and criminogenic programs to offenders in custody and those being managed in the community. The programs delivered cover several areas including substance use, violent offending, family and domestic violence and sexual offending.

A new intensive Violence Prevention Program was piloted. It is expected to offer a more effective contemporary program to address high risk prisoners with a history of serious violent offences. Taking a greater focus on addressing family and domestic violence, a number of training initiatives were introduced to increase the knowledge and skills of government and non-government program facilitators in working with perpetrators of family and domestic violence. From this, Offender Programs have been able to broaden opportunities to provide family and domestic violence programs to offenders, and in particular, to enhance and expand the delivery of Aboriginal-specific programs in regional locations.

Contract management

Contract management works with 24 non-government organisations to the value of \$27,577,852 engaged by service agreements to provide statewide rehabilitation and reintegration services to prisoners, according to their risk and need. Service providers engage with prisoners six months before release and give further support for up to 12 months post release for adult offenders reintegrating back into the community. On 14 December 2020, the Government announced an extension of all community services contracts to 30 June 2022 to support the COVID-19 recovery.

The Western Australian Office of Crime Statistics and Research is undertaking a comprehensive evaluation of the current adult rehabilitation and reintegration contracts. Once the review has been finalised, the Department will undertake a robust co-design process to procure new rehabilitation and reintegration services in accordance with the Government's Delivering Community Services in Partnership policy.

Operational Support

Operational Support has a critical role in maintaining and increasing security across the prison estate and delivering improvements to the Department. This work contributes to community safety through the provision of security and response services across the prison estate, including emergency response operations and drug and alcohol mitigation. Operational Support also oversee the delivery of intelligence services to identify security and safety risks relating to prisoners, facilities, staff and by liaising with external agencies such as the Western Australia Police Force and Commonwealth agencies, in safely managing offenders in the community. Operational Support are also responsible for the management and compliance monitoring of operational policy and strategic projects, as well as management of the Corrective Services Academy.

Stopping drugs in prison

Corrective Services continued its efforts to disrupt the supply of illegal drugs and contraband into prisons. This included more drug detection dogs and investment in other specialist technologies. During the year a number of unannounced searches were undertaken of vehicles and visitors entering prison across the State.

The Drug Detection Unit continued to work closely with the Special Operations Group to conduct searches of prisoners, visitors and staff, across the custodial estate and provide support to the new alcohol and other drug treatment facilities at Casuarina (Mallee Rehabilitation Centre) and Wandoo Rehabilitation Prison. Through the use and trial of contemporary methods of drug detection, custodial facilities are kept safe and secure reducing the devastating impact illegal drugs have on prisoners and young people in custody. Despite the suspension of prison visits on a number of occasions as a result of COVID-19, the Drug Detection Unit still maintained a high operational presence, with 4,520 deployments occurring throughout the custodial estate. This resulted in the detection and seizure of 163 narcotic substances or narcotic paraphernalia.

Security of the prison estate

The security and safety of our staff and prisoners is a key driver of operations. The security portfolio is responsible for maintaining a positive security culture within Corrective Services and provides strategic input into all aspects of security in custodial facilities.

It is important that while meeting security needs across the custodial estate and providing statewide technical advice to Corrective Services' security staff and facilities, environmental scanning also continues to identify emerging technologies and best practice in custodial security management.

This year Corrective Services commenced investigation of the feasibility of various new scanning technologies to deter and detect the smuggling of contraband (drugs, phones, weapons) into custodial facilities. The Department is currently undertaking a procurement process to identify an optimal solution and service provider to meet the security needs of custodial facilities.

As part of security operations, the Special Operations Group (SOG) provides specialised 24/7 armed emergency response and security services across the State, supporting custodial facilities to manage the response to incidents and assisting in the safe resolution of these incidents.

The SOG on-site presence was increased during COVID-19 restrictions where prisons were operating on restricted regimes. This year they conducted numerous security search operations and played a lead role in the Corrective Services' drugs and contraband mitigation strategy as well as conducting many high security prisoner escorts and regular high-profile foot and vehicle perimeter patrols. This year saw the recruitment of additional staff and increased resourcing to enhance statewide security and emergency response capabilities and critical incident training and training exercises for custodial staff.

Emergency management

Corrective Services has responded very well to various emergency incidents throughout this year. This has included the continuing threat of COVID-19 across the custodial estate, and the impact of extreme weather events such as bushfires, cyclones and floods. The success of these emergency responses is enhanced by strong, active partnerships with other state organisations, such as the Western Australian Department of Health, the State Health Incident Coordination Centre, Western Australia Police Force and the Department of Fire and Emergency Services.

As part of a culture of continuous improvement and to reduce the impact of emergency incidents, a strategic review is being undertaken to improve processes and revise the existing Corrective Services Emergency Management Framework. This will ensure emergency management practices remain contemporary, risk-based, agile and will assist in the development of greater resilience across Corrective Services operations.

Intelligence Services

Intelligence Services identify security and safety issues relating to prisoners, staff and facilities. They provide advice and assessments on operational and strategic matters to assist staff to make informed decisions about the management of prisoners and other safety and security issues.

Following a number of high profile, organised crime-related incidents in the community and subsequent arrests by state and federal law enforcement this year, Intelligence Services has been instrumental in providing key risk management advice to assist operational decision makers across the custodial estate and in disrupting adverse activity in our facilities and in the community.

Intelligence Services has also made important contributions to the operations of the Western Australia Police Force in these matters, including responses after hours to provide immediate support to active investigations.

FOCUS

Keeping drugs out of prisons

On 15 December 2020, staff and guest photographers set out at 6am to capture an ordinary day in the life of Corrective Services. They documented the dedication and commitment of staff working in complex, challenging environments.

In this image, a Drug Detection Officer and her dog conduct a search at Bunbury Regional Prison.

Officers and drug detection dogs play an integral role in keeping drugs and other contraband out of Western Australia's prisons.

They are involved in prison searches, mail scans and are deployed during prisoner social visits.



Training and development

The Corrective Services Academy (Academy) is a registered training organisation that is responsible for the identification and delivery of learning and professional development for all Corrective Services staff.

The Academy delivered foundation training programs for frontline operational staff including training for 149 Prison Officers, 11 Special Operations Group Officers, 23 Youth Justice Officers, 31 Youth Custodial Officers, 39 Adult Community Corrections Officers, 36 Vocational Support Officers and 23 Assistant Senior Officers across the State.

The Academy also provided ongoing operational governance and compliance training for Corrective Services staff in the areas of safety and security, occupational first aid and fire and emergency.

A Leadership Development Framework is currently being developed. Consisting of a range of programs and academic activities, the framework will help cultivate new leaders and encourage established leaders to continue honing

their leadership skills. It will align with the Public Sector Commission Expectations Framework.

The Academy led a number of training design initiatives in support of key reform projects including the General Court Intervention Program to provide early intervention and priority access to community programs and services to people appearing in the Perth Magistrates Court.

In addition, the Academy led the design and development of a contemporary Working With Female Offenders online training course to reflect current best practice and to enable greater accessibility for staff across the State.

Throughout the year, seven Corrective Services staff undertook the Graduate Certificate in Business (Executive Leadership and Management) Program through Murdoch University, coordinated by the Department of Fire and Emergency Services. This is the third year Corrective Services staff have participated in the program.

Operational Projects, Policy, Compliance and Contracts

The Strategic Corrections Projects branch manages a range of key projects in the Corrective Services portfolio. During the year the third phase of the Casuarina Prison Expansion Project commenced which will increase the prison operational capacity by a further 344 beds and includes the development of a number of specialised statewide support facilities. A key project to consolidate all Commissioner Operational Policies and Procedures (COPPs) was progressed with 80 of the 128 policies and procedures now implemented; and 216 local prison procedures implemented to operationalise the COPPs. Implementation of the remaining policies, procedures and local prison procedures are scheduled to occur by 31 December 2021.

The Corrective Services Compliance Framework was also reviewed to make improvements to analytical reporting, trend analysis, and continual improvement initiatives. The revised framework will also enable better tracking of the division's compliance activities. In 2020/21, the branch completed on-site compliance reviews of 13 public prisons and three regional courts. Systematic on-site compliance reviews were also completed at Banksia Hill Detention Centre, contracted court security and custodial services and at Acacia, the State's only privately managed prison. In addition, the branch supported the dedicated COVID-19 Taskforce by deploying staff to perform essential assurance activities.

The Administration of Complaints Compliments and Suggestions (ACCESS) branch is a dedicated service within Corrective Services that receives and manages contact from prisoners, detainees, offenders and members of the public. ACCESS received and managed 3,557 matters with a view to supporting continuous improvement in service delivery which was a nine per cent decrease from the matters received and managed in 2019/20 (3,933).

The Operational Contracts branch continued to be responsible for the contract management and oversight of prison services, and the Court Security and Custodial Services Contract. In December 2020 the Acacia Prison Retender Project was completed when a replacement contract with Serco Australia Pty Ltd was executed and commenced in May 2021.

The Court Security and Custodial Services Contract provides movement services for adults in custody across Western Australia and Court Security and Court Custody Services for outer metropolitan and major regional court locations. In 2021 the Operational Contracts branch commenced a mid-term review on the contract to inform a decision on whether to exercise an extension option. The review has been completed and is currently under consideration.

Assurance Planning and Performance

To improve functional operational synergies, the Assurance, Planning and Performance Branch was moved under the Operational Support Directorate in December 2020. The branch provides guidance across Corrective Services to assist in the delivery of operational planning, performance monitoring and reporting, and risk assurance and management services.

This year the branch developed a new operational risk management framework better able to take into account the specific risks of each custodial site. The branch supported the establishment of local Risk Management Committees across the custodial estate, including Banksia Hill Detention Centre, to ensure local sites are better placed to mitigate and respond to risk.

A number of external information requests for different inspections and reviews by the Office of the Inspector of Custodial Services, the Corruption and Crime Commission, Office of the Auditor General and recommendations made by the Coroner were actioned with 16 external inspections and reviews undertaken by the Office of the Inspector of Custodial Services. This saw the management of 200 recommendations in this financial year, with 121 recommendations successfully closed, making a positive contribution to the delivery of key Corrective Services' priorities of community safety and rehabilitation.

COVID-19 Taskforce

The safe and continuous delivery of services during COVID-19 was a major priority for Corrective Services over the last financial year. Contingencies were put in place in all business areas to minimise the risk of infection and to ensure compliance with Government directives.

Contingencies were also implemented in custodial facilities to manage the impact of changes in business practices. This included restrictions on social visits and an increase in eVisits and subsidised prisoner phone calls to family.

In August 2020, the COVID-19 Incident Management Taskforce was revised, restructured and tasked to establish the operational framework required to ensure Corrective Services were positioned to manage the risks posed by COVID-19.

The Taskforce stepped up in late January 2021 and again in April and June 2021 in response to COVID-19 outbreaks in the Perth metropolitan area.

The Taskforce ensured persons in our custody, offenders being managed in the community, staff and stakeholders received consistent messaging on the status, changes to operational practices and the transition back to business as usual.



FOCUS 

Cultural diversity training

Cultural diversity training is an important aspect of the Entry Level Training Program curriculum at the Corrective Services Academy. Cultural trainer Brian Councillor talks to trainees from Class 230 about their role as future prison officers, dealing with the stress of the job and how to better understand the diverse backgrounds of the prisoners who will be in their care.

Court and Tribunal Services

Court and Tribunal Services administers more than 80 court and tribunal locations across Western Australia. Court and Tribunal Services is also responsible for managing boards, the Sheriff's Office and the Fines Enforcement Registry, as well as providing services to victims of crime.

Key achievements were:

- The Office of Criminal Injuries Compensation (OCIC) developing the Inclusion Program in partnership with the Aboriginal Justice Program. The Program provides opportunities for Aboriginal people to access and engage with OCIC services in a culturally respectful way. Through this Program, the OCIC provides face to face opportunities for Aboriginal people to experience a positive outcome following their experience as a victim of crime in Western Australia. The Program provides for an assessor and case manager to travel to Aboriginal communities to raise awareness of, and provide assistance with, the services provided by the OCIC. The Program was launched in October 2020 and the OCIC has participated in a number of open day sessions including visits to Laverton/Leonora, Warmun/Halls Creek, Roebourne, Kununurra/Kalumburu and Broome/Dampier Peninsula. Through the Program, the OCIC has assisted with the preparation of over 100 applications for compensation. The Program was recognised by the Department of Justice as a 2021 Reconciliation Award winner in the category of Reconciliation Project or Program.
- The Perth Children's Court, in partnership with key stakeholders, commencing a two year pilot offering a therapeutic approach for protection and care matters in the Children's Court of Western Australia. The pilot commenced in July 2020 and involves a separate list of cases in the Protection and Care jurisdiction, focusing on families in need. It aims to address the issues that cause families to come before the court in a holistic, therapeutic and culturally informed manner.
- The Magistrates Court preparing for the new initiative – 'shuttle conferencing' for objected Family Violence Restraining Order (FVRO) matters in July 2021 at the Magistrates Court, Perth. The Family Violence Legislation Reform Bill 2019 (FVLR Bill) delivered a package of reforms to increase protections for victims of family and domestic violence. The FVLR Bill resulted in amendments to various Acts including the *Restraining Orders Act 1997* which introduced provisions for a Registrar to convene a shuttle conference in relation to an application for a FVRO.
- Continuing development of the replacement of the Family Court's case management system and online divorce applications which is currently supported by the Federal Government; implementation of the Integrated Courts Management System into the Equal Opportunity Commission and the General Court Intervention Program; and enhancement of the eCourts program with a range of online functions and the expansion of eBench.
- Collaborating with Western Australia Police Force on a Memorandum of Understanding (MOU) for the delivery of Court Security and Custodial Services in Regional Western Australia. The MOU articulates service delivery levels in court locations where Police look after security and custodial services for all jurisdictions including Supreme, District and Magistrates Courts.
- Installing MS Teams in integrated AV courtrooms in both the State Administrative Tribunal and Supreme Court criminal (Stirling Gardens) and civil (David Malcolm Justice Centre) jurisdictions. In 2020 COVID-19 caused significant delays and cancellations in courts across jurisdictions. However, courts and tribunals quickly found a way to transform their work and switched from in-person hearings to a virtual environment. One obvious benefit of the virtual hearing was ensuring that a hearing could still proceed, even during a pandemic. In many cases, delaying a proceeding was simply not an option for the parties who needed a timely conclusion to their matter.
- High definition digital upgrades including a video conference upgrade occurred at a number of locations including 24 courtrooms in the Central Law Courts, eight courtrooms in the Supreme Court (Stirling Gardens) and eight remote regional Indigenous communities – Bidjardanga, Djarindjin, Looma, Warburton, Warakurna, Warmun, Jigalong and Blackstone.
- Installing additional video conference devices in the State Administrative Tribunal increasing the concurrent video conference capacity from eight to 10. Four additional video conference devices were installed in the Supreme Court in the David Malcolm Justice Centre, increasing the video conference capability to 11.

- The Supreme Court completing its pilot of electronic trials and adopting their use as a standard practice in its civil jurisdiction. In 2021, the use of electronic trials further expanded into the Court's criminal division.
- Allowing the public to access the usually restricted areas of the Supreme Court of Western Australia as part of the Heritage Perth Weekend in April 2021.

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, manslaughter and breaches of Commonwealth drug enforcement laws. The General Division also deals with civil matters of a complex nature, or where the amount involved in a dispute is more than \$750,000, as well as applications for injunctions and other forms of relief.

In addition, the General Division deals with probate matters (including disputes over Wills), admiralty issues (disputes involving ships), disputed elections and applications under the *Corporations Act 2001* (Cth).

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

Outcomes 2020/21

The Supreme Court has continued to deliver high quality services to the community in the following ways:

- finalised 2,235 civil cases and 68 criminal cases
- finalised 7,766 probate applications
- finalised 196 criminal appeals and 116 civil appeals
- managed 76 criminal cases in the Stirling Gardens Magistrates Court.

Impact due to COVID-19

The Supreme Court made every effort to continue to operate during COVID-19 restrictions. Some jury trials as well as four criminal trials before a judge alone were able to proceed in courtrooms where appropriate social distancing could be ensured.

Four civil trials proceeded with the express authorisation of the Chief Justice, based on the urgency of the matter and availability of resources. These trials were held in courtrooms where appropriate social distancing could be ensured. Civil trials which could not be conducted in this way were vacated and arrangements made for alternative hearing dates.

Family Court of Western Australia

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

Outcomes 2020/21

The Family Court continued to experience high demand for its services. The court received 16,786 applications, including:

- 2,716 initiating applications for final orders
- 4,737 interim order applications
- 6,178 divorce applications
- 2,958 consent order applications.

During COVID-19, the court put measures in place to ensure matters continued to be heard, including, but not limited to, the promotion of eLodgment and the use of telephone attendances.

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

Despite the challenges of COVID-19, the Tribunal continued to operate. Hearings, directions and mediations were conducted via video, audio conferences or, in some exceptional circumstances, people attended in person but maintained social distancing. There was a change in the demand for technology during this period, to provide a service delivered from a hearing room to an office or home, which now continues to be the standard expected.

Outcomes 2020/21

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 nine weeks, the target being 15 weeks.

Eighty per cent of guardianship and administration matters were finalised within 11 weeks which is the same as the previous year.

Overall, the Tribunal received 7,560 applications, an increase of six per cent on 2019/20.

Key application trends included:

- A three per cent increase in guardianship and administration applications, with 5,061 applications that accounted for 67 per cent of the applications received by the Tribunal.
- Commercial tenancies COVID-19 response applications increased from five in 2019/20 to 175 this reporting period, largely due to COVID-19 and the consequences of government response measures to provide urgent relief for commercial tenants. This legislation was introduced to assist lessees during the declared emergency periods of COVID-19.
- A 20 per cent increase in strata titles matters as legislative amendments became better known by the sector.
- A 77 per cent increase in applications under the Planning and Development (Local Planning Schemes) Regulations 2014 due to the government response to COVID-19 by 'cutting-red-tape' at local government level for planning approval for small residential projects. This was partly done to stimulate the economy in time of COVID-19 to create employment opportunities and industry growth.
- An 83 per cent increase in *Mental Health Act 2014* matters is reflective of the health issues generally in the community.
- An 19 per cent decrease in vocational regulation applications overall, as the result of a decrease in applications under the *Health Practitioners Regulation National Law (WA) Act 2010* (43 per cent reduction), *Security and Related Activities (Control) Act 1996* (34 per cent reduction), and *Teacher Registration Act 2012* (90 per cent reduction).

District Court

The District Court deals with serious criminal offences that must be tried before a judge and jury or judge alone. The court deals with offences such as robbery, assault with intent to commit robbery, criminal damage, serious assaults, sex assaults, serious fraud and commercial theft, burglary and drug offences.

In its civil jurisdiction, the court deals with commercial and debt recovery matters involving claims up to \$750,000. It has unlimited jurisdiction in claims for damages for personal injuries.

The District Court also has an appellate jurisdiction for civil matters.

Eight Judges have subsequently been appointed to the District Court this year. An Auxiliary Judge was also appointed in November 2020 for one year to assist with the backlog of COVID-19 vacated Children's Court matters.

Outcomes 2020/21

The criminal median time to trial in the District Court was 54 weeks (22 weeks above the budget target of 32 weeks). During 2020/21 the court had:

- 2,680 criminal cases lodged
- 2,512 criminal cases finalised
- 5,237 civil cases lodged, 97 of which were appeals from lower courts
- 5,276 civil cases finalised, 74 of which were appeals from lower courts
- 458 criminal cases and 52 civil cases finalised by trial.

Impact due to COVID-19

All trials vacated in 2020 as a result of COVID-19 and have since been relisted.

The court continued to operate during COVID-19 restrictions. Appropriate social distancing was put in place for any matters heard during this time.

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 70 locations across the State. All criminal charges against adults begin in the Magistrates Court. All simple offences and most 'either way' offences are disposed of in the Magistrates Court by plea or hearing.

Strictly indictable matters and some 'either way' offences are processed in the Magistrates Court before being committed to the District or Supreme Court. The Magistrates Court also deals with civil matters for claims up to \$75,000, as well as the disposal of uncollected goods, dividing fences, restraining orders and extraordinary licence applications.

Outcomes 2020/21

In response to COVID-19, the Magistrates Court put in place significant measures to actively reduce the number of court users appearing in person at Magistrates Court facilities across the State while still delivering a vital justice service to the wider Western Australian community. The impact of COVID-19 on all Magistrates Court outcomes continues to be monitored to ensure resources meet any future demand on services.

From 1 March 2021, the lodgment of civil documents electronically using the Magistrates Court eCourts Portal was mandated by the Chief Magistrate. This coincided with the Magistrates Court moving to an electronic file for all civil matters.

The Magistrates Court had more than 79,759 criminal case lodgments, a 10 per cent (9,037 cases) decrease from 2019/20. This was driven primarily by decreases in lodgments of theft and related offence, public order offences, unlawful entry/burglary offences, fraud/deception offences, prohibited weapons offences and robbery/extortion offences. During the same period, criminal charge lodgments decreased by 10 per cent; charges per case remained high at 2.0 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 18 per cent decrease in civil lodgments from 2019/20. This is due to a number of factors, including a 34 per cent decrease in residential tenancy matters as a result of the introduction of the *Residential Tenancies (COVID-19 Response) Act 2020*, which implemented the decision of National Cabinet to place a moratorium on evictions in response to COVID-19. In addition, the introduction of mandatory conciliation for residential tenancy disputes arising out of the economic effects of COVID-19 has resulted

in a significant decrease to the number of residential tenancy cases lodged with the Magistrates Court. In addition, there has been a 34 per cent decrease in the number of Minor Case Procedure Claims and a 33 per cent decrease in General Procedure Claims.

Lodgment of restraining order applications remained static over the same period and extraordinary licence applications increased by 12 per cent.

The median time to trial for criminal and civil trials in the Magistrates Court was 24 weeks, above the budget target of 19 weeks. Contributing to the time to trial outcome is the shift in the mix of offence types listed for trial as evidenced by the reduction in traffic offences and an increasing trend in the number of assault and burglary trials, which are more complex in nature than traffic related trials.

In addition, time to trial result has been impacted by an increase in the proportion of overall matters proceeding to trial and an increase in the number of multi day trials heard reflecting the greater complexity of matters before the court. Further impacting the result was COVID-19 lockdowns where trials have been delayed as well as counsel and witnesses being unable to travel from interstate due to border closures.

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 2020/21 State Budget process saw the adult and children's mental health diversion programs gain recurrent funding.

The Mental Health Court Diversion and Support Program provides a tailored response for individuals whose offending is linked to mental illness. Program participants are supervised by a court while they receive holistic treatment and support that address 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. It is also aimed at improving community safety.

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, the Western Australia Police Force and the Department of Health – State Forensic Mental Health Services. Outcare, a non-government organisation and a private psychologist also provide services to the program.

The adult component of the program, 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 2020/21

There were 290 referrals to the Start Court. There were 142 referrals to the Start Court Clinical Team for assessment (Phase One). There were 94 people placed on Phase Two of the Start Court program.

The Links Clinical Assessment Team provided advice, assessment or assistance in 320 cases, (27 case managed by Links team), compared with 593 in 2019/20. Of the 27 case managed clients, 85 per cent (23) were substance users (cannabis, alcohol and methamphetamine).

The decrease in numbers is a direct result of COVID-19 restrictions, where people were unable to attend in person.

Perth Drug Court and Diversion Programs

The Perth Drug Court celebrated its 20-year anniversary in December 2020.

The Court diverts serious offenders who have significant 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. January 2021 saw a new Alcohol and Other Drug (AOD) Diversion program rolled out to courts across the State.

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 have been 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 2020/21

A total of 822 offenders throughout the State gained access to a diversion program, including the Drug Court, compared to 913 in 2019/20.

FOCUS

Perth Drug Court's 20-year anniversary



Magistrate Janelle Scutt (left) and Her Honour Chief Judge Julie Wager, with a painting by a resident of Wandoo Rehabilitation Prison commissioned to mark the Perth Drug Court's 20-year anniversary.

The Perth Drug Court was established as part of a range of strategies intended to promote a coordinated and relevant approach to the difficulties created within the community as a result of illicit drug use. The Perth Drug Court deals with offenders who have committed offences and have drug related problems. The court aims to reduce re-offending and imprisonment by addressing drug related problems in an innovative and culturally appropriate way.



Artist's Statement

The bird in this painting is ready to grab hold of a new way of living. The blue dotted curls in the background represent a calm soft wind blowing. And the dot work at the bottom is my family signature.

Perth Intellectual Disability Diversion Program (IDDP) Court

The Intellectual Disability Diversion Program (IDDP) Court seeks to reduce the number of individuals in the adult criminal justice system who may have one or more of the following diagnoses:

- Intellectual Disability
- Cognitive Disability
- Autism Spectrum Disorder.

The court aims to work with individuals living in the community to:

- Reduce their future contact with the criminal justice system and thereby improve community safety.
- Increase their access to positive behaviour support with a focus on skill building and goal setting.
- Identify undiagnosed disability or impairment as well as physical and/or mental health issues.
- Achieve an outcome relating to their criminal charge(s) that is proportionate, fair, considers the interests of the victim of the offence, if any, and is appropriate to the circumstances of the accused's offence and their disability or impairment.

Outcomes 2020/21

There were 134 referrals to the IDDP Court with 235 individuals case managed by the Adult Community Corrections IDDP Team.

General Court Intervention Program

The General Court Intervention Program (GCIP) commenced as a pilot in the Perth Magistrates Court in October 2020. GCIP is a voluntary program for people on bail. It provides case management and priority access to community programs and services at the earliest opportunity, to address identified needs that may contribute to offending behaviours.

Palmerston Association in partnership with Wungening Aboriginal Corporation have been contracted to provide community programs and services through Connect Wanju, a program tailored specifically for GCIP participants.

Family Violence List

The Family Violence List is available for criminal matters which have been identified as family violence matters in the Magistrates Court of Western Australia at Armadale, Fremantle, Joondalup, Midland, Perth and Rockingham. At present, Armadale currently does not have a designated list, however the features of the Family Violence List model remain available. A key feature is a collaborative and integrated response from stakeholders which is supported by a Memorandum of Understanding and interagency collaboration between Government departments including the Department of Communities, Western Australia Police Force and the Department of Justice.

Barndimalgu Aboriginal Family Violence Court

There is also an Aboriginal Family Violence Court in Geraldton, Barndimalgu, which is the only one of its kind in Western Australia. Barndimalgu provides a culturally appropriate court-based model that meets the needs of the Geraldton Aboriginal community in reducing family and domestic violence. In 2021/22, the Department will progress the development of a second Aboriginal family violence court in Broome.

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 also hears protection and care and restraining order applications involving children under the age of 18 years. The Perth Children's Court also delivers diversion programs including a Children's Drug Court, which aims to divert young people who are experiencing drug-related problems into intensive case management and treatment.

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 and offer alternative sentencing options for those whose offences are the result of mental illness. A pilot therapeutic protection and care court has convened since July 2020 in the Perth Children's Court. Forty one families have participated in the Pilot List with, at 30 June 2021, 24 families active in the Pilot List.

Overall, 67 parents have participated in the Pilot List, with 23 per cent (16) coming from a background in care themselves. Family violence was identified as an issue in 63 per cent (26) of cases, 15 per cent (six) were assessed as involving extreme violence. Seventeen per cent of families (seven) have achieved reunification.

Outcomes 2020/21

- Finalisation of criminal cases decreased from 5,798 to 4,918 in 2019/20.
- Civil lodgments decreased from 2,041 to 1,994 in 2019/20.

Coroner's Court

The Coroner's Court investigated 2,942 cases where the death arose from apparent unnatural causes or when the cause of death was 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 comprehensive annual report on the deaths which have been investigated is provided each year to the Attorney General for tabling in State Parliament by the State Coroner under section 27 of the *Coroners Act 1996*.

This was the second year that the dedicated Computed Tomography (CT) scanner was fully functional at the State Mortuary at Sir Charles Gardner Hospital. There were 2,960 non-invasive scans performed this year, an increase of 819 (38 per cent) on last year. The CT scanner continues to ensure that fewer Western Australians need an invasive post-mortem examination, which is often resisted by families and also goes against some cultural beliefs.

Outcomes 2020/21

The Coroner's Court continued its focus on older backlog coronial cases. As at 30 June 2021 the backlog of coronial cases was 810, an increase of 313 backlog cases compared to 30 June 2020.

Of the 810 backlog cases:

- 81 were backlog inquest cases
- 627 were cases where no further finalisations were possible as at 30 June 2021 because the coroner was awaiting completion of aspects of the coronial investigation by external entities
- 102 were pending analysis before finalisation.

The court dealt with 2,942 reportable deaths, in addition to 1,425 death certificates, and finalised a total of 1,994 matters. The Coroner's Court sat for 71 days and finalised 57 inquest cases. Last year's results were impacted by the 44 long term Missing Persons cases referred to the Coroner's Court from the Western Australia Police Force. Each Missing Persons case was treated as an inquest and consisted of approximately one sitting day.

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 (PRB) is an independent statutory authority that is administered by the Department. The PRB considers whether prisoners are eligible for release from custody, sets or varies conditions of release and considers applications for the suspension and/or cancellation of orders. During the year the PRB held 602 meetings, compared with 620 from the previous year.

The PRB also determines whether to impose a Post-Sentence Supervision Order upon liable offenders.

The PRB made 1,648 orders to release offenders on discretionary parole which is a decrease of 13 per cent compared to 2019/20. Parole was suspended or cancelled on 331 occasions.

A comprehensive annual report for the PRB is provided each year to the Attorney General for State Parliament by the Chairperson under section 112 of the *Sentence Administration Act 2003*.

Mentally Impaired Accused Review Board

The Mentally Impaired Accused Review Board (MIARB) is an independent statutory authority administered by the Department. The MIARB 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.

The MIARB held 37 meetings. Pursuant to section 33 of the *Criminal Law (Mentally Impaired Accused) Act 1996*, the MIARB is required to provide the Attorney General with a written report about an accused at least once in every year. The MIARB prepared 64 statutory reports.

A comprehensive annual report for the MIARB is provided each year to the Attorney General for Parliament by the Chairperson under section 48 of the *Criminal Law (Mentally Impaired Accused) Act 1996*.

Supervised Release Review Board

The Supervised Release Review Board (SRRB) is an independent statutory authority administered by the Department.

SRRB is created under the *Young Offenders Act 1994*, and is responsible for determining the suitability of juvenile offenders (young offenders) for release from detention into the community on a Supervised Release Order and to impose the conditions of that Order. The Board met 52 times.

A comprehensive annual report for the SRRB is provided each year to the Minister for Corrective Services for Parliament by the Chairperson under section 165 of the *Young Offenders Act 1994* (WA).

Gender Reassignment Board

The Gender Reassignment Board (GRB) considers applications from people wishing to have their gender reassigned and issues gender recognition certificates, in accordance with the *Gender Reassignment Act 2000*. GRB received 52 applications, an increase of 10 compared with the previous year.

Criminal Injuries Compensation

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

Outcomes 2020/21

The number of criminal injuries compensation applications accepted this year increased by 55 per cent from 3,615 in 2019/20 to 5,612.

Finalisations increased by 76 per cent on last year from 3,173 finalisations in 2019/20 to 5,593 finalisations.

A total of \$78 million was awarded to victims of crime. To assist in compensating the State for this cost, a total of \$2.076 million was recovered from offenders, 23 per cent more than the previous year.

A comprehensive annual report on the operations of the Office of Criminal Injuries Compensation is provided each year to the Attorney General for State Parliament by the Chief Assessor under section 62 of the *Criminal Injuries Compensation Act 2003*.

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 witnessing of documents. The Department has responsibility for supporting and training Western Australian Justices of the Peace (JPs).

Outcomes 2020/21

This year the Department continued to provide training opportunities for the State's 2,256 JPs.

A total of 23 training sessions were conducted: seven in the metropolitan area, four in regional or country locations and 12 online modules. A total of 403 JPs participated in approved Departmental training sessions.

On 30 June 2020, the Chief Magistrate of Western Australia issued a Practice Direction advising that JPs would no longer perform judicial duties, which took effect on 1 August 2020. Magistrates Courts will only be constituted by legally qualified Magistrates.

Court Counselling and Support Services

Court Counselling and Support Services provide a range of services to people involved in the court system. This includes victims of crime, child witnesses, family violence victims, and adults and children involved in Family Court of Western Australia's parenting matters.

Victim Support Service

The Victim Support Service (VSS) offers a range of specialist services to help victims of crime with their contact with the criminal justice system and to assist them in their recovery from trauma. The provision of this service often requires intensive case management and support to victims of crime.

These services are provided in a variety of ways; by telephone, video, email, and in person. 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 prosecution agencies with assessment reports to support applications to the court for vulnerable witnesses to provide their evidence via CCTV.

VSS is based in the Perth metropolitan area. In addition, support services are also available to victims of crime in regional locations by the Victim Support and Child Witness Service (VSCWS).

Outcomes 2020/21

The following includes details about victim support services delivered by both VSS in the Perth metropolitan area and VSCWS in regional locations.

There were 13,233 referrals for victim support, compared to 12,602 the previous year (a five per cent increase). Offer of service letters were sent to all referred clients.

Support and case management is provided to victims of crime who voluntarily request assistance. This assistance was provided to 8,503 people, compared with 8,171 in 2019/20.

Child Witness Service

The Child Witness Service (CWS) provides services to children who give evidence in all criminal jurisdictions. It provides an 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.

CWS 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 who give 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 possible to the court.

CWS is based in the Perth metropolitan area. In addition, support services are also available to child witnesses in regional locations by VSCWS.

Outcomes 2020/21

The following includes details about victim support services delivered from both CWS in the Perth metropolitan area and VSCWS in regional locations.

There were 1,186 new child witness referrals, compared with 1,097 in the previous financial year (an eight per cent increase). Offer of service letters and follow up support were provided to all referrals.

Sixty per cent of child witness clients were aged between 13 and 17 years.

Family Violence Service

The Family Violence Service (FVS) provides services to victims of family violence in the Magistrates Court of Western Australia at Armadale, Fremantle, Joondalup, Midland, Perth and Rockingham. This includes providing support to family violence victims who are making an application for a restraining order and/or are involved in a Family Violence List criminal matter. The service also provides support to judicial officers in the Family Violence List through the provision of bail risk assessment reports.

Outcomes 2020/21

There were 4,613 new referrals compared with 3,916 in the previous financial year, an 18 per cent increase.

Family Court Counselling and Consultancy Service

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

Outcomes 2020/21

FCCCS received 1,221 new referrals, compared with 1,465 the previous year, a 17 per cent decrease. This is most likely due to the impact of COVID-19 on service delivery availability.

Court Security

The Court Risk Assessment Directorate (CRAD) operates within a security risk management framework. Staff conduct regular security reviews of courthouses to ensure their security arrangements meet the required standards. During the past year CRAD has been responsible for planning and coordinating a number of security plans for high risk matters. The security planning of trials involving serious offences and multiple accused persons remains a core feature of CRAD's workload.

Key objectives during the year included:

- Designing a new incident management system that is responsive in meeting the Department's needs. The system will enhance deployment options and improve coordination of incidents and operational engagement with other responders.
- Undertaking security technology upgrades at a number of metropolitan and regional courthouses. All minor work programs were completed within agreed timeframes.
- Leading and coordinating Court and Tribunal Services' response to COVID-19. Planning and coordination of jury trials ensured an advanced state of preparedness was maintained.

In addition, CRAD was instrumental in the design, drafting and implementation of a new Memorandum of Understanding (MOU) between the Department and the Western Australia Police Force. The MOU provides each department with an operating framework for the delivery of court security and custodial services.

Sheriff of Western Australia

The Sheriff of Western Australia is responsible to the courts for the statewide 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 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 Enforcement

The Civil Enforcement Team is responsible for the service of processes and enforcement of orders and warrants issued by the courts from civil proceedings and for the service of witness summonses on behalf of the Office of the Director of Public Prosecutions. These services are provided directly by the Sheriff's Office in the Perth metropolitan region for District and Supreme Court matters and through a network of bailiffs appointed by the Sheriff for Magistrates Court matters across the State, with the bulk of that work undertaken by Baycorp (WA) Pty Ltd under contract with the department.

Outcomes 2020/21

In this financial year 9,960 documents, orders, warrants and summonses were received for service compared to 12,705 for the previous year. Of these processes, the number of Property Seizure and Delivery Orders decreased by a further 54 per cent as a result of the moratorium imposed on residential evictions by the State Government in response to COVID-19. The moratorium expired on 28 March 2021.

The number of Property Seizure and Sale Orders also decreased significantly, by 38 per cent, as some judgment creditors appeared to abandon or delay the enforcement of debts owed to them.

Fines Enforcement Registry

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

The passing of amendments to the *Fines, Penalties and Infringement Notices Enforcement Act 1994* (FPINE Act) introduced a number of changes to the ways in which outstanding fines and infringements can be enforced or satisfied by FER. Those changes included the cessation of driver licence suspension orders being issued for clients in regional and remote areas of the state; the introduction of voluntary Work and Development Permits; and the removal of the FER Registrar's authority to imprison clients for non-payment. This authority now rests with Magistrates upon application by the Registrar.

Work and Development Permit Scheme

The Work and Development Permit (WDP) Scheme came into effect on 30 September 2020. A person in hardship can now apply for a WDP under the supervision of an approved sponsor to reduce their court fines with the following activities:

- Unpaid work
- Medical or mental health treatment
- Educational, vocational or personal development course
- Treatment for a drug or alcohol problem
- Mentoring for persons under 25 years.

The WDP Scheme is being delivered by the Department in partnership with the Aboriginal Legal Service of Western Australia Inc (ALSWA) and Legal Aid Western Australia.

As the WDP Scheme is a sponsor driven program, ALSWA and Legal Aid Western Australia are actively recruiting and supporting individuals and organisations to become sponsors as well as directing eligible clients to sponsors who can support them in a WDP.

Highlights and milestones of the scheme up until 30 June 2021 are:

- 96 organisations and individuals signed up as sponsors
- 365 work and development permits issued to 336 individual clients
- 112 work and development permits completed
- \$366,451 of court fines expiated.

Outcomes 2020/21

The number of court fines lodged with FER decreased by eight per cent from 72,587 to 67,073. The number of infringements lodged decreased by 12 per cent from 309,799 to 271,132. Overall, the number of lodgments decreased by 12 per cent in comparison with 2019/20 while completions increased by four per cent.

FER collected \$127 million, one per cent more than the previous year.

Criminal Enforcement

The Sheriff's Office criminal enforcement work consists of the execution of enforcement warrants issued to the Sheriff by the Registrar of FER. This occurs when FER has not been able to recover outstanding fine or infringement amounts.

This work is performed through the Sheriff's Office Criminal Enforcement Team, regional Sheriff Community Development Officers and Baycorp (WA) Pty Ltd under contract with the Department.

The number of enforcement warrants received increased by three per cent to 92,847 as a result of amendments to the FPINE Act enabling warrants to be issued for any registered infringement irrespective of its value. Previously, enforcement warrants could only be issued where the accumulated value of registered infringements for an individual was \$2,000 or greater.

The amendments to the FPINE Act also provided the Sheriff with powers to garnish funds from a debtor's bank account or employer payments. System development work to facilitate the use of these powers commenced during the year for implementation in the first quarter of 2021/22. The Sheriff did not issue any garnishee orders during 2020/21.

Outcomes 2020/21

There was a total of \$25.1 million in collections for 2020/21 compared with \$23.88 million in 2019/20. These amounts are included in the total collections reported above for FER.

These figures are greater than those reported in 2019/20 as they include all enforcement warrant collections by the Sheriff's Office Criminal Enforcement Team, regional Community Development Sheriff Officers and Baycorp. The figures reported in 2019/20 only included collections by the Sheriff's Office Criminal Enforcement Team.

Jury Services

The core function of Jury Services is to provide sufficient jurors for 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 and understanding their civic responsibilities as jurors.

Outcomes 2020/21

During this financial year 43,960 people were summoned for possible selection on 779 scheduled trials, of which 19,704 people attended and 520 jury trials commenced.

Audio visual systems

Audio visual (AV) systems in Western Australian courts and tribunals provide interactive and real-time video and audio links between local, regional and remote sites.

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, youth detention and remand centres as well as some police stations and mining registries.

AV systems 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 the Supreme Court Stirling Gardens building. 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.

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, cost effective and faster.

Outcomes 2020/21

There were 38,363 video link appearances between courts and prisons. Total court appearances by persons in custody were 43,446 of which 88 per cent appeared by video conference. The Department continued to expand and enhance its court AV facilities to meet demand.

Key project activities included:

- The installation of MS Teams in integrated AV courtrooms in the State Administrative Tribunal (seven hearing rooms), the Supreme Court Stirling Gardens (two criminal courtrooms) and David Malcolm Justice Centre (six civil court/hearing rooms).

- High definition digital video upgrades including a video conference upgrade has occurred at the following locations:
 - 24 courtrooms in the Central Law Courts Building.
 - Eight courtrooms at the Supreme Court Stirling Gardens.
 - Upgraded integrated courts at eight remote regional Indigenous communities – Bidyadanga, Djarindjin, Looma, Warburton, Warakurna, Warmun, Jigalong and Blackstone.
 - Two courtrooms and a remote witness room at the Mandurah, Carnarvon and Kununurra Courts.
- Installed two additional video conference devices in the State Administrative Tribunal increasing the concurrent video conference capacity from eight to 10. Four additional video conference devices have also been installed in the David Malcolm Justice Centre provided to the Supreme Court with increased concurrent video conference capacity from seven to 11.
- Establishment of an AV asset tracking system.
- Upgrade of more than 80 court audio recording devices.

eCourts

The Integrated Courts Management System (ICMS) provides a consistent approach across all jurisdictions, enables efficient transfer of matters between jurisdictions and locations and facilitates a fully electronic court. The primary focus is the replacement of 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 effectively transfer information across the whole justice system. Since the establishment of the eCourts Plan, almost all courts legacy systems have been replaced with the ICMS. Only Jury Management remains.

This year the focus has been continued development to replace the Family Court's case management system and online divorce applications which is currently supported by the federal government, enhancement of the eCourts portal with a range of online functions and the expansion of eBench.

Outcomes 2020/21

The functionality delivered included:

- Family Court – continued development for the transition from Casetrack and the Commonwealth Courts Portal (Federal IT systems).
- General Court Intervention Program (GCIP) – minor modifications to ICMS for the needs of the GCIP.
- Enhanced functionality delivered on the eCourts Portal included:
 - Guardianship and Administration online processes improved with the introduction of a software wizard to assist in completing applications.
 - Court of Appeal enhancements to enable civil matters to be eLodged.
 - Magistrates Court enhancements to enable the eLodgment of all criminal matters.
 - Ability to lodge remaining restraining orders and extraordinary licence applications online.
 - Ability to lodge Financial Hardship applications online and eDistribute all Protection and Care related orders and notices.
 - Functionality to support Work and Development Permits (WDP), along with amendments to existing notices and licence suspension functionality to exclude those in remote areas.
 - Amendments to WDP functionality; new notices; new enforcement warrant warnings; the ability to record hardship applications; and the ability for an organisation to apply for a time-to-pay online.
 - Work has commenced on remaining requirements for Warrant of Commitment Inquiry and Garnishee orders.

Library and Information Services

The Library and Information Services Branch operates as part of the Higher Courts Directorate of Court and Tribunal Services where it has continued to support the work of the judiciary, government legal officers and legal practitioners outside of the Department.

The Law Library Advisory Committee continued to provide professional oversight of the Law Library collection and services. 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, the Legal Practice Board of Western Australia and the Department.

Contracts with the three major suppliers of legal materials (Lexis Nexis, Thomson Reuters and CCH) are in place until June 2022. In addition to the Law Library, these contracts cover all courts and legal areas including the Office of the Director of Public Prosecutions, the Corruption and Crime

Commission and the Public Trustee. The contracts provide electronic as well as hardcopy publications. Electronic publications are delivered to the desktops of all judicial and legal officers and are available to the legal profession at kiosks located in the Law Library.

Following the move of the Symphony Library Management System into the cloud and the implementation of a new and modern interface for library services, Enterprise software has been used to develop Practice Areas for the Library Portal. These Practice Areas provide library clients with comprehensive guides to 27 key legal topics making it easier to find and navigate relevant legislation, case law,

commentary, textbooks, journals, alerting services and reference materials.

The Law Library remained open during COVID-19 and continued to provide research support from electronic resources and hardcopy collections. Library staff have also facilitated access to databases for clients working from home.

Continuing Professional Development training sessions provided by Lexis Nexis and Thomson Reuters have been hosted by the Law Library throughout the year although most participants attended remotely. Further training initiatives include the development of research training modules by library staff.



FOCUS 

Supreme Court Open Day

The public could access the usually restricted areas of the Supreme Court of Western Australia as part of the Heritage Perth Weekend in April 2021.

People could take a self-guided tour of the 118 year old heritage building, participate in educational activities and view historical items.

One significant display was the exhibition containing historic trial audio and photos from the 1963 murder trial of serial killer Eric Edgar Cooke. This was the first time these items were made available for the public to listen to and view.

Office of the Commissioner for Victims of Crime

The Office of the Commissioner for Victims of Crime advocates on behalf of victims to give them a greater voice in how they are treated across Government, and to ensure they receive the support they deserve.

The Office's key priorities are to:

- Ensure the Office's services are available to all Western Australians, wherever they live, and whatever their age, ability or disability, gender, sexuality, cultural background or personal circumstances.
- Advocate for and encourage good practice in the treatment of victims across Government.
- Provide a mechanism for victims to lodge complaints about Government services.
- Advise on the preparation of criminal injuries compensation claims and victim impact statements.
- Work with victims to prepare submissions to the Supreme Court regarding Dangerous Sex Offenders.
- Manage the operation of the National Redress Scheme for Government agencies.
- Develop, examine and comment on legislation affecting victims of crime.
- Driving the implementation of further measures under the *Family Violence Legislation Reform Act 2020*, including the development of shuttle family violence conferencing, the electronic monitoring of recidivist family violence offenders and creating a specific criminal offence of non-fatal strangulation or suffocation.
- Advertising and recruitment of community members to reconstitute the Victims of Crime Reference Group. The group represents the Western Australian community, specifically victims of crime, and reports to the Attorney General. The group comprises male and female representatives, Aboriginal and culturally diverse members, direct and indirect victims of crime and those from the metropolitan area and regions.
- Continued payment of funeral expenses for homicide victims through the Homicide Funeral Assistance Scheme.
- Taking over the responsibility and coordination of biological and forensic cleaning of houses where a victim has been killed in their own home.

Key achievements were:

- Continuing to provide advice, advocacy and practical support directly to victims of crime, as well as playing a key role in rolling out government reforms.
- Providing key services and advice during COVID-19 lockdowns which was achieved through the creation of a flexible operating model.
- Continued coordination of Western Australia's ever-increasing participation in the National Redress Scheme, advocating particularly this year for the former child migrants of Fairbridge Farm School, for whom the State and Commonwealth Governments have now agreed to provide full access to the redress scheme.

Appointment of Commissioner

Ms Kati Kraszlan was appointed as Commissioner for Victims of Crime this financial year.

With a permanent Commissioner in place, the Office continues to work effectively with Government, agency stakeholders and the general public to safeguard the interests of victims now and in the future. The Commissioner is a member of the National Victims of Crime working group.

Continuity of service during COVID-19

This financial year, the Office continued to develop a flexible operating structure whereby the Office can mobilise staff quickly when a lockdown is announced, using staggered work rosters and offsite operations to continue providing services to victims, Government and the wider community during COVID-19 lockdowns.

Leading the National Redress Scheme in Western Australia

A large increase in the number of Western Australians receiving National Redress payments, and a much greater dollar amount awarded per person, has been one of the most significant issues the Office has managed this financial year.

On 1 January 2019, Western Australia joined the National Redress Scheme for survivors of institutional child sexual abuse, which was established in response to recommendations from the Royal Commission. The aim of the scheme is to provide an opportunity for survivors to seek redress via an easier and more supportive avenue than civil litigation through the courts.

The scheme is operated by the Commonwealth Government and provides support to survivors through counselling, a direct personal response from the responsible institution and a redress payment.

The Redress Coordination Unit within the Office leads Western Australia's participation in the scheme and coordinates requests for information from the Commonwealth Government for applications relating to Western Australian Government institutions.

In 2020/21 the Unit processed 1,399 requests for information for 626 applicants. Redress and counselling payments totalling \$40,035,036 were accepted by 614 applicants. The Unit also worked with survivors to facilitate direct personal responses from responsible institutions.

This compares with redress and counselling payments totalling \$10,425,923 being awarded to 192 applicants last financial year. The Office continued to play a key role in developing policies to ensure the effective and equitable operation of the scheme in Western Australia, with the Commissioner for Victims of Crime representing the State on the National Redress committee.

Complaint handling

The Office continues to administer an online complaints and feedback system for victims of crime, the first of its kind in the State. The system allows victims of crime to lodge a complaint form if they feel the guidelines for the treatment of victims of crime, as set out in the *Victims of Crime Act 1994*, have been breached. The Office liaises with other agencies to respond to complaints. This year the number of complaints fell from 19 last year to four. They related to decisions made by courts, and complaints directed against other State Government agencies. Although some of the complaints were not sustained, the information gathered as a result of each has been valuable.



Community outreach

During the 16 Days of Action against gender-based violence in November, the Office of the Commissioner for Victims of Crime organised a fundraiser to auction off custom-painted and donated skateboard decks.

This raised almost \$3,000, which Commissioner Kati Kraszlan presented to Ruah Community Services, which supports women who have experienced family violence.



Forensic cleaning – crime scenes in the home

The Office took over responsibility from the Western Australia Police Force for coordinating the biological and forensic cleaning of houses where a victim has been killed in their own home.

This service means that the property is thoroughly cleaned before being handed back to the victim's family – hopefully helping to reduce further trauma.

The Office went through a public tender process to contract a cleaning company to provide this service. This streamlined the process, ensuring cleaning can be carried out in a timely manner and providing value for money to the Government.

In 2020/21 the Office coordinated and paid for four properties to be cleaned after homicide, with an average cost of \$1,300.

Partnership between the Office, the Western Australia Police Force and housing authorities has ensured cleaning happens in a timely manner.

Expungement of historic homosexual convictions

The Office manages the process by which historical homosexual sex offences can be removed from those who had such offences on their records.

The Government introduced the historical homosexual conviction expungement scheme in 2018. The scheme is open to people with a conviction for a range of historical homosexual offences which related to consensual activity and which would not be illegal today.

The Commissioner presented on the scheme and on family violence as part of Pridefest 2020.

One application for expungement was assessed this financial year. The Office continues to examine ways to raise community awareness of the scheme. It will also continue to accept applications for expungements and recommend to the Director General regarding those applications.

Roll-out of family and domestic violence reforms

A comprehensive family violence law reform package to increase protections for victims was passed by the State Parliament last financial year.

The Office supported the rollout of new measures under the *Family Violence Legislation Reform Act 2020* this financial year, including the development of 'shuttle conferencing' in resolving contested family violence restraining order applications, the electronic tagging of frequent family violence offenders and creating a specific offence of non-fatal strangulation or suffocation.

Homicide Funeral Assistance Scheme

The Homicide Funeral Assistance Scheme was established in 2018 to cover the funeral costs of people who die as the result of homicide in Western Australia.

The scheme gives up to \$8,000 towards the cost of a funeral to eligible applicants, where the cause of the deaths of the deceased person was murder, manslaughter or unlawful assault causing death.

The scheme is funded through the Department's Criminal Property Confiscation Grants program.

Between 1 July 2020 and 30 June 2021, the Office made payments totalling \$162,379 for the funeral expenses of 22 homicide victims.

Community outreach and victim engagement

This year the Office continued to consult and work with a range of stakeholders from across Government, the non-Government sector, victims and their families.

The Office continued its work in community outreach and engagement. As well as daily contact with individual victims of crime, the Office held two free seminars for the public during Western Australia's Law Week in May.

The Office launched a new, more user-friendly website for victims of crime, presenting a scenario-based layout which allows people to more easily access the information they need.

Equal Opportunity Commission

The Equal Opportunity Commission works to make Western Australia free from discrimination and prejudice.

The *Equal Opportunity Act 1984* (the Act) provides that the Governor appoints the Commissioner for Equal Opportunity. The Commissioner is independent in performing the functions of the Commissioner as set out in the Act. These functions include:

- Investigating and attempting to conciliate complaints of unlawful discrimination.
- Delivering education and training to the community.
- Reporting on practices, policies, and legislation that may contravene the Act.

The Equal Opportunity Commission (EOC) was an independent agency until 1 December 2020 when a Machinery of Government (MOG) change took effect and the EOC became part of the Department of Justice. The MOG change was initiated at the request of the Commissioner for Equal Opportunity to improve access by the EOC to corporate services.

The financial statements of the EOC for the period 1 July 2020 to 30 November 2020 were reported in the final report of the EOC which was tabled in Parliament in February 2021. The financial statements for the EOC for the period 1 December 2020 to 30 June 2021, and the Key Performance Indicators for the EOC for the full financial year, are included in the Department's Annual Report. The Equal Opportunity Commission also provides a separate Annual Report to Parliament.

Key achievements were:

- Responding to more than 1,200 requests for information and advice on rights and responsibilities under the Act.
- Delivering 95 information sessions and complaint clinics to agencies, community members and organisations.
- Delivering 83 training sessions to organisations and businesses across the state about their obligations under the Act.
- Organising and participating in community events including the annual Isabelle Lake Memorial Lecture in collaboration with the University of Western Australia, and NAIDOC celebrations.
- Participating in the inaugural People with Disabilities WA conference to raise awareness about impairment discrimination in employment.
- Commencing a research project to look at the physical, attitudinal and policy barriers for users of gophers and other mobility devices.

Raising awareness about impairment discrimination in employment

Western Australian Equal Opportunity Commissioner Dr John Byrne spoke at the inaugural People with Disabilities conference about the significantly higher rates of unemployment for people with a disability. He noted that equal opportunity laws had been successful in achieving positive outcomes for people with a disability in the area of goods and services, but this had not been reflected in employment outcomes.



L-R Director NDIS Quality and Safeguards Commission Samantha Jenkinson, WA Commissioner for Equal Opportunity Dr John Byrne and Senator Jordon Steele-John.

FOCUS 

Office of the Public Advocate

The Office of the Public Advocate protects and promotes the human rights of vulnerable adults with a decision-making disability through the functions given to the Public Advocate under the *Guardianship and Administration Act 1990*.

A person’s ability to make reasoned decisions can be affected by an intellectual disability, a mental illness, an acquired brain injury or dementia. The Office works to protect a growing number of these vulnerable members of the community who may face the risk of exploitation, abuse and neglect, 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.

The Office’s key 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.

Key achievements were:

- Carrying out 2,242 investigations into the personal or financial welfare of adults with a decision-making disability, representing a 13 per cent increase in workload compared with the previous year.
- Managing 1,824 new referrals from the State Administrative Tribunal for investigations into the personal or financial welfare of adults with a decision-making disability, an 18 per cent increase from the previous year.
- Acting as guardian for a total of 2,771 people at 30 June 2021, a 13 per cent increase from 30 June 2020.
- Responding to new appointments by the State Administrative Tribunal as guardian of last resort for 730 people, compared with 717 in 2019/20.
- Delivering 17 community education seminars regarding the guardianship and administration system, the legislation and the planning documents available to people under the legislation.
- Responding to 5,238 enquiries from 3,552 people via our advisory service.

The community guardianship program, which 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, continued to provide an invaluable service. At 30 June 2021, there were 17 volunteers engaged in the program, 16 of whom were appointed as guardian for their represented person.

Reforms within the disability sector, brought about by the bilateral agreement to roll-out a nationally delivered National Disability Insurance Scheme (NDIS) in Western Australia, continued to have a significant impact on the demand for guardianship services in 2020/21. Historically, dementia accounted for the largest proportion of appointments of the Public Advocate as guardian, until the introduction of NDIS four years ago.

Dementia did not account for the largest proportion of appointments at 30 June 2021, with mental illness and intellectual disability each continuing to account for more appointments.

Profile of all guardianship orders appointing the Public Advocate by type of decision-making disability as at 30 June 2021

Type of decision-making disability	Number	Percentage
Acquired brain injury	418	15
Dementia	719	26
Intellectual disability	759	27
Mental illness	821	30
Other ¹	54	2
Total	2,771	100

In March 2021 the Ombudsman Western Australia opened an investigation into the Office’s role in notifying the families of the deaths of three represented persons for whom the Public Advocate was guardian. The cases highlighted gaps in some of the Office’s practices and procedures including death notification to family, contacting family regarding palliative care decisions and the need to strengthen guidance to staff. During the course of the investigation the Public Advocate made changes to a number of practices and procedures to rectify the issues.

The Ombudsman’s report was tabled in State Parliament on 8 July 2021, with the Public Advocate accepting the Ombudsman’s seven recommendations. Further work undertaken by the Office to ensure practices, procedures and staff guidance are in line with the Ombudsman’s recommendations will be captured in the 2021/22 Annual Report.

Targeting elder abuse

The Office continued to target elder abuse with a range of activities undertaken across advocacy, investigation and guardianship services; through membership of the Alliance for the Prevention of Elder Abuse; policy development; and collaboration with other agencies. Initiatives aimed at raising awareness and understanding with community members and professionals continued, including targeted education sessions, publications and the provision of the 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.

1 25 of the 54 ‘other’ are for represented persons with Autism Spectrum Disorder.

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Making an enduring power of guardianship and an enduring power of attorney

Throughout our lives we make decisions about how we live based on our personal preferences, beliefs and values. If an accident or illness resulted in some form of decision-making disability that prevented you from making your own decisions you might want to have some control over how these decisions were made.

Making an enduring power of guardianship will enable you to choose who will make your personal, lifestyle and treatment decisions on your behalf if you are ever unable to do so.

Making an enduring power of attorney will enable you to choose who will make your property and financial decisions.

The Office of the Public Advocate facilitates community education sessions which empower people with information about how to make these documents correctly and the kinds of things to consider before making them.

Education sessions for service providers empower staff at relevant agencies to be able to assist people in planning for the future and ensure they are better equipped to navigate the guardianship and administration system if necessary.



Public Trustee

The Public Trustee offers a range of will, deceased estate administration and trustee services for all Western Australians. The statutory authority manages net assets of around \$1.4 billion and is responsible for managing the legal and financial affairs of many vulnerable people in our community, as well as examining the accounts of private administrators.

Key achievements were:

- Continuing to achieve self-funding and growth in investment returns.
- Managing trusts for 6,772 clients, including 1,128 new trust clients.
- Submitting 443 probate applications.
- Examining 2,151 private administrator accounts.
- Delivering 20 seminars across Western Australia, with 1,921 attendees.
- Deploying significant improvements to the 'MATE' trust management software system.

During the financial year, COVID-19 continued to have a significant effect on vulnerable Western Australians. The Public Trustee continued its key strategy of implementing technological improvements which greatly assisted in providing uninterrupted delivery for all essential services, including software upgrades such as the automation of bills, digitisation of mail and streamlining of applications of wills.

A large number of staff were smoothly transitioned to 'work from home arrangements' while continuing to provide essential services to clients. During this period Wills clients received services through telephone appointments but the Public Trustee has now returned to face to face appointments with strong COVID-19 measures in place to protect clients and staff.

The Public Trustee managed trusts for 6,772 clients, with continued growth in demand for financial administration services being appointed to manage a further 1,128 new trust clients. The majority of new trust clients were referred by the State Administrative Tribunal.

The increase is attributed to the rising 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 can leave them vulnerable to neglect, abuse or exploitation.

The Public Trustee provided subsidised services at nominal cost for many trust clients as part of its community service obligations, ensuring all clients have access to trustee services, regardless of their ability to pay.

The Public Trustee plays an important role in protecting vulnerable Western Australians from financial abuse, with the trend of increasing numbers of cases of alleged financial elder abuse reducing over the last year. It is anticipated that referrals will increase again as a result of COVID-19 financial pressures on families turning to their older relatives for financial support.

The Private Administrator Support team conducted 2,151 account examinations, where total assets exceeded \$1.674 million. As at 30 June 2021, the total of number of clients, where private administrators were appointed by the State Administrative Tribunal and who are required to account to the Public Trustee, increased from 2,667 to 2,848 clients. The Public Trustee, in conjunction with the Office of the Public Advocate, presented four training seminars for newly appointed private administrators.

Despite the sensitive and challenging nature of work carried out by the Public Trustee, independent market research found that it achieved an overall client satisfaction rating of 76 per cent, with these clients feeling that the Public Trustee is meeting their needs.

The Public Trustee continued to achieve self-funding, despite the increasingly difficult fiscal environment. Many factors continued to affect the Public Trustee's overall financial performance, which in turn affected client investments and returns.

Significant enhancements have been made to deceased estate processes, and the continued digitisation of many manual processes will reduce in the time taken to administer deceased estates.

The first full year of the transformation of mail processes saw 116,000 payments and 104,000 pieces of correspondence digitised. The business process review of the private administrator support area continues.

Targeted improvements have also been delivered for Trust Management, the Public Trustee's largest and most complex business area.

The Legal Directorate continued to improve its in demand will-making service by implementing a new booking system and reducing wait times for will appointments.

The Public Trustee continued efforts to improve the awareness and accessibility of services through public seminars and campaigns such as WA Will Week, Seniors Week, Private Administrator Training, publications and social media.

It also continued its work to promote and protect the rights of vulnerable people, through representation on the Australian Guardianship and Administration Council, the Alliance for the Prevention of Elder Abuse and work with membership organisations.

Give2Good

The Public Trustee's Give2Good Foundation enables 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 continued to attract bequests as it is an easy, secure and cost-effective vehicle for charitable donations. Give2Good made distributions to five charities from among the many worthy causes and organisations nominated by donors.

Give2Good Week in May 2021 involved an online communication campaign to raise awareness of the Give2Good Foundation and promote the benefits of giving and volunteering.

FOCUS Prevention of elder abuse

In the lead-up to World Elder Abuse Awareness Day on 15 June 2021, the Public Trustee's reception hosted the Purple Road display to shine light on the issue of elder abuse and the services available to help.

Purple Road is a community campaign to raise awareness and provide support for older people experiencing abuse. Volunteers craft purple flowers from a variety of materials which are added to the purple road.

The result is a creative art piece that aims to get people talking about what was once a taboo topic.



Registry of Births, Deaths and Marriages

The Registry of Births, Deaths and Marriages (the Registry) creates and stores birth, death, marriage and change of name records for life events. The Registry also performs civil marriages in the Perth Office.

Key achievements were:

- That the Western Australian Registrations Online portal went live on 18 May 2021, enabling members of the public to apply for their birth, death, marriage and change of name certificates through a secure online facility.
- Registering 63,924 life events: 34,033 births; 15,547 deaths; 10,104 marriages and 4,240 change of names.
- Extending the Registry's community outreach, through participation in interagency Community Service Delivery Days and events held by community organisations supporting homeless and vulnerable citizens, to provide key identity documents and registration services.

Accessibility of records

The introduction of the Registry's online certificate application functionality is a continuation of the commitment to provide accessible services for all community members, including Western Australians residing interstate or overseas or those with mobility issues or other disabilities.

The online platform provides a safe and secure environment for applications and reduces the risks associated with customers posting or emailing proof of identity documents.

In addition to these services, 25 registries of the Magistrates Court processed applications on behalf of the Registry and issued 30,402 certificates.

The ServiceWA office at Bunbury also processed applications on behalf of the Registry and issued 44 certificates.

Protection of personal information

The protection of personal information and the prevention and detection of identity fraud and theft is a key priority for agencies responsible for issuing identity documents in the community.

The Registry remained a key participant in the National Identity Security Strategy, an initiative of the Council of Australian Governments, aiming to improve protection of 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.

Registry services

Registrations

This year the Registry recorded a total of 34,033 births; 15,547 deaths; 10,104 marriages and 4,240 change of names totalling 63,924 registrations. This was a two per cent increase from the 62,568 births, deaths, marriages and changes of name registered in Western Australia in 2019/20.

Provision of certificates

A total of 127,019 certificates were issued during 2020/21 compared to 127,366 issued the previous year:

- 81,565 birth certificates were issued (a one per cent increase from 2019/20)
- 18,086 marriage certificates were issued (a six per cent decrease from 2019/20)
- 23,485 death certificates were issued (a one per cent decrease from 2019/20)
- 3,883 change of name certificates were issued (a 10 per cent increase from 2019/20).

Marriage services

The Registry conducted 521 marriage ceremonies in 2020/21, a decrease of 38 per cent, due largely to COVID-19 restrictions. There were 360 same sex marriages registered, 20 per cent less than 2019/20.

In 2020/21, couples married by the Registry identified 85 countries as their place of birth. The top five countries are shown below:

Place of Birth	Total
Australia	354
China	91
Vietnam	53
England	49
India	47

Aboriginal Justice Open Day Program and community outreach

The Registry continued to participate in the Department's Open Day Program. This initiative, operating in partnership with Strategic Reform and other key stakeholders, aims to improve services to disadvantaged or vulnerable people living in regional and remote Aboriginal communities.

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

The Registry has been involved in the Open Day Program since 2011. During the financial year, despite COVID-19 restrictions on the number of Open Days able to be held, the Registry issued 660 birth certificates, registered 107 previously unregistered births and issued 39 confirmation of birth letters.

In addition to participating in the Open Day Program, the Registry attended 14 other events held by organisations supporting homeless and vulnerable community members. During these events, 505 birth certificates were issued, 56 previously unregistered births were recorded and two confirmation of birth letters were issued.

Baby names

The top five girls' names in 2020 were:

Name	Occurrence
Isla	176
Olivia	165
Mia	160
Charlotte	149
Ava	138

The top five boys' names in 2020 were:

Name	Occurrence
Oliver	221
Noah	213
Jack	169
Leo	164
Charlie	150

Western Australia's top regional baby names are available at www.bdm.justice.wa.gov.au



Birth, death, marriage and change of name certificate applications now online

One of Western Australia's oldest civic functions – the processing and issuing of birth, death and marriage certificates – went online in May 2021, after almost 180 years as a paper-based system.

The community will benefit through the convenience of online applications, which is especially important for people living in remote areas, interstate and overseas or those with a disability.

The streamlining of the application process will also result in a number of efficiencies for the Registry of Births, Deaths and Marriages.

The change was promoted in a [video posted to the Department's YouTube channel](#).

Services to Government

Services to government include policy advice, legal advice and representation, legislative drafting and related services.

Strategic Reform

Strategic Reform advises the State Government on law and justice issues, sets the strategic direction for reforms to the criminal and civil justice systems, and leads the development of strategies to address Aboriginal over representation in the justice system.

This is achieved by:

- Facilitating the amendment of legislation to reform criminal and civil law and procedure.
- Developing policy initiatives to improve justice-related outcomes for the community, with a particular emphasis on improved outcomes for Aboriginal people.
- Carrying out reviews, evaluation and research to recommend improvements to, and future directions for, policy, legislation and services.
- Providing data and analysis to support making the justice system more efficient, equitable and effective.
- Implementing complex justice reform projects to reduce reoffending and enhance community and victim safety.

Key achievements were:

- Continuing to drive forward the Attorney General's significant legislative reform agenda. This included introducing amendments to enable the prosecution of historical child sexual offences where the date of offending may be uncertain, and progressing legislation to deter and punish trespass on land used for commercial animal food production.
- Introducing a range of measures to help address the impacts of COVID-19 on Western Australia's justice system. This included legislative change to ensure the administration of justice could safely and effectively continue during COVID-19. For example, amendments were implemented to facilitate the use of video and audio link for bail, sentencing and other instances where an accused person could not attend court.

- Developing urgent legislation to regulate the use, disclosure, storage and destruction of entry registration information provided for the purpose of contact tracing in relation to an infectious disease emergency, such as COVID-19.
- Fulfilling a key Government election commitment to allow for serious violent offenders to be dealt with in the same way as dangerous sexual offenders under similar legislation. The *High Risk Serious Offenders Act 2020* expands the cohort of offenders who may be subject to post-sentence restriction orders to better manage their risk to the community.
- Establishing a two-year metropolitan Parole In-reach Program pilot at Acacia Prison and Wooroloo Prison Farm, to assist prisoners to access evidenced-based rehabilitation programs in custody before their parole is considered by the Prisoners Review Board. The pilot also ensures through-care once prisoners are on parole, with appropriate support and supervision while their rehabilitation needs are being met in the community.
- Launching a two-year Family and Domestic Violence (FDV) GPS tracking trial, aimed at strengthening protection for victims from high-risk FDV offenders, and meeting a Government election commitment.
- Establishing the General Court Intervention Program (GCIP) at the Perth Magistrates Court, providing assessment and case management services to accused persons. The program works collaboratively with Connect Wanju to provide priority access to community programs and services addressing the identified needs of GCIP participants that may contribute to offending behaviour.
- Delivering 69 Open Days across the State, assisting a total of 2,260 community members with access to essential proof of identify, registration and licensing documents, despite the impact of COVID-19 travel restrictions.

Legislative Services

Legislative Services develop, implement, and review legislation, legal policy and reform initiatives.

Legislation assented to

Legislative Services guided the development of the following new and amending pieces of legislation, which were passed by both Houses of State Parliament and assented to by the Governor in 2020/21.

Protection of Information (Entry Registration Information Relating to COVID-19 and Other Infectious Diseases) Act 2021

In recognition of the importance of providing contact information through the SafeWA app and written contact registers for an effective public health response, this urgent legislation enacted a statutory framework for regulating the use and disclosure, storage and destruction of 'entry registration information' provided by the public. The Act limits the use and disclosure of this information to contact tracing and purposes related to contact tracing only, reflecting that public health is the paramount priority.

COVID-19 Response and Economic Recovery Omnibus Act 2020

Legislative Services contributed to this cross-Government omnibus legislation, necessary to facilitate business continuity during COVID-19 and allow effective economic recovery. Specifically, developing a range of provisions to ensure continuity in the administration of justice during COVID-19 restrictions. Amendments included facilitating video links for bail surety undertakings; allowing audio links for sentencing where necessary, and where an accused person (in special hearings involving a child) cannot attend court. Electronic processing was enabled for a range of court related Acts where processes or lodgment is usually done in writing or in person.

COVID-19 Response Legislation Amendment (Extension of Expiring Provisions) Act 2020 and 2021

These two Expiring Provisions Acts were necessary to extend the operative timeframes of amendments made to the *Emergency Management Amendment (COVID-19 Response) Act 2020* and *The Criminal Code*, in response to COVID-19. The sunset date was extended twice through these Expiring Provisions Acts thereby effecting amendments to the *Criminal Code Amendment (COVID-19 Response) Act 2020*, to ensure that higher penalties continue to apply to serious assaults and threats against public officers committed in the context of COVID-19 during the extended period.

Criminal Law Amendment (Uncertain Dates) Act 2020

The *Criminal Law Amendment (Uncertain Dates) Act 2020* amended *The Criminal Code*, the *Children's Court of Western Australia Act 1988* and the *Magistrates Court Act 2004* to allow prosecutions to continue despite uncertainties that may arise in relation to the age of a victim or alleged perpetrator in cases of sexual offending against children. The legislation resolved technical impediments that had previously resulted in perpetrators avoiding conviction for crimes that had otherwise been proved beyond a reasonable doubt. The Act commenced on 9 December 2020.

High Risk Serious Offenders Act 2020

The *High Risk Serious Offenders Act 2020* commenced on 9 July 2020 and amended several pieces of legislation to provide for serious violent offenders in the same way as the *Dangerous Sexual Offenders Act 2006*. As a result, a person convicted of certain sexual or violent offences may be subject to an application made by the State to the Supreme Court, which may provide for post sentence detention or supervision in the community to protect the community from the offender committing a similar offence following their release.

Bills introduced into State Parliament

Legislative Services guided the introduction of the following Bills into State Parliament:

Animal Welfare and Trespass Legislation Amendment Bill 2021

On 23 June 2021, the Animal Welfare and Trespass Legislation Amendment Bill 2021 was introduced into State Parliament. The Bill proposes an integrated response to the interconnected issues of farm trespass and animal welfare by introducing a new aggravated trespass offence with higher penalties. This assists those who have been or may be affected by this aggravated trespass offence to seek the protection of a misconduct restraining order, and providing for the proactive inspection of abattoirs, knackeries and intensive production places to monitor compliance with the *Animal Welfare Act 2002*.

Statutes (Repeals and Minor Amendments) Bill 2021

On 29 April 2021, this Bill was introduced into State Parliament and was referred to the Standing Committee on Uniform Legislation and Statutes Review on 6 May 2021. This is an omnibus Bill that seeks to make minor, non-controversial amendments to various Acts across the State's statute book and to repeal Acts that are no longer required.

Courts Legislation Amendment (Magistrates) Bill 2021

On 23 June 2021, the Courts Legislation Amendment (Magistrates) Bill 2021 was introduced into State Parliament. This Bill will clarify the powers of the President of the Children's Court and the Chief Magistrate in respect of the administration and allocation of the workload of the Children's Court of Western Australia.

Legislation under development

Legislative Services developed the following key pieces of legislation:

Bail Amendment Bill 2021

The State Government committed to amending the *Bail Act 1982* in response to the tragic death of an 11-year-old girl. Legislative Services worked with the Government to progress this commitment through the development of a law reform proposal aimed at ensuring that child complainants of sexual abuse are at the centre of decision-making in relation to bail.

Criminal Law (Mental Impairment) Bill 2020

Reforming the *Criminal Law (Mentally Impaired Accused) Act 1996* (CLMIA Act) continued to be a high priority. During the year Legislative Services made significant progress in drafting this legislation. The reforms will meet the commitments that the Government took to the 2017 State election and ensure best practice in the management of this group of vulnerable people in our society. The reforms will also address more than 50 recommendations from previous reviews into the operation of the CLMIA Act.

Evidence Bill

Work continues on a new Evidence Act which will repeal and replace the *Evidence Act 1906* and will bring Western Australia's evidence laws in line with the *Evidence Act 1995* (Cth). This new Act will introduce new provisions to strengthen protections and support for vulnerable witnesses. New provisions proposed will put into place key recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse and will further protect victims of family and domestic violence.

Sentencing Legislation Amendment (Persons Linked to Terrorism) Bill

This Bill seeks to implement the Government's commitment to the 2017 Council of Australian Governments agreement for a presumption against parole and other forms of early release orders applying to people who have demonstrated support for, or have links to, terrorist activity. The Bill creates a presumption against parole by mandating that exceptional reasons be shown before a prisoner with links to terrorism is granted parole or other forms of early release orders.

Criminal Law (Unlawful Consorting and Prohibited Insignia) Bill 2021

On 20 February 2020, the Criminal Law (Unlawful Consorting) Bill 2020 (2020 Bill) was introduced into State Parliament, however the 2020 Bill lapsed on prorogation of Parliament. The 2020 Bill contained an unlawful consorting scheme to disrupt and restrict the capacity of convicted offenders to organise, plan, support or encourage the carrying out of criminal activity.

The 2020 Bill also contained police powers to issue an unlawful consorting notice, which may result in prosecution for the offence of unlawful consorting, if the person who receives the notice consorts with a person with whom they are not to consort on two or more occasions during the three-year period that the notice is in force. Legislative Services is developing additional prohibited insignia provisions for inclusion in a new Bill.

Statutory Reviews

Legislative Services is progressing several statutory reviews, including a review of mandatory sentencing provisions for home burglary repeat offenders and jointly reviewing the *Sentencing Act 1995* and the *Sentence Administration Act 2003*. During 2020/21, reviews into double jeopardy legislation and the *Coroners Act 1996* were undertaken.

Response to recommendation of the Royal Commission into Institutional Responses to Child Sexual Abuse

Work is continuing towards the development of a comprehensive response to the civil and criminal law recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse.

Legislative and Governance Forum for Corporations

Legislative Services continues to support the Attorney General in his role on the Legislative and Governance Forum for Corporations.

Strategic Policy

Strategic Policy oversees the development and delivery of strategic policy, projects and other key reforms. Strategic Policy has continued to work collaboratively with other government departments to provide policy advice and support on whole of government responses to family and domestic violence, elder abuse, mental health, youth offending and the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability.

The following activities were a priority:

Justice reform initiatives

The Department progressed the implementation of reforms designed to improve community and victim safety, through reductions in reoffending and increased rehabilitation, (including a focus on perpetrators of family and domestic violence, and appropriate treatment and services for offenders with mental health and alcohol and other drug related criminogenic needs). These reforms aim to contribute to a reduction in the over representation of Aboriginal people in the criminal justice system. This is a four-year reform program which commenced in July 2019. Achievements for 2020/21 include:

- In partnership with Legal Aid WA and the Aboriginal Legal Service Western Australia, work continued on the three-year metropolitan pilot Prison In-reach Legal Service and Bail Support Service, established in April 2020. These services assist the administration of justice by improving access to bail for suitable applicants and improving community safety through giving practical support to comply with their bail conditions and undertakings. The support includes reminders of appointments and court dates, transport where necessary and referrals to community services and programs.
- In October 2020, the General Court Intervention Program (GCIP) commenced operation at the Perth Magistrates Court. The GCIP provides assessment and case management services to accused persons appearing at court. GCIP Case Managers work collaboratively with the contracted community service provider, Connect Wanju, to provide priority access to community programs and services addressing the identified needs of GCIP participants that may contribute to offending behaviour. Connect Wanju is a partnership between Palmerston Association and Wungening Aboriginal Corporation.

- On 18 August 2020 the two-year Family and Domestic Violence (FDV) GPS tracking trial was launched, aimed at strengthening protection for victims from high-risk FDV offenders, and meeting a Government election commitment from its 'Stopping Family and Domestic Violence Plan January 2017'.
- A two-year metropolitan pilot Parole In-reach Program was also established at Acacia Prison and Wooroloo Prison Farm. These services will assist prisoners accessing evidenced-based rehabilitation programs in custody before their parole is considered by the Prisoners Review Board.

Aboriginal Justice Transformation

Aboriginal Justice Transformation (AJT) provides specialist cultural advice and delivers dedicated programs, services and initiatives for Aboriginal people, aligned with the Department's objective of providing high quality and accessible justice services in a manner that is equitable, responsive and relevant to Aboriginal people. The AJT also provides strategic advice to contribute to the achievement of Government targets relating to justice outcomes for Aboriginal people, such as those defined in the National Agreement on Closing the Gap.

Closing the Gap

Aboriginal Justice Transformation reviewed its initiatives that contribute to Closing the Gap targets, and in particular those that are working to achieve Outcomes 10 and 11. These outcomes are to ensure that Aboriginal Torres Strait Islander adults and young people are not over-represented in the criminal justice system.

Initiatives identified through the stocktake have included reform of Western Australia's fines infringement regime, improving access to driver licences, the imminent establishment of an Aboriginal Justice Advisory Committee, and the introduction of the General Court Intervention Program.

AJT also lead an over representation project to identify and prioritise future initiatives for consideration, assessing the relative costs and benefits of a range of proposals from across the Department, and informed by an extensive review of the existing research literature.

Establishment of an Aboriginal Justice Advisory Committee

One key deliverable of the Department's current Reconciliation Action Plan (RAP) is to establish the Aboriginal Justice Advisory Committee (AJAC). The AJAC will be comprised of Aboriginal people from throughout the State, who will provide cultural expertise and advice to the Director General about Aboriginal people and their engagement with the justice system. A statewide recruitment strategy and advertising campaign has occurred, and the selection process is now underway.

NAIDOC Week 2020

Aboriginal Justice Transformation coordinates the Department's NAIDOC week events. This year, the Department commissioned a work of art from an Aboriginal prisoner from Bunbury Regional Prison, which is featured on the front and inside covers of this report.

The Department once again honoured its long serving Aboriginal and Torres Strait Islander employees, with 21 Aboriginal and Torres Strait Islander employees from throughout the State acknowledged for their long and dedicated service.

Inaugural Reconciliation Awards

In 2021, the Department marked National Reconciliation Week with an inaugural staff reconciliation awards event. The categories were for individuals, teams, programs or projects and partnerships that improved justice outcomes for Aboriginal people and communities. The awards recognised initiatives such as the Aboriginal Driver Training and Education Program, the Criminal Injuries Compensation Outreach Program and a West Kimberley Cultural Capability Training Strategy developed in conjunction with local Elders.

Aboriginal Cultural Symposia Series

Aboriginal Justice Transformation continued its Aboriginal Cultural Symposia series, designed to promote a better understanding of the history of Aboriginal people in Western Australia and their intersection with the justice system. This series creates a continual narrative of our shared history as Western Australians and promotes cultural capability and responsiveness in the Department's workforce.

In 2020/21, the Department held symposiums on:

- The Coolbaroo Club and the role it played in the social life of Perth's Aboriginal community and the promotion of reconciliation and Aboriginal peoples' rights.
- The Lock Hospital history (located on Bernier and Dorre Islands) and the contemporary movement by the local Traditional Owners in promoting understanding and healing of those affected.
- Issues surrounding the application of mainstream law in responding to family and domestic violence in Aboriginal and Torres Strait Islander communities, as well as the potential role traditional law could play in addressing this.

The Department remains committed to continuing the Aboriginal Cultural Symposia series, to foster truth telling of Western Australia's shared history.

Aboriginal Mediation Service

The Aboriginal Mediation Service (AMS) offers culturally appropriate dispute resolution services to Aboriginal people on a range of matters. This includes disputes involving families, neighbours and multi-party community issues, as well as burial and coronial matters. It aims to help people to resolve conflicts before they escalate into violence or result in court action.

AMS implemented a stakeholder engagement strategy with government and non-government stakeholders to promote the service and establish strong referral pathways with key agencies. AMS has also adjusted its procedures to ensure all parties participate equally in the referral and mediation processes. This has led to an increase in the number of suitable enquiries, and also an increase in suitable enquiries progressing into completed referrals.

AMS managed 123 enquiries, resulting in 44 matters being considered for pre-mediation, mediation or alternative dispute resolution processes. Of these, 13 completed referrals proceeded through the AMS case management process.

This provides for ongoing assistance, which results in a resolution of issues or a facilitated referral to a more appropriate service. Two of these matters proceeded to a mediation conference, both of which resulted in a successful agreement being reached between the parties.

Aboriginal Justice Open Days

Aboriginal Justice Open Days continued to help address the over representation of Aboriginal people in the criminal justice system by delivering culturally competent, practical programs throughout the year.

Open Days continue to be delivered in priority locations by staff using a collaborative service model with partner agencies. This approach allows Aboriginal people to access a range of services including applying for birth certificates and birth registration letters, setting up time to pay arrangements for outstanding fines, obtaining driver's licence applications, theory and practical driver testing, driving training and education, Centrelink services, accessing community development programs and in some locations, accessing legal and financial assistance.

In August 2020 the partnership group was extended with an invitation to the Office of Criminal Injuries Compensation to participate in the Open Days program. As shown in the following table, the Aboriginal Justice team coordinated 69 Open Days with the following results:

	2020/21	2019/20	2018/19	2017/18
Number of Open Days	69	51	57	50
People attending Open Days	2,260	1,581	1,936	2,116
Conversion of fines – time to pay arrangements, stay of execution and orders to attend	\$800,142	\$860,678	\$951,116	\$843,664
Fines paid – actual amount	\$1,181,448	\$1,083,630	\$1,041,478	\$1,024,377
People entering into time to pay arrangements	78	212	228	204
Stay of warrant executions	36	107	122	140
Licence suspensions lifted	629	976	1,116	1089
Birth certificate applications	660	476	588	617
Confirmation of birth letters issued	39	57	66	155
Births registered (pre and post-1980)	107	123	176	155
Criminal injuries compensation applications accepted	135	N/A	N/A	N/A
Practical driving assessments passed	109	86	159	121
Theory driving tests conducted	210	159	211	139
Driving logbooks issued/re-issued	54	63	65	71
Suspended fines for motor vehicle driver's licences	23	48	66	105
WA Photo Card Application	190	95	114	163
Centrelink – applications for Medicare	40	86	70	104
Centrelink – concession cards issued	47	59	80	123

Note: Between 1 July 2020 and 30 June 2021, a total of 11 Open Days were cancelled due to travel restrictions imposed across Western Australia as a result of COVID-19. Despite these cancellations the service continues to grow.

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 legislation allows for the confiscation, in certain circumstances, of property acquired as a result of criminal activity or which is used for criminal activity. It also makes provision for the redistribution 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 governments can apply for up to \$200,000 for these purposes.

Twenty successful applicants received letters of offer totalling over \$3.21 million across two funding rounds.

Round 15

- City of Armadale
- Northern Suburbs Community Legal Centre
- Fair Game Australia
- Youth Futures
- Ishar Multicultural Women's Health Service
- Shire of Manjimup
- Kanyirninpa Jukurrpa
- Royal Life Saving Society of Western Australia
- Mental Health Law Centre
- Parkerville Children and Youth Care
- Men's Outreach Service Aboriginal Corporation
- Whitelion Youth Agency
- Bloodwood Tree Association
- Big hART.

Round 16

- Ruah Community Services
- City of Greater Geraldton
- Kanyirninpa Jukurrpa
- Royal Life Saving Society of Western Australia
- West Australian Country Football League
- Glass Jar Australia Limited.

Driver training and education

Through Royalties for Regions funding, the Department was able to fund five not-for-profit community organisations to continue the delivery of the enhanced driver training and education for regional and remote communities program. The program assists Aboriginal people in regional and remote communities, in contact with the justice system, to access driving instruction, driver education and assistance with administrative and testing procedures to obtain, or regain a motor vehicle driver's licence.

An average of 480 individuals were recorded as actively participating in driver training and education at the end of each quarter in 2020/21. The program also recorded a total of 767 clients registered as new enrolments; 430 participants were successful in obtaining their learner's permit; 220 were successful in obtaining their provisional licence; and 62 individuals regained their driver's licence.

While participant engagement almost returned to pre-COVID-19 numbers, service delivery across all sites continued to be impacted by COVID-19 restrictions, with no access to closed communities such as Lombadina. Providers continued to adapt program delivery and maintained their respective COVID-19 safety plans to ensure the safety of both staff and clients.

Service was also suspended in Kalgoorlie in the second half of 2020/21 following the retirement of the provider's driving instructor. The service is expected to recommence in 2021/22.

Legal Assistance Branch

The National Legal Assistance Partnership 2020-2025 (NLAP), which took effect from 1 July 2020, represents a significant shift for the legal assistance sector in Western Australia.

Funding for most legal assistance providers, including Legal Aid of Western Australia, Aboriginal Legal Service of Western Australia and the Community Legal Sector, will now be allocated and administered by the newly created Legal Assistance Branch at the Department.

This has provided an opportunity for the Department to coordinate the management of State and Commonwealth funding to the legal assistance sector and to guide legal assistance policy development, service delivery and sector planning in the partnership with stakeholders.

The Department is committed to a sustainable legal assistance sector and to ensuring vulnerable and disadvantaged Western Australians who cannot afford the services of a private lawyer, can access justice, wherever they live.

In 2020/21, the State and Commonwealth Government allocated more than \$8.3 million in additional funding to the legal assistance sector to respond to the increased demand for legal assistance services during COVID-19 and to support the transition to virtual service delivery.

This resulted in increased access to justice for disadvantaged Western Australians impacted by the pandemic with a particular focus on support for employment law, mortgage hardship problems, family and domestic violence and credit and debt matters and the removal of barriers to accessing assistance in regional and remote areas by using video technology to set up virtual offices in areas without Legal Aid Offices.

Collaborative services planning

The legal assistance sector came together in 2021 for Collaborative Services Planning meetings hosted by the Department. Attendees included representatives from the Attorney-General's Office, the Legal Assistance Branch, Legal Aid WA, Aboriginal Legal Services, Community Legal WA, Family Violence Prevention Legal Services and Law Access.

Collaborative services planning is the primary mechanism for the legal assistance sector to coordinate and maximise the reach of services across Western Australia.

Other functions

Copyright

Strategic Reform manages the Government's statutory obligations under section 183 of the *Copyright Act 1968* (Cth) to pay copyright owners for the use of copyright works used for the services of the State. The Department administered centrally funded, whole of government agreements with the following copyright collecting societies:

- Copyright Agency Limited for the photocopying and digital copying of third party copyright works (literary, dramatic, musical and artistic), and survey plans, by the State 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 for the copying of sound and television broadcasts and works included in an audio-visual item.

Law Reform Commission of Western Australia

Strategic Reform provides executive and project management support to the Law Reform Commission of Western Australia (Commission). The Commission is an independent statutory authority and is currently chaired by her Hon Lindy Jenkins.

The Attorney General tabled the Commission's final report for Project 109: Claims for Non-economic Loss for Wrongful Death under the *Fatal Accidents Act 1959* (WA) in Parliament on 25 May 2021. The Commission recommended there should not be any reform to allow for claims for non-economic loss for wrongful death under the *Fatal Accidents Act 1959* (Act); however, in the alternative, the Commission made five recommendations for consideration by the Government. The Commission's overarching recommendation was that the Act should not be amended for this purpose. The Government accepted this conclusion.

The Commission is currently reviewing the *Equal Opportunity Act 1984* under Project 111: Review of the *Equal Opportunity Act 1984* (WA). In consideration of Australian and international best practices of equality and non-discrimination, the review will canvas relevant legislation in other jurisdictions, previous reviews and relevant Commonwealth reports including those on religious freedoms. The Commission expects a high level of community engagement and a discussion paper will be released later this year.

Professional Standards Council of Western Australia

Strategic Reform provides secretariat support to the Professional Standards Council of Western Australia. The Council is an independent statutory authority. The Council is one of eight similar councils across Australia, with the membership replicated across all councils. Together, the Councils promote objects of schemes that limit the civil liability of occupational groups, facilitate the improvement of professional standards and protect consumers who use the services provided by service providers in these occupational groups.

Western Australian Office of Crime Statistics and Research

The Western Australian Office of Crime Statistics and Research (WACSAR) was established in 2020 with the appointment of Dr Shona Hyde as the inaugural Director.

WACSAR employs a collaborative, evidence-based approach to the development of criminal justice policy and the provision of advice by undertaking evaluations, research, and data analytics.

In 2020/21, WACSAR's capacity and capability doubled in size with the creation of an evaluation and research unit and the incorporation of the Department's existing Business Intelligence Branch.

Together, the two multi-disciplinary units are responsible for:

- Evaluating the impact of a range of justice initiatives designed to divert, rehabilitate and reintegrate young people and adult offenders in Western Australia.
- Building the evidence base for 'what works' within the criminal justice sector through initiating and collaborating with key stakeholders, such as the academic sector and other public sector agencies.
- Collaborating across government to promote the safe and efficient sharing of data to support research and evaluation between agencies and with the research community.
- Developing and maintaining a dedicated WACSAR database and associated online reporting tools.
- The Department's Key Performance Indicator reporting and national reporting obligations in relation to Corrective Services.

WACSAR's evaluation and research team began a number of key evaluations, including the two new drug and alcohol rehabilitation prisons, Wandoo and Mallee, as well as the recently implemented strategic reforms aimed at reducing avoidable remand and improving access to rehabilitation for parole eligible prisoners.

WACSAR has introduced a consistent approach to evaluation and monitoring across the Department, with all program outcomes to be measured against the same four enduring objectives of Government:

- Increasing community safety.
- Reducing imprisonment.
- Reducing Aboriginal over-representation in the justice system.
- Achieving value for money.

Using this consistent framework allows WACSAR to build on existing evidence from around the world about 'what works' in reducing reoffending, with new data about what works for whom in Western Australia, and where and when is it most effective.

WACSAR is also responsible for the Department's Evaluation and Review Steering Committee (ERSC), which provides strategic oversight and governance to all internal evaluation projects and legislative reviews. Membership for this committee is drawn from across the whole agency. This is not only aimed at maintaining high levels of methodological rigour, but also promoting a culture of continuous improvement, where evaluation findings are readily shared across all business areas to better inform policy development and practice. As at 30 June 2021, there were 19 evaluation and review projects underway across the Department.

The Research Applications Advisory Committee (RAAC) also falls within WACSAR's remit and is responsible for considering applications from external researchers seeking access to departmental staff, clients, facilities or data. At any given point in time, there are over 30 research projects at various stages of completion across the Department. These range from masters or doctoral theses to international research collaborations spanning several years. For many projects, COVID-19 has led to unavoidable delays in data collection and subsequent deferrals in completion. Despite these constraints, six external research projects were finalised in 2020/21 and fifteen new applications received.

Throughout 2020/21, WACSAR had a very deliberate focus on collaborating across the public sector, particularly with the Office of Digital Government in the Department of the Premier and Cabinet, to promote safe and efficient data sharing between agencies and with the research community. Recognising that the Department is comprised of multiple business areas, each with their own unique data capture systems, WACSAR has also worked to promote data sharing within the Department through the creation of a dedicated database to house key data from across the agency.

WACSAR will continue to grow and develop this database, adding in information from other relevant agencies wherever useful and appropriate.

WACSAR has also used its first year of operation to start building research partnerships across the sector and with the research community. WACSAR researchers are, for example, working in collaboration with the Western Australia Police Force, to refine the WA Crime Harm Index which allows the severity of crime to be measured mathematically, as derived from sentences handed down in Western Australian courts.

Crime harm can be reported alongside offence frequency to measure the impact of offending and reoffending in the community, focus resources, or evaluate the impact of policy decisions. In recent years similar harm indices have been created worldwide with analysts sharing their methodology. WACSAR will optimise the index by incorporating new methods and utilising contemporary court data.

Bringing the Business Intelligence and Reporting Branch into WACSAR in 2021 has significantly increased its capacity to handle big data and made it possible to leverage off the Department's existing internal data reporting processes and tools. This will help WACSAR present data to the community in an easy to understand format using interactive online graphics and visual aids. The Business Intelligence Branch is responsible for Key Performance Indicator (KPI) reporting across the whole Department. In addition to smoothly transitioning into WACSAR in 2021, the Business Intelligence Branch has also successfully completed two out-of-cycle Outcome Based Management Framework submissions: one to incorporate and amend the Equal Opportunity Commission KPIs; and the other to remove State Solicitor's Office.

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 gives effect to government policy and priorities.

Services provided include:

- Preparing drafts of Bills for Ministers to introduce into State Parliament in accordance with the Government's legislative program.
- Preparing amendments to Bills for Ministers during their passage through Parliament.
- 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 Western Australian legislation website, www.legislation.wa.gov.au.
- Publishing the *Government Gazette* on the Western Australian legislation website, and hosting the historical collection of the *Government Gazette* on that website.
- Maintaining and arranging publication of information about the legislation of Western Australia.
- Undertaking the Bill management process, which involves the provision of printed copies of Government Bills and Private Members Bills to Parliament, including versions of Bills incorporating amendments made by each House of Parliament during a Bill's passage, and versions of Bills to be submitted to the Governor for Royal Assent.
- Providing electronic versions of Bills to Parliament for publication on the Parliament website.

The Parliamentary Counsel is the Government Printer of Western Australia.

Key achievements were:

- Completing a large number of significant drafting tasks to give effect to the State Government's legislative and policy priorities across a diverse range of portfolios.
- Introducing 50 Bills (48 Government Bills, and two private Member's Bills drafted by PCO) into Parliament. The March 2021 State election meant that Parliament did not sit between 7 December 2020 and 29 April 2021. Of those Bills, 27 (26 Government Bills and one private Member's Bill) were re-introduced (some with significant changes) into the new Parliament following the State election, having lapsed at the end of the previous Parliament.
- Drafting and publishing of 297 items of subsidiary legislation.
- The appointment of the Parliamentary Counsel as the Government Printer of Western Australia. This appointment, and the closure of the State Law Publisher, has meant that PCO assumes a greater role in relation to the publication of legislation.
- Collaborating with the Department of the Premier and Cabinet on the implementation of a new streamlined process for getting subsidiary legislation made in Executive Council published in the *Government Gazette*.
- Implementing enhancements to the Western Australian legislation website, including making the website the official website where new issues of the *Government Gazette* are published, making the website the sole repository of the historical collection of the *Government Gazette* and providing a new notification service using an RSS (Really Simple Syndication) feed to inform users of changes to the website.
- Taking over the Bill management process from the State Law Publisher.
- The procurement and operationalisation of a contract with a commercial printing company (LitSupport) to print Bills for introduction into Parliament and copies of Acts and subsidiary legislation for public sale. This has enabled a more streamlined process for users of legislation.
- Reintroducing the Legislation Bill 2018, which lapsed at the 2021 State election and subsequently passed

through the Legislative Assembly. If enacted, the Bill will modernise the processes for publishing Western Australian legislation, including providing official recognition of both hard copy and electronic versions of the legislation and replacing the *Reprints Act 1984* with a more useful set of editorial powers.

- Implementing a flexible working policy for all PCO staff. This initiative built on the experience of extensive remote working during COVID-19 lockdowns.

Significant drafting tasks

- Administration Amendment Bill 2021
- Building and Construction Industry (Security of Payment) Bill 2021
- Fair Trading Amendment Bill 2021
- Industry and Technology Development Amendment Bill 2021
- Iron Ore Processing (Mineralogy Pty. Ltd.) Agreement Amendment Bill 2020
- Metropolitan Region Scheme (Beeliar Wetlands) Bill 2021
- National Disability Insurance Scheme (Worker Screening) Bill 2020
- Public Health Amendment (Safe Access Zones) Bill 2021
- Swan Valley Planning Bill 2020
- Transport Legislation Amendment (Identity Matching Services) Bill 2021
- Veterinary Practice Bill 2021.

The following legislation was drafted as part of the Government's COVID-19 response:

- COVID-19 Response and Economic Recovery Omnibus Bill 2020
- COVID-19 Response Legislation Amendment (Extension of Expiring Provisions) Bill 2020
- COVID-19 Response Legislation Amendment (Extension of Expiring Provisions) Bill 2021
- Pay-roll Tax Relief (COVID-19 Response) Amendment Bill 2020
- Protection of Information (Entry Registration Information Relating to COVID-19 and Other Infectious Diseases) Bill 2021
- Public Health Amendment (COVID-19 Response) Bill 2020.

Significant items of subsidiary legislation

- Animal Welfare (General) Amendment Regulations 2020
- Animal Welfare (Transport, Saleyards and Depots) (Cattle and Sheep) Regulations 2020
- Biosecurity and Agriculture Management (Agricultural Chemical Record Keeping) Regulations 2020
- Biosecurity and Agriculture Management Regulations Amendment (Industry Funding Schemes) Regulations 2020
- Bush Fire Risk Treatment Standards 2020
- Commerce Regulations Amendment (Community Titles) Regulations 2021

- Commerce Regulations Amendment (COVID-19 Response) Regulations (No. 2) 2020
- Commerce Regulations Amendment (Infringement Notices) Regulations 2020
- Community Titles Regulations 2021
- Dangerous Goods Safety Regulations Amendment Regulations 2020
- Electricity Industry (Pilbara Networks) Regulations 2021
- Energy Regulations Amendment Regulations 2021
- Fines, Penalties and Infringement Notices Enforcement Amendment Regulations 2020
- Forest Products Regulations 2020
- Jetties Amendment Regulations 2020
- Local Government (Model Code of Conduct) Regulations 2021
- Magistrates Court (Civil Proceedings) Amendment Rules (No. 3) 2020
- Mines and Petroleum Regulations Amendment (COVID-19 Response) Regulations (No. 2) 2020
- National Disability Insurance Scheme (Worker Screening) Regulations 2021
- Occupational Safety and Health Amendment (COVID-19 Response) Regulations (No. 2) 2020
- Pay-roll Tax Relief (COVID-19 Response) Regulations 2020
- Planning Regulations Amendment Regulations 2020
- Prisons Amendment Regulations 2020
- Road Traffic (Towing of Vehicles) Regulations 2020
- Road Traffic Code Amendment Regulations (No. 3) 2020
- State Superannuation Amendment Regulations 2021
- Waste Avoidance and Resource Recovery (Container Deposit Scheme) Amendment Regulations 2020
- Water Services Code of Practice (Family Violence) 2020
- Water Services Regulations Amendment (Fees and Charges) Regulations 2021.

The Government's heavy legislative program continued to challenge PCO in 2020/21. PCO was required to draft further legislation as part of the Government's response to COVID-19. PCO undertook further recruitment rounds for drafters in an effort to build up its in-house drafting capability. Given a nationwide dearth of available experienced drafters, PCO also continued to engage a number of experienced contract drafters from the limited pool of retired legislative drafters in Western Australia and interstate.

State Solicitor's Office

The State Solicitor's Office is responsible for the provision of broad based, high quality legal services to the Government of Western Australia and to a wide range of State Government client departments and agencies.

Key achievements were:

Supporting and Implementing the State Government response to COVID-19

The State Solicitor's Office (SSO) continued to provide extensive legal and legal-policy support to key agencies involved in the coordination of the State's response to COVID-19, including through the preparation of the numerous legal instruments through which the State's COVID-19 response efforts are legally implemented.

SSO's work over the course of the last financial year has involved:

- Advising on the emergency management and public health statutory frameworks.
- Drafting of directions of the State Emergency Coordinator under the *Emergency Management Act 2005* and the Chief Health Officer under the *Public Health Act 2016*. This included the directions needed to implement the controlled border arrangements currently in place in Western Australia, the range of directions required to implement the regional lockdowns in January, April and June to respond to outbreaks of COVID-19, and the directions relating to gatherings and activities that formed a significant element of the implementation of the various phases of the COVID-19 roadmap.
- Assisting and advising on legislative measures needed to support the State's COVID-19 response.
- Providing legal policy advice to assist in the formulation of complex policy positions on matters of whole of community significance.
- Representing the State and the Commissioner of Police in relation to a variety of matters of public interest before a range of courts.
- Advising on contractual matters, including with respect to supply chain issues, arising as a result of the COVID-19 pandemic.

High Court 'Hard Border' Challenge – Clive Palmer and Mineralogy Pty Ltd

In May 2020, proceedings were launched by Mr Clive Palmer and Mineralogy Pty Ltd in the High Court against the State and the Western Australian Commissioner of Police. The proceedings sought to challenge the constitutional validity of the Direction which closed Western Australia's border to everyone other than the categories of exempt travellers.

The case was significant as it was the first time a legal challenge was made querying the power of a State Government to close its borders. The outcome established a significant legal precedent of relevance and use to the other Australian States and Territories.

The matter was heard before the High Court of Australia in June 2021.

The High Court found that the State of Western Australia did have the power to close its borders and that the exercise of that power was proper in the circumstances.

Litigation - Iron Ore Processing (Mineralogy Pty Ltd) Agreement Amendment Act 2020 (Amending Act)

In September 2020, Mr Clive Palmer and Mineralogy/ International Minerals commenced two proceedings in the High Court challenging the constitutional validity of the Amending Act. The Amending Act came into force on 13 August 2020 and, among other things:

- Terminated arbitration proceedings brought by Mineralogy against the State, in which Mineralogy claimed damages of more than \$30 billion for alleged breaches of the State Agreement scheduled to the *Iron Ore Processing (Mineralogy Pty Ltd) Agreement Act 2002*.
- Protects the State from claims and liability in relation to 'disputed matters' (being matters connected with the companies' Balmoral South iron ore project proposal) and 'protected matters' (being matters connected with the enactment and operation of the Amending Act).

The proceedings were heard by the Full Court of the High Court over four days in June 2021. The Attorneys-General for the Commonwealth, Victoria, New South Wales, Queensland and the Northern Territory each intervened in the proceedings generally in support of the State.

It is anticipated the High Court will hand down its judgment in late 2021. The High Court's judgment will impact other proceedings which have been commenced by Mineralogy against the State and which remain adjourned pending the High Court's decision.

High Risk Serious Offenders

In August, the *High Risk Serious Offenders Act 2020* (HRSO) was proclaimed. The HRSO Act repealed and replaced the *Dangerous Sexual Offenders Act 2006*. The HRSO Act enables the Attorney General to authorise the State Solicitor to make applications to the Supreme Court.

The Attorney General authorised the State Solicitor to administer the provisions of the HRSO Act as of 1 January 2021 from the Office of the Director of Public Prosecutions. At that time there were 93 HRSO matters.

As at 30 June 2021, SSO has:

- attended approximately 68 Supreme Court appearances including directions hearings, preliminary hearings, restriction order, review and contravention hearings;
- received more than 40 new referrals from the HRSO Review Committee requiring assessment and consideration; and
- had carriage of 129 HRSO matters.

As at 30 June 2021, there are 118 current HRSO matters.

Litigation Arising from the Removal of Limitation Period for Historical Child Sexual Abuse Claims (Institutional Abuse)

In July 2018 the Government removed the limitation period to enable survivors of child sexual abuse to begin proceedings against the State. SSO established a Team for Institutional Abuse in Care (TIAC) to respond and manage these claims in accordance with the Government's Guiding Principles.

Since the changes came into effect (and up to 30 June 2021):

- SSO has received notification that more than 639 claims have been made against the State;
- 194 matters have settled; and
- One matter has proceeded to trial.

The Government's commitment to survivors continues to place significant demands on SSO staff and resources. Resourcing continues to be the most significant challenge for the SSO in this area.

TIAC currently have nine lawyers who are managing more than 355 active claims alleging negligence against the State, on behalf of the Departments of Communities, Education, Health and Justice.

Native Title and State Lands

Implementing the South West Settlement

SSO represented the State in legal proceedings relating to the registration of the six Indigenous Land Use Agreements which comprise the South West Settlement and in relation to the implementation of the Settlement. The registration of the Indigenous Land Use Agreements have been litigated exhaustively between 2014 and 2020. In 2020, seven applications were made to the High Court for special leave to appeal against the decision of the Full Court relating to the registration.

Those special leave applications were dismissed, which enabled the South West Settlement to commence on 25 February 2021. The Settlement involves the resolution of native title claims in the Settlement Area, by the surrender of any native title rights and interests, validation of invalid acts and release from further compensation by the native title agreement groups.

This is in exchange for a package of benefits including but not limited to statutory recognition of the Noongar people as traditional owners of the South West Settlement area, the establishment of a Noongar Boodja Trust (Trust) into which funding instalments of \$60 million will be paid annually for 12 years and land allocations of up to 320,000 hectares. The Trust was established on 29 March 2021 and the first funding instalments and land transfers to the Trust have been made by the State parties.

SSO is providing advice and legal assistance to the Department of the Premier and Cabinet and other State parties to implement those agreements and represents the State in court proceedings related to the obligations under the Settlement. This includes finalising the agreements for the governance structures and co-operative frameworks with various State parties and advising on the interpretation of agreements.

WA Stolen Wages Class Action

In October 2020 a class action called *Mervyn Street v State of Western Australia* (WA Stolen Wages Class Action) was commenced in the Federal Court of Australia on behalf of all living and deceased persons covered by the relevant Native Welfare legislation in the period 1936 to 1972.

Between 1936 and 1972, Native Welfare legislation ostensibly intended for the benefit of Aboriginal people frequently operated to their disadvantage. During that period, many Aboriginal people worked for no or nominal wages throughout the State, particularly in the pastoral industry. A number of Aboriginal people also had their property controlled by the Commissioner of Native Welfare and believe they are owed money arising from non-payment, underpayment or control of wages, and/or control of property.

The case is about:

- The State's duties in respect of payment for work undertaken by Aboriginal people in Western Australia.
- Monies held on trust on behalf of working Aboriginal people in the period 1936-1972.

It is also alleged that the State's 2012 Reparation Scheme discriminated against Aboriginal people by paying them less than their true entitlements.

SSO is representing the State in this class action claim and provides advice and legal assistance to the Attorney General as well as the Department of the Premier and Cabinet as required. A staged mediation process has commenced before a Federal Court Registrar to resolve roadblocks for resolution of the proceedings and to investigate whether it will be possible to resolve the matter by agreement, in the context of a preparation for trial of common issues.

Perth Casino Royal Commission

In March 2021, the Perth Casino Royal Commission (PCRC) was established to inquire into the suitability of Crown Perth to continue holding a casino gaming license and examine the State's casino regulatory framework.

This includes examining any actual or perceived conflicts of interest by officers involved in casino regulation and any matters that might enhance the Gaming and Wagering Commission's future capability and effectiveness.

SSO is providing advice, legal assistance and representation at PCRC for the Department of Local Government, Sport and Cultural Industries. SSO will also provide advice in relation to the State's response to the findings of the PCRC.

Commonwealth Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability

The Commonwealth Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability (Disability Royal Commission) commenced in April 2019. SSO has acted for 14 agencies in the Disability Royal Commission and provided advice and legal assistance to others as needed to facilitate the State participating and responding to the Disability Royal Commission.

As at 30 June 2021, the Disability Royal Commission has issued an interim report and has been granted an extension of time until 29 September 2023 to deliver its final report.

SSO has played a central role in coordinating input from agencies including the Departments of Communities, Health, Education, Justice, Western Australia Police Force and the Mental Health Commission to prepare consolidated statements and ensure a whole of government response to the issues raised in the hearings.

Examples of issues include:

- The transition to the National Disability Insurance Scheme.
- Barriers experienced by students with a disability to obtain safe, quality and inclusive school education.
- Whether disability status increases the likelihood of child removal from First Nations parents and contributes to the over representation of First Nations children in out of home care in Australia.
- Over representation of people with cognitive disability in prisons and other forms of detention.

METRONET

SSO continues to assist the State across various departments and agencies to implement METRONET.

This overarching project encompasses other significant infrastructure projects including:

- Yanchep Rail Extension.
- Thornlie-Cockburn Rail Link.
- Forrestfield Airport Link Project
- Denny Avenue Level Crossing Removal Project.
- Bayswater Station and Turnback Project.

SSO provides legal advice in relation to these projects including in relation to land acquisition, planning and development, contracts and assists the Public Transport Authority with procurement.

'Building for Tomorrow' (Main Roads Projects)

SSO is working closely with Main Roads providing all legal services including documentation and advice for major transport infrastructure projects fast tracked as part of the Government's \$6.6 billion Building for Tomorrow program. Those projects include:

- Stephenson Avenue Extension.
- Albany Ring Road.
- Leach Highway and Welshpool Road Interchange.
- Mitchell Freeway Extension (Hester Avenue to Romeo Road).
- Mitchell Freeway Widening (Hodges Drive to Hepburn Avenue).
- Tonkin Gap Project and Associated Works.
- Swan River Crossings (Fremantle Road and Rail).
- Great Eastern Highway Bypass Interchanges.
- Bunbury Outer Ring Road.

SSO is also currently assisting with the planning and procurement of the following major road infrastructure projects:

- Causeway Pedestrian and Cyclist Bridge.
- Smart Freeways Southbound Widening (Reid to Vincent).
- Tonkin Grade Separations (Hale Road to Welshpool Road).
- Tonkin Highway Extension (Thomas Road to South Western Highway).

Areas for the future

Western Australia's Pro Bono Model

Western Australia's Pro Bono Model came into effect 1 July 2020. It requires all law firms who provide legal services to public sector agencies to comply with the requirements of the model by completing minimum hours of pro bono legal services in the community. As of 1 July 2021, law firms will submit pro bono reports to SSO.

Legal Profession Uniform Law Application Bill

The Legal Profession Uniform Law scheme concerns the regulation of the legal profession in Australia and is the subject of an intergovernmental agreement between Victoria, New South Wales and Western Australia.

This new legislation will replace the *Legal Profession Act 2008* and ensure the laws regulating the legal profession in

Western Australia are substantively the same as that in the other participating jurisdictions.

Changes under the new Act will include the introduction of practicing certificates for government lawyers, changes to continuing professional development requirements and changes to cost disclosure requirements.

Significant issues

Resourcing

The provision of consolidated advice for the Government's management of COVID-19 continues to place significant demands on SSO. Other significant issues included:

- A significant increase in litigation matters, with more than 45 legal staff undertaking a broad range of activities involving court representation. This includes litigation of matters of substantial value and importance to the State, such as the High Court challenges to border restrictions during 2020, High Court challenges to State legislation, ongoing Corruption and Crime Commission litigation, ongoing Royal Commission work and the Stolen Wages Class Action against the State of Western Australia.
- The responsibility for the management of new areas of law and litigation due to Government administrative or policy decision. This includes the *High Risk Serious Offenders Act 2020* and the *Civil Liability Legislation Amendment Act (Child Sexual Abuse Actions) Act 2018*.
- The increased demand for legal advice on complex and emerging areas of law such as emergency management, COVID-19 and native title compensation claims.
- The continued provision of legal advice and assistance within tight timeframes.

To mitigate this, SSO received:

- Additional funding to assist with managing High Risk Serious Offenders applications.
- Continued funding for the Team for Institutional Abuse in Care to manage claims of historical child sexual abuse.

Asset Management

The Department manages court, custodial, and other infrastructure around Western Australia on behalf of the community. These assets are regularly reviewed to make sure they meet the needs of the Department and the Western Australian community. The Department provides advice to Government as part of the budget process, including through integrated planning that involves courts, custodial and other portfolios.

Infrastructure planning

The Department's Strategic Asset Plan outlining future requirements was submitted to support the budget process.

The long-term custodial infrastructure plan for Corrective Services was updated to support the Strategic Asset Plan and ensure sufficient capacity in the custodial estate to 2031.

The Department worked closely with the Department of Finance to prepare the plan, with the first stage for key capital issues receiving funding of \$199.7 million approved as part of the 2019/20 budget process. Work is now in progress to deliver the following projects:

- Casuarina Prison Expansion Stage Two project, which adds 344 more beds and support infrastructure to the adult male custodial estate.
- Casuarina Prison security system upgrade.
- Greenough Regional Prison female unit upgrade.
- Regional prison planning, including the planning for a new regional prison in Broome.

Major projects

Major projects were started or completed, for facility expansions, upgrades or refitting with a total combined project value exceeding \$62.5 million.

Armadale Courthouse and Police Complex

The Armadale Courthouse and Police Complex project collocates the Armadale Police Station with a new courthouse. Following a tender process, the contract was awarded to Perkins Builders in September 2019.

The Community Reference Group (CRG) was appointed in 2018 and ongoing consultative meetings have been held. CRG members attended a site visit in December 2020 to view the construction progress.

Despite labour hire delays across the building sector in Western Australia affecting the construction timelines, practical completion is scheduled for early 2022.

Bandyup Women's Prison – Subacute Mental Health Service

A budget of \$2.4 million was approved under the COVID-19 stimulus initiative for a Subacute Mental Health Facility at Bandyup Women's Prison. Work includes upgrades to Unit 1 A-Wing to provide ligature minimisation, general refurbishment and creation of support areas to provide sub-acute mental health services for women in custody.

Broome Regional Prison Kitchen

The original kitchen and dining room were badly damaged by white ant activity, and subsequent to a series of structural reports, the facility was demolished.

A temporary leased kitchen facility was installed until a suitable longer-term arrangement can be organised to meet the needs of the prison for at least five years.

The Department, in conjunction with Department of Finance, developed a tender for a new purpose-built facility, the original tender was 40 per cent over budget, and all tenders were rejected.

As such the Department revised the brief for the kitchen/dining facility and sought a revised building methodology specifying transportable or modular buildings.

The new transportable kitchen/dining facility has now been completed. All the kitchen equipment for installation is on site with estimated completion in August 2021.

FOCUS

Mallee Rehabilitation Centre

In a major initiative to reduce reoffending behaviours, the \$22.5 million Mallee Rehabilitation Centre opened in October 2020 as part of the Casuarina Prison expansion.

Mallee Rehabilitation Centre is Western Australia's first residential alcohol and other drug treatment facility for male prisoners.

Under the nine month program prisoners receive intensive counselling and education to help break the addiction cycle.

After completion of the program they will also be provided with ongoing support focused on their continued recovery.



Casuarina Prison Expansion

Stage 1 (512 beds)

\$96.3 million was allocated for this project to deliver 512 more beds and supporting infrastructure. The project began in early 2018 and was completed in May 2021.

Stage 2 (344 beds)

The \$183.4 million project is in progress to provide an additional 344 beds and an expansion of support services to enable Casuarina Prison to accommodate special needs and high risk cohort groups, within Tranche 1 and Tranche 2 works. The Tranche 1 project was tendered and awarded to Broad Construction in January 2021. Tranche 2 works consisting of the medical precinct has no detailed design currently and will be progressed to the tender documentation phase following the appointment of a lead consultant.

Greenough Regional Prison

The sum of \$12.3 million has been approved to address the safety, security and separation concerns for the existing women's precinct at Greenough, specifically enabling:

- Increased security including improved precinct perimeter fencing.
- Construction of four purpose designed buildings to provide access to employment/constructive activity, medical consulting space and delivery of education and programs.
- Construction works are currently 85 per cent complete, with practical completion scheduled for mid-October 2021.

Bunbury Regional Prison Gatehouse

Upgrades to the Bunbury Regional Prison gatehouse were completed to facilitate improved access for staff and visitors as well as improving contraband detection capabilities.

New Broome Regional Prison

In May 2019, the Government announced \$1.4 million funding for planning of the replacement to the existing Broome Regional Prison. The Department has been working with the traditional owners through Nyamba Buru Yawuru. Further consultation with external stakeholders is ongoing. Work has commenced on a brief and concept design for the new facility which will inform a detailed project definition for further consideration.

Supreme Court (Stirling Gardens) Building upgrades

Funding of \$2.117 million was approved in the 2019/20 budget to undertake critical maintenance works at the Supreme Court of Western Australia, Stirling Gardens. There are three significant scopes of work and all work is expected to be complete by the end of 2021.

- Fire Services upgrade: completion expected by October 2021.
- Electrical upgrade: completed.
- Exterior Maintenance: façade repair works delayed due to weather conditions are progressing. Due for completion by September 2021.

Contracts

Procurement, Infrastructure and Contract Services are responsible for the Department’s infrastructure needs, buyer training, purchasing and procurement.

The tables below provide information on the contract activity undertaken by the Department during the financial year.

Contracts awarded

Value	Number
\$0 - \$4,999	0
\$5,000 - \$49,999	8
\$50,000 - \$249,999	56
\$250,000 - \$4,999,999	33
\$5 million +	7

Purchase orders issued

24,148 purchase orders against 1,562 suppliers.

Value	Number
\$0 - \$4,999	20,151
\$5,000 - \$49,999	3,580
\$50,000 - \$249,999	292
\$250,000 - \$4,999,999	124
\$5 million +	1

Information and Communications Technology

The Department continued to build on the foundations delivered through the adoption of GovNext Services.

A program commenced to modernise ICT infrastructure and migrate applications off end of life platforms, addressing a significant risk in relation to 120 critical business systems. The new infrastructure platform enables the Department to be more flexible to meet security control targets, adopt changing technologies and improve disaster recovery for core applications.

Key systems migrated off the legacy environment included:

- The Registry of Births, Deaths and Marriages, Western Australian Registry System (WARS) application which is used to store and manage information in relation to all births, adoptions, deaths, marriages and change of name records.
- Ministerial Liaison Unit’s MINCOR application.
- Medical Services’ Electronic Health Online (ECHO) application which helps to manage the health needs of offenders.

- Adult Community Corrections’ Community Based Information System (CBIS) application which aids in the management of offenders in the community.

A cyber security program of works commenced, which is strengthening the Department’s security profile and reducing the potential exposure to cyber security incidents.

Digital processes were introduced during the year to manage the high volume of ICT service requests and move away from reliance on paper forms.

Justice website

The website has continued to build momentum after becoming one of the first to be hosted on the Office of Digital Government’s platform in February 2020.

The website has proved a vital tool during COVID-19, allowing the Department to seamlessly communicate with the community while maintaining most services.

www.justice.wa.gov.au recorded more than:

- 10 million visits from people in Western Australia.
- 850,000 visits from people in NSW.
- 573,000 visits from people in Victoria.
- 5 million visitors were from direct links, with a further 5 million from organic searches.
- 50,000 were directed from social media platforms.

Top 10 webpages

1. Fines Enforcement Registry
2. Registry of Births, Deaths and Marriages
3. Find a Justice of the Peace
4. Pay Your Fines
5. Public Trustee
6. View Court Schedules
7. Changing Your Name
8. Hakea Prison
9. Forms: Registry of Births, Deaths and Marriages
10. Casuarina Prison

Social media

The Department’s social media presence is based on the principle of openness and accountability and helps inform the public about services and initiatives. Not only does it help communicate the Department’s commitment to ensuring a fair, just and safe community, it is also a valuable tool for recruitment and highlighting diversity within the ranks.

After successfully growing The Department’s following on Facebook, LinkedIn and Twitter, the next step was targeting a younger audience with Instagram. The Department’s Instagram account was launched in January 2021 to coincide with National Corrections Day celebrations.

It was the perfect platform to host Beyond the Wire, a photo essay capturing images of staff and those in the care of Corrective Services at facilities across the State within a 24-hour period.

There has been a steady growth in followers across all the Department’s accounts, with Instagram recently hitting the milestone of 1,000 followers with a collage of images from around the Department. In addition, Instagram was granted verification by the platform in June, a recognition usually reserved for an account with more than 10,000 followers.

Social media has been an effective tool during COVID-19 to quickly update followers of changes to the access of services across all business areas.

Top-rating social media posts

Facebook

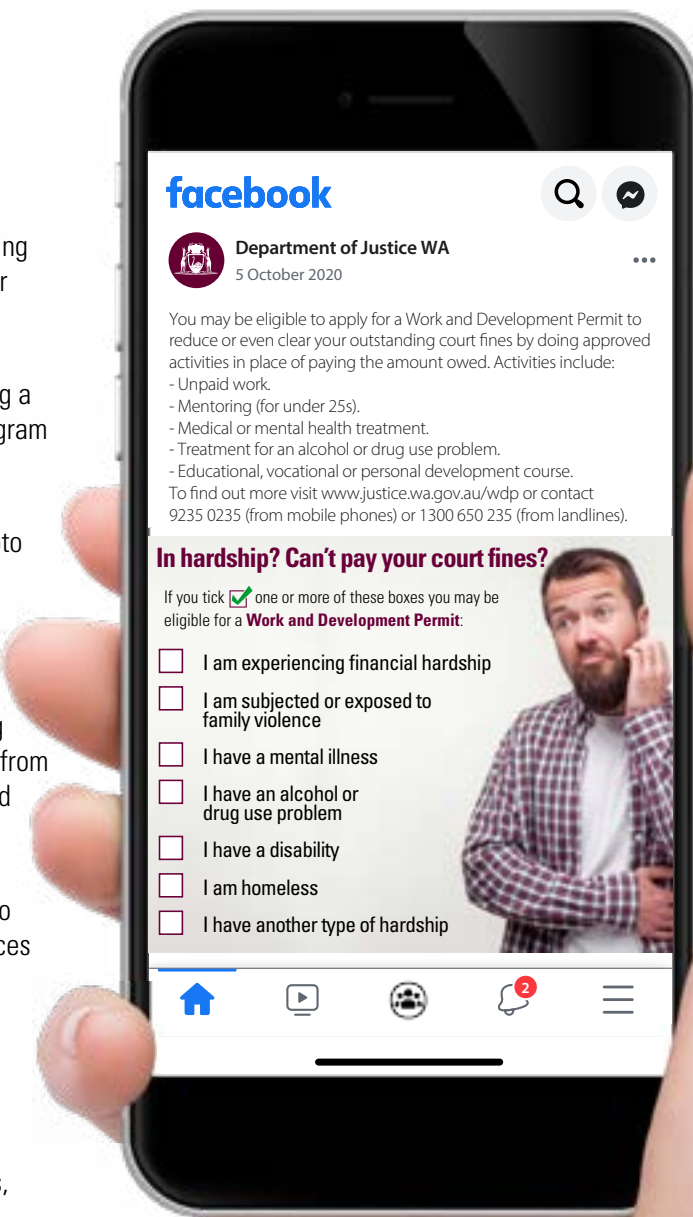
- Two Aboriginal lawyers appointed to the Magistrates Court: 32,999 Impressions, 144 comments, 146 shares, 1,579 reactions
- Four female staff awarded the Australian Corrections Medal: 8,318 impressions, 194 comments, 638 reactions
- Female former prisoner supported by Swan Districts: 17,276 impressions, 594 reactions

Instagram

- Jaffa the Drug Detection Unit dog’s retirement: 461 views
- NAIDOC Week David Malcolm Justice Centre artwork installation: 305 views

LinkedIn

- NAIDOC Week David Malcolm Justice Centre artwork installation: 17,967 impressions, 7,041 views, 467 reactions
- Jaffa the Drug Detection Unit dog’s retirement: 13,736 impressions, 235 reactions
- Aboriginal lawyers appointed to the Magistrates Court: 8,656 impressions, 244 reactions



The Work and Development Permit (WDP) scheme will help people who are experiencing difficulty paying court fines due to hardship. Under a WDP eligible people can complete approved activities under supervision of a sponsor, in place of paying the amount owed. Shortly after the scheme came into effect on 30 September 2020, the Department used its Facebook page to encourage people to check if they were eligible.

Professional Standards Division

The Professional Standards Division (PSD) provides an integrated governance approach to protect the Department's integrity, expose and prevent misconduct, corruption and fraud through a concerted focus on prevention and education.

The Professional Standards Division was established in January 2019 by the Director General. Since commencement, PSD has taken significant action to address the 51 recommendations resulting from the Corruption and Crime Commission (CCC) 2018 investigation into misconduct risks in prisons. Most recently, PSD demonstrated its commitment to address serious misconduct risks and to implement tangible change by providing the CCC with evidence to support the closure of all 14 outstanding recommendations.

Comprised of Performance Assurance and Risk (PAR), Integrity and Accountability (IAD) and Corruption Prevention and Education (CPE), PSD continues to work in partnership across the Department and with external integrity agencies to deliver a Department-wide approach to the prevention, education and management of misconduct risks across the Department. PSD through all of its operational activities seeks to ensure that the workplace is open, honest, and free from corruption.

Key achievements were:

- Progression of all outstanding recommendations arising from the CCC investigation into Misconduct Risks in Western Australian prisons to the CCC for closure.
- Increasing awareness through Integrity and Ethics Awareness sessions, and the establishment of Integrity and Ethics Committees in all Western Australian prisons.
- Targeting serious misconduct and criminality in conjunction with the Western Australia Police Force, resulting in a number of convictions, improvement actions and disciplinary action.
- Development of a Business Continuity Management Framework and tools to support divisions in their business specific arrangements.
- Publication of a report describing issues and learnings from coronial inquests. This has the objective of stimulating a positive culture where staff are encouraged to note unexpected mistakes and/or systemic issues related to deaths in custody and examine how they might be prevented in the future.
- Promotion of the Code of Conduct and standards of behaviour through Integrity and Ethics Awareness sessions to 2,103 staff members. Ensuring compliance with the Code of Conduct through mandatory staff drug

and alcohol testing of Prison and Custodial officers. The Drug and Alcohol Testing Branch conducted 2,532 drug and alcohol tests of Department employees. Tests were conducted over 175 separate testing events, across 24 metropolitan and regional Corrective Services sites, including both public and private operated facilities.

Performance Assurance and Risk

The Performance Assurance and Risk (PAR) Directorate performs the Department's internal audit function, is responsible for the Enterprise Risk Management Framework and independently reviews deaths in custody, where the Coroner directs the death is reportable under the *Coroner's Act 1996*.

PAR reports directly to the Director General and to the Department's Risk Management and Audit Committee on its internal audit work program and on the status of recommendations made to the Department by relevant external oversight bodies (for example, the Office of the Auditor General, Office of the Inspector of Custodial Services and the CCC). In April 2021, PAR undertook extensive consultation with the Department heads of divisions to align the Department's Enterprise Risk Management (ERM) Framework to best practice and industry standards.

This process has been fundamental in ensuring divisions have effective strategies to mitigate risks, enhance organisational resilience and ensure the Department is well positioned to meet its statutory risk management obligations by adhering to relevant legislation, policies and guidelines including:

- Treasurer's Instruction 825: Risk Management
- Public Sector Commission Good Governance Guide for public sector agencies (Principle 9): Risk Management
- ISO 31000:2018 Risk Management.

PAR also undertook a review of the Department's progress against the remaining outstanding CCC recommendations and has been instrumental in ensuring the Department provides the Commission with a robust, evidence-based response to support the closure of outstanding recommendations.

Integrity and Accountability

The Integrity and Accountability Directorate (IAD) maintains and upholds professional standards and ethical conduct and accepts and investigates information concerning suspected staff misconduct and/or criminal activity across the Department to enable it to address risk that potentially undermines the Justice Integrity Framework and the Code of Conduct.

In 2020/21, IAD transitioned from a triage assessment process to a directions process. The new enhanced process now includes an early intervention strategy and allows for the application of behaviour modification strategies where a particular behaviour does not constitute a breach of discipline but falls short of the behaviour expected of employees. This process brings PSD divisions together and allows for a more comprehensive and holistic approach with a focus on prevention rather than only on investigating and managing misconduct.

The development and promotion of the Online Misconduct Reporting portal has been a fundamental tool in promoting ethical practice and responding to misconduct allegations. This new online reporting portal allows IAD to better manage reports of suspected staff misconduct in consultation with business areas, to provide a safe, just, and fair work environment and custodial estate.

During the 2020/21 financial year, IAD have received 885 complaints through the Online Misconduct Reporting system of which 717 have been addressed and closed.

Corruption Prevention and Education

Corruption Prevention and Education (CPE) takes a proactive approach to raising staff awareness about integrity, expected standards of behaviour and intervention strategies whilst building a culture of integrity across the agency.

CPE assumed responsibility for tracking the Working with Children Checks (WWCC) in February 2021 and have assisted in refining processes to ensure positions and employees identified as requiring a WWCC card hold a valid card at all times. Emails to staff and managers regarding renewal are now automatically generated to drive compliance with WWCC requirements.

CPE continued to strengthen the existing Ethics and Integrity Committees and have now established committees in all Western Australian custodial facilities. The committees ensure managers within the custodial estate have the tools to assist in the identification, mitigation and management of behaviour that has the potential to escalate into a breach of discipline.

CPE also worked on the re-screening strategy for employees. Amendments to the Employment Screening Policy and procedures strengthen current screening process and allows for the periodic review of employees. The Employment Screening Unit within CPE processed 6,759 screening applications including 1,018 re-screening applications.

Re-screening has been applied to Vocational Support Officers, Grievance Officers, Superintendents, and staff at Banksia Hill Detention Centre.

Managing our People

The Department is committed to delivering excellent service to the community, its stakeholders and Government, and has continued to focus on building a strong workforce driven by the development of the skills and expertise of its staff.

Employee Perception Survey

In 2018 the Department's staff, along with staff from nine other selected amalgamated government departments, were invited to take part in the Public Sector Commission's Employee Perception Survey. The results were published for staff on the Department's intranet. The survey was considered particularly important as it was done after the wide-reaching Machinery of Government changes.

Three key themes were identified in feedback from staff and work continued to address the outcomes. The following actions were developed and rolled out across the Department:

Culture, leadership and management

- A Managers' Toolbox page on the Department's intranet.
- A new Onboarding Guide and Onboarding Guide for Managers.
- A new suite of HR reports for Corrective Services.
- A new excessive leave management report.
- Ethical behaviours sessions including recognising, managing and reporting misconduct via Professional Standards.
- A suite of help guides and other support materials to assist managers and supervisors in undertaking their management duties.
- A mandatory Management Induction for all employees who are responsible for leading people.
- Education of critical roles participating in the recruitment process such as panel chairs and panel members through a new Recruitment and Selection online module.

Employee recognition, motivation and career opportunities

- A new corporate run Length of Service recognition program.

Job satisfaction, and capability development

- A new Higher Duties (Acting) Policy, and supporting procedures - Staff Movements and Deployments Policy and related procedures.
- A new Job Design Policy and supporting procedures that provides a consistent, transparent and equitable approach to the evaluation of jobs, and a framework for an effective practice.

Employee relations

Following Government approval, the Department began negotiations to update several key industrial agreements including the Department of Justice (Jury Officers) CSA Agreement 2017 and the Department of Justice (Youth Custodial Officers) CSA Agreement 2017 and the Department of Corrective Services – Registered Nurses (ANF) Industrial Agreement 2016.

The Department continued its work to give effect to the Commissioner's Instruction 23 (CI23) which is for the conversion and appointment of fixed term contract and casual employees to permanency. During 2020/21 one person was permanently recruited under CI23. In addition to that, 177 people on fixed term contracts (FTC) and 19 casual employees achieved permanency through the standard recruitment process within the Department.

Health and wellness programs

Mental Health Framework

The Department launched the new Mental Health Framework (2021/24), intended as a foundation for practical strategies and initiatives to improve mental health and wellbeing in the workplace. The framework comprises three overarching pillars:

- Monitoring and accommodating mental health.
- Minimising harm and protecting against risk.
- Optimising wellbeing and generating our people's future capabilities.

The Mental Health Framework is based on the Thrive at Work model, a Western Australian initiative, which presents contemporary and evidence-informed strategies designed to protect against psychological harm and foster the development of positive mental health at work.

Mental health campaigns

The Department supported various mental health campaigns, such as R U OK Day and Mental Health week, to help raise awareness and reduce mental health stigma. Some of the activities held across the Department included fundraising for Beyond Blue, mental health trivia challenges, information stalls, promotion of the Blue Tree Project, yoga and mindfulness sessions.

There were also presentations delivered by external agencies including PeopleSense, the Department's Employee Assistance Program provider. Staff can now also access a quarterly online magazine containing news articles relating to mental and physical wellbeing on the Department's intranet.

Influenza vaccinations

The Department ran its annual staff vaccination program for 2021. Employees had the option of attending an on-site vaccination clinic or requesting a flu voucher for a nominated pharmacy. 1,354 vaccines were administered via onsite clinics, and 849 were delivered via vouchers. In total, 2,203 vaccines were administered up to 30 June 2021.

Staff development and performance

Employee development system

The Department currently has two employee performance development systems in operation, which set out a performance management framework, processes and guidelines for managers and employees. Development of a whole of Department performance development process has commenced, with implementation anticipated during 2021.

Training and development

The Department ensures employees have opportunities to take part in training and development sessions.

A significant number of staff development programs and information sessions were offered across the Department including but not limited to:

- Mandatory Corporate Induction was delivered online to 631 employees.
- Mandatory Accountable and Ethical Decision Making was delivered online to 2,138 employees.
- Fraud and corruption prevention training was delivered to 1,348 employees.

- Management essentials¹ was delivered online and completed by 352 employees.
- Recruitment and selection for panel members¹ was delivered online to 193 employees.
- Occupational safety and health for managers¹ was delivered online to 602 employees.

Graduate program

The graduate program is an initiative run over an 18-month period. Four new graduates were employed, and placements included Finance, Human Resources and Court and Tribunal Services.

School-based trainees

This traineeship provides students on the job work experience two days per week and a Certificate II in Government.

Eight trainees were employed in the program and placements included Advisory Services, Human Resources, Knowledge and Information Technology, the Public Trustee and Corrective Services.

Aboriginal trainees

The Aboriginal Traineeship Program is a 12-month Department funded initiative. This traineeship provides Aboriginal trainees with on the job work experience and a Certificate III in Government.

Five trainees were employed in the program and placements included Human Resources, the Registry of Births, Deaths and Marriages, Corrective Services and Court and Tribunal Services. Five trainees graduated during 2020/21, and all have secured employment with the Department.

Equal opportunity training

The Department worked with the Equal Opportunity Commission to develop and deliver an equal opportunity training program focused on identifying discrimination and sexual harassment in the workplace.

Raising awareness of these issues and creating a work environment which is free of these behaviours is an underpinning objective of the program.

¹ Mandatory for some employment groups only. Mandatory courses do not have to be completed every year, so numbers do not reflect the Department's total employee count.

Diversity and inclusion

Diversity

A whole of Department Diversity and Inclusion agenda continues to be progressed with a workforce diversification strategy and action plan being developed. The Department launched the Multicultural Plan 2021-2025 which was developed in consultation with the Office of Multicultural Interests and is aligned with the Western Australian Multicultural Policy Framework.

Equal Employment Opportunity Management Plan

The objectives of the Department's Equal Employment Opportunity Management Plan aim to build a workplace which promotes inclusion and diversity and embraces the unique skills and qualities of all our people. The continued focus has been on the implementation of Aboriginal workforce development initiatives and strengthening youth pathway programs. Initiatives included using online networking platforms to provide employees from diversity groups with the opportunity to engage and collaborate. The Department is also utilising social media channels to promote itself as an employer of choice and a champion of diversity.

Aboriginal Workforce Development Strategy

The Department aims to build a diverse workforce that promotes Aboriginal employment, to better reflect the Western Australian community and service needs.

Currently, Aboriginal staff represent six per cent of employees, which exceeds the Public Sector Commission benchmark target of three per cent. A review of the Aboriginal Workforce Development Strategy is underway with updated actions and aspirational employment targets being developed.

The Department introduced innovative practices and targeted recruitment approaches to improve employment outcomes for Aboriginal people. Initiatives included the implementation of an Aboriginal employment register. The register provides internal and external Aboriginal candidates with the opportunity to express interest in career opportunities.

A strong pool of candidates is being developed to provide a talent pipeline for current and future opportunities across the Department. In addition, social media channels have featured Aboriginal staff to promote the Department as an employer of choice. As a result, the Department has seen an increase in the number of Aboriginal people applying for positions.

Employee Assistance Program

The Department of Justice's Employee Assistance Program (EAP) provider is PeopleSense.

The program provided 2,502 counselling sessions throughout the year, with an annual usage rate of nine per cent and 19 per cent of sessions provided to family members of staff.

Demand for EAP services has remained high after an initial peak in the take up in 2020, mostly due to COVID-19 disruptions.

EAP services have been responding to social distancing requirements by providing telehealth and video consultations where possible.

In total, 32 per cent of sessions were delivered via telephone, nine per cent through internet video formats, with the remaining 59 per cent being delivered face-to-face.

	2020/21	2019/20	2018/19	2017/18
Clients	807	960	786	504

Volunteers

Volunteers play an important role in supporting the delivery of justice services across Western Australia. They include approximately 2,200 Justices of the Peace.

The Office of the Public Advocate's community guardianship program volunteers continue to provide an invaluable service. At 30 June 2021, there were 17 volunteers engaged in the program.

The Department's Family Violence Service, Victim Support Service and Child Witness Service all use volunteers to support victims of crime going through the court process.

The Department extends its sincere thanks to all the volunteers for their contribution to justice services in Western Australia.

Recruitment

Bulk recruitment activities resulted in 115 prison officers and 11 Special Operations Group Officers being permanently appointed across various regional and metropolitan locations. In addition, 22 Youth Custodial Officers, 48 Community Corrections Officers and 68 Vocational Support Officers were also recruited and appointed permanently or on a fixed term contract for various locations around the State. Bulk recruitment activity is continuing with a strong focus on attracting and hiring a diverse workforce, specifically Aboriginal people and women. Social media channels have been utilised to strengthen the Department's employer brand and ensure high quality recruits.

A particular priority has been to recruit locally across regional locations. The online Recruitment and Selection training module was launched on the Justice Education Management System in October 2020. This new online course assists panel members to ensure compliance with legislative requirements, public sector standards and to conduct an effective, unbiased and professional recruitment and selection process. The new electronic advertising vacancy process was launched in November 2020. A phased roll out is in progress which is resulting in a streamlined process. This improves the applicants' and panel members' experience and reduces cost by minimising the use of paper, printing, storage and couriers.

FOCUS

Recruiting Community Corrections Officers

Community Corrections Officers (CCO) aim to increase positive engagement to help their clients change offending behaviour, provide them with opportunities to consolidate learning from programs or interventions, and make a positive step towards an offence-free lifestyle.

Staff members featured on the Department's social media where they encouraged people to consider a rewarding career as a CCO. This resulted in increased enquiries about working in this role.



Independent Auditor's Report



Auditor General

INDEPENDENT AUDITOR'S OPINION

2021

Department of Justice

To the Parliament of Western Australia

Report on the audit of the financial statements

Opinion

I have audited the financial statements of the Department of Justice (Department) which comprise:

- the Statement of Financial Position at 30 June 2021, and 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 for the year then ended
- 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 2021 and the financial position at the end of that period
- in accordance with Australian Accounting Standards, the *Financial Management Act 2006* and the Treasurer's Instructions.

Basis for 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 & Ethical Standards Board's APES 110 *Code of Ethics for Professional Accountants (including Independence Standards)* (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.

Responsibilities of the Director General for the financial statements

The Director General is responsible for:

- keeping proper accounts
- preparation and fair presentation of the financial statements in accordance with Australian Accounting Standards, the *Financial Management Act 2006* and the Treasurer's Instructions
- 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 entity's ability to continue as a going concern
- disclosing, as applicable, matters related to going concern
- 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 responsibilities 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. 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.

A further description of my responsibilities for the audit of the financial statements is located on the Auditing and Assurance Standards Board website. This description forms part of my auditor's report and can be found at https://www.auasb.gov.au/auditors_responsibilities/ar4.pdf.

Report on the audit of 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 2021.

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 were implemented as designed.

An assurance engagement involves performing procedures to obtain evidence about the suitability of the controls design to achieve the overall control objectives and the implementation of those controls. The procedures selected depend on my judgement, including an 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 in operation, the overall control objectives may not be achieved so that fraud, error or non-compliance 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 audit of the key performance indicators

Opinion

I have undertaken a reasonable assurance engagement on the key performance indicators of the Department of Justice for the year ended 30 June 2021. The key performance indicators are the Under Treasurer-approved key effectiveness indicators and key efficiency indicators that provide performance information about achieving outcomes and delivering services.

In my opinion, in all material respects, 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 2021.

The Director General's responsibilities 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 responsibilities

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 entity'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 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.

Other information

The Director General is responsible for the other information. The other information is the information in the entity's annual report for the year ended 30 June 2021, but not the financial statements, key performance indicators and my auditor's report.

My opinions do not cover the other information and, accordingly, I do not express any form of assurance conclusion thereon.

Matters relating to the electronic publication of the audited financial statements and key performance indicators

This auditor's report relates to the financial statements, controls and key performance indicators of the Department of Justice for the year ended 30 June 2021 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, controls 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, controls or key performance indicators. If users of the financial statements, controls and key performance indicators are concerned with the inherent risks arising from publication on a website, they are advised to contact the entity to confirm the information contained in the website version of the financial statements, controls and key performance indicators.



Caroline Spencer
Auditor General for Western Australia
Perth, Western Australia
10 September 2021

Certification of Financial Statements

For the reporting period ended 30 June 2021

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 2021 and the financial position as at 30 June 2021.

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.



John Deery
Chief Finance Officer

10 September 2021



Dr Adam Tomison
Accountable Authority

10 September 2021

PRIMARY FINANCIAL STATEMENTS

Statement of Comprehensive Income

For the year ended 30 June 2021

	Notes	2021 (\$000)	2020 (\$000)
COST OF SERVICES			
Expenses			
Employee benefits expenses	3.1.1	868,081	815,647
Supplies and services	3.2	391,021	396,552
Depreciation and amortisation expense	5.1.1,5.2,5.3.1	79,153	78,245
Finance costs	7.3	35,043	37,184
Accommodation expenses	3.3	57,315	57,301
Grants and subsidies	3.4	235,047	115,521
Prisoner gratuities	3.5	12,841	12,276
Cost of sales	4.3	16,086	14,501
Loss on revaluation	3.6	268	-
Other expenses	3.7	119,831	96,218
Total cost of services		1,814,686	1,623,445
Income			
User charges and fees	4.2	105,882	107,378
Sale of goods	4.3	16,780	14,976
Commonwealth grants	4.4	76,809	22,689
Other Income	4.5	19,655	17,156
Total Revenue		219,126	162,199
Gains			
Gain on revaluation	3.6	439	101,944
Total gains		439	101,944
Total income		219,565	264,143
NET COST OF SERVICES		1,595,121	1,359,302
Income from State Government	4.1		
Service appropriation		1,504,522	1,391,071
Income from other public sector entities		52,483	22,462
Services received		11,981	4,256
Royalties for Regions Fund		9,687	9,416
Total income from State Government		1,578,673	1,427,205
SURPLUS/(DEFICIT) FOR THE PERIOD		(16,448)	67,903
OTHER COMPREHENSIVE INCOME			
Items not reclassified subsequently to profit or loss			
Changes in asset revaluation surplus	9.10	(7,795)	7,795
Total other comprehensive income		(7,795)	7,795
TOTAL COMPREHENSIVE INCOME FOR THE PERIOD		(24,243)	75,698

The Statement of comprehensive income should be read in conjunction with the accompanying notes.

PRIMARY FINANCIAL STATEMENTS

Statement of Financial Position

As at 30 June 2021

	Notes	2021 (\$000)	2020 (\$000)
ASSETS			
Current Assets			
Cash and cash equivalents	7.4.1	29,545	25,362
Restricted cash and cash equivalents	7.4.1	2,924	4,736
Inventories	4.3	5,772	4,745
Receivables	6.1	17,788	19,042
Amounts receivable for services	6.2	11,625	11,625
Other current assets	6.3	7,115	3,376
Biological assets	6.4	3,143	2,414
Total Current Assets		77,912	71,300
Non-Current Assets			
Restricted cash and cash equivalents	7.4.1	13,500	10,200
Amounts receivable for services	6.2	580,602	517,602
Property, plant and equipment	5.1	1,956,079	1,955,631
Right-of-use assets	5.2	415,673	423,869
Intangible assets	5.3	7,670	7,798
Total Non-Current Assets		2,973,524	2,915,100
TOTAL ASSETS		3,051,436	2,986,400
LIABILITIES			
Current Liabilities			
Payables	6.5	90,367	96,289
Lease liabilities	7.1	26,645	25,696
Employee related provisions	3.1.2	179,647	156,260
Total Current Liabilities		296,659	278,245
Non-Current Liabilities			
Lease liabilities	7.1	381,820	395,587
Employee related provisions	3.1.2	38,584	34,209
Total Non-Current Liabilities		420,404	429,796
TOTAL LIABILITIES		717,063	708,041
NET ASSETS		2,334,373	2,278,359
EQUITY	9.10		
Contributed equity		2,421,017	2,340,760
Reserves		-	7,795
Accumulated deficit		(86,644)	(70,196)
TOTAL EQUITY		2,334,373	2,278,359

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 2021

	Note	Contributed equity (\$000)	Reserves (\$000)	Accumulated deficit (\$000)	Total equity (\$000)
Balance at 1 July 2019	9.10	2,207,550	-	(138,099)	2,069,451
Surplus for the period		-	-	67,903	67,903
Other comprehensive income		-	7,795	-	7,795
Total comprehensive income for the period		-	7,795	67,903	75,698
Transactions with owners in their capacity as owners:					
Capital appropriations		49,491	-	-	49,491
Equity contribution		72,261	-	-	72,261
Other contributions by owners		11,458	-	-	11,458
Total		133,210	-	-	133,210
Balance at 30 June 2020		2,340,760	7,795	(70,196)	2,278,359

	Note	Contributed equity (\$000)	Reserves (\$000)	Accumulated deficit (\$000)	Total equity (\$000)
Balance at 1 July 2020	9.10	2,340,760	7,795	(70,196)	2,278,359
(Deficit) for the period		-	-	(16,448)	(16,448)
Other comprehensive income		-	(7,795)	-	(7,795)
Total comprehensive income for the period		-	(7,795)	(16,448)	(24,243)
Transactions with owners in their capacity as owners:					
Capital appropriations		68,510	-	-	68,510
Equity contribution		12,335	-	-	12,335
Other contributions by owners		382	-	-	382
Distributions to owners		(970)	-	-	(970)
Total		80,257	-	-	80,257
Balance at 30 June 2021		2,421,017	-	(86,644)	2,334,373

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

PRIMARY FINANCIAL STATEMENTS

Statement of Cash Flows

For the year ended 30 June 2021

	Note	2021 (\$000)	2020 (\$000)
Cash flows from State Government			
Service appropriation		1,429,897	1,318,924
Capital appropriations		68,510	49,491
Funds from other public sector entities		52,483	22,462
Equity contributions		12,336	72,261
Other contributions by owners		382	-
Holding account drawdown		11,625	11,625
Royalties for Regions Fund		9,687	20,874
Net cash provided by State Government		1,584,920	1,495,637
Utilised as follows:			
Cash flows from operating activities			
Payments			
Employee benefits		(834,910)	(793,181)
Supplies and services		(412,977)	(424,624)
Finance costs		(35,043)	(37,184)
Accommodation		(52,568)	(52,606)
Grants and Subsidies		(235,047)	(115,521)
GST payments on purchases		(65,241)	(68,348)
GST payments to taxation authority		(4,744)	(4,790)
Other payments		(115,825)	(89,934)
Receipts			
Sale of goods and services		2,320	2,433
User charges and fees		105,866	107,415
Commonwealth grants		72,062	17,994
GST receipts on sales		4,901	4,557
GST receipts from taxation authority		67,160	67,111
Other receipts		14,467	10,928
Net cash used in operating activities		(1,489,579)	(1,375,750)
Cash flows from investing activities			
Payments			
Purchase of non-current assets		(58,898)	(105,536)
Receipts			
Proceeds from sale of non-current assets		46	13
Net cash used in investing activities		(58,852)	(105,523)
Cash flows from financing activities			
Payments			
Principal elements of lease payments		(30,984)	(33,270)
Receipts			
Proceeds from borrowings		166	6,124
Net cash used in financing activities		(30,818)	(27,146)
Net increase/(decrease) in cash and cash equivalents		5,671	(12,782)
Cash and cash equivalents at the beginning of the period		40,298	53,080
Cash and cash equivalents at the end of the period	7.4.1	45,969	40,298

The Statement of cash flows should be read in conjunction with the accompanying notes.

PRIMARY FINANCIAL STATEMENTS

For the year ended 30 June 2021

	2021 Budget Estimate (\$000)	2021 Supplementary Funding (\$000)	2021 Revised Budget (\$000)	2021 Actual (\$000)	2021 Variance (\$000)
<u>Delivery of Services</u>					
Item 64 Net amount appropriated to deliver services	1,305,700	63,906	1,369,606	1,369,606	-
Amount Authorised by Other Statutes					
- <i>Criminal Injuries Compensation Act 2003</i>	31,817	36,731	68,548	68,548	-
- <i>Salaries and Allowances Act 1975</i>	33,947	1,325	35,272	35,272	-
- <i>District Court of Western Australia Act 1969</i>	13,531	327	13,858	13,858	-
- <i>Judges' Salaries and Pensions Act 1950</i>	10,836	73	10,909	10,909	-
- <i>State Administrative Tribunal Act 2004</i>	5,878	(565)	5,313	5,313	-
- <i>Solicitor General Act 1969</i>	594	(39)	555	555	-
- <i>Children's Court of Western Australia Act 1988</i>	405	25	430	430	-
- <i>Suitor's Fund Act 1964</i>	31	-	31	31	-
Total appropriations provided to deliver services	1,402,739	101,783	1,504,522	1,504,522	-
<u>Capital</u>					
Item 129 Capital appropriations	68,385	125	68,510	68,510	-
Equity contribution	713	11,530	12,243	12,717	474
GRAND TOTAL	1,471,837	113,438	1,585,275	1,585,749	474

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 Department 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 10 September 2021.

Statement of compliance

These general purpose financial statements are prepared in accordance with:

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

The FMA and the TIs take precedence over AASs. Several AASs are modified by the TIs 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 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 will be credited directly to Contributed Equity.

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

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

Services

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
- 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
- provision of information and services on equal opportunity

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’.

NOTES TO THE FINANCIAL STATEMENTS

2.2 Schedule of income and expenses by service

For the year ended 30 June 2021

NOTES TO THE FINANCIAL STATEMENTS

	Court and Tribunal Services		Trustee Services		Equal Opportunity Commission ^(a)		Births, Deaths and Marriages		Advocacy, Guardianship and Administration Service		National Redress Scheme	
	2021 (\$000)	2020 (\$000)	2021 (\$000)	2020 (\$000)	2021 (\$000)	2020 (\$000)	2021 (\$000)	2020 (\$000)	2021 (\$000)	2020 (\$000)	2021 (\$000)	2020 (\$000)
<i>Cost of Services</i>												
Expenses												
Employee benefits expense	171,041	168,174	19,206	18,897	1,305	-	4,434	4,114	8,138	7,374	1,003	961
Supplies and services	97,235	92,144	2,898	3,151	267	-	1,186	1,135	715	377	70	17
Depreciation and amortisation expense	21,879	24,149	2,165	2,484	4	-	631	813	39	37	1	1
Finance costs	14,876	16,505	11	44	-	-	1	1	2	1	-	-
Accommodation expenses	31,696	31,928	633	472	166	-	582	1,275	1,015	999	30	-
Grants and subsidies	73,896	50,422	48	92	-	-	12	48	17	52	40,891	8,373
Prisoner gratuities	-	-	-	-	-	-	-	-	-	-	-	-
Cost of Sales	-	-	-	-	-	-	-	-	-	-	-	-
Other expenditure	22,244	16,996	1,327	581	29	-	224	192	166	121	16	4
Loss on revaluation	-	-	-	-	-	-	-	-	-	-	-	-
Total cost of services	432,867	400,318	26,288	25,721	1,771	-	7,070	7,578	10,092	8,961	42,011	9,356
Income												
User charges and fees	76,425	78,406	22,076	21,604	23	-	7,356	7,309	-	-	-	-
Sales	-	-	-	-	-	-	-	-	-	-	-	-
Commonwealth grants	22,092	19,373	-	-	5	-	-	-	-	-	-	-
Other Income	6,590	3,065	3,750	3,571	-	-	99	13	7	12	2	-
	105,107	100,844	25,826	25,175	28	-	7,455	7,322	7	12	2	-
Gain on revaluation	-	2,691	-	-	-	-	-	-	-	-	-	-
	-	2,691	-	-	-	-	-	-	-	-	-	-
Total income	105,107	103,535	25,826	25,175	28	-	7,455	7,322	7	12	2	-
Net Cost of Services	327,760	296,783	462	546	1,743	-	(385)	256	10,085	8,949	42,009	9,356
Income from State Government												
Service appropriations	312,829	283,120	966	926	1,519	-	620	806	9,588	8,588	-	-
Income from other public sector entities	3,234	3,972	-	-	19	-	-	-	-	-	42,336	9,901
Resources received	7,414	-	-	-	-	-	-	-	-	-	-	-
Royalties for Regions Fund	193	206	-	-	-	-	-	-	-	-	-	-
Total Income from State Government	323,670	287,298	966	926	1,538	-	620	806	9,588	8,588	42,336	9,901
Surplus/(Deficit) for the period	(4,090)	(9,485)	504	380	(205)	-	1,005	550	(497)	(361)	327	545

2.2 Schedule of income and expenses by service (continued)

	Legal Aid Assistance		Services to Government		Adult Corrective Services		Youth Justice Services		Total	
	2021 (\$000)	2020 (\$000)	2021 (\$000)	2020 (\$000)	2021 (\$000)	2020 (\$000)	2021 (\$000)	2020 (\$000)	2021 (\$000)	2020 (\$000)
<i>Cost of Services</i>										
<i>Expenses</i>										
Employee benefits expense	1,671	-	50,407	49,348	543,372	501,488	67,504	65,291	868,081	815,647
Supplies and services	460	-	7,316	6,188	262,075	274,714	18,799	18,826	391,021	396,552
Depreciation and amortisation expense	-	-	386	370	52,000	48,668	2,048	1,723	79,153	78,245
Finance costs	-	-	16	12	20,065	20,551	72	70	35,043	37,184
Accommodation expenses	162	-	9,114	7,772	11,144	14,222	2,773	633	57,315	57,301
Grants and subsidies	115,276	53,381	2,681	1,869	2,021	1,117	205	167	235,047	115,521
Prisoner gratuities	-	-	-	-	12,706	12,123	135	153	12,841	12,276
Cost of Sales	-	-	-	-	16,012	14,418	74	83	16,086	14,501
Other expenditure	19	-	1,337	1,434	86,796	68,112	7,673	8,778	119,831	96,218
Loss on revaluation	-	-	-	-	268	-	-	-	268	-
Total cost of services	117,588	53,381	71,257	66,993	1,006,459	955,413	99,283	95,724	1,814,686	1,623,445
<i>Income</i>										
User charges and fees	-	-	-	-	2	59	-	-	105,882	107,378
Sales	-	-	-	-	16,717	14,893	63	83	16,780	14,976
Commonwealth grants	54,453	3,155	-	-	213	135	46	26	76,809	22,689
Other Income	3	-	852	1,663	7,864	8,184	488	648	19,655	17,156
	54,456	3,155	852	1,663	24,796	23,271	597	757	219,126	162,199
Gain on revaluation	-	-	-	-	329	74,440	110	24,813	439	101,944
	-	-	-	-	329	74,440	110	24,813	439	101,944
Total income other than income from State Government	54,456	3,155	852	1,663	25,125	97,711	707	25,570	219,565	264,143
Net Cost of Services	63,132	50,226	70,405	65,330	981,333	857,702	98,576	70,154	1,595,121	1,359,302
Income from State Government										
Service appropriations	63,130	50,226	64,560	57,959	958,751	900,784	92,559	88,662	1,504,522	1,391,071
Income from other public sector entities	-	-	6,010	6,013	836	2,406	48	170	52,483	22,462
Resources received	-	-	-	-	4,567	4,256	-	-	11,981	4,256
Royalties for Regions Fund	-	-	-	-	3,292	3,031	6,202	6,179	9,687	9,416
Total Income from State Government	63,130	50,226	70,570	63,972	967,446	910,477	98,809	95,011	1,578,673	1,427,205
Surplus/(Deficit) for the period	(2)	-	165	(1,358)	(13,887)	52,775	233	24,857	(16,448)	67,903

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

^(a) See note 9.10.a "Equity".

2.3 Schedule of assets and liabilities by service

As at 30 June 2021

	Court and Tribunal Services		Trustee Services		Equal Opportunity Commission		Births, Deaths and Marriages		Advocacy, Guardianship and Administration Services		Services to Government		Adult Corrective Services		Youth Justice Services		Total	
	2021 (\$000)	2020 (\$000)	2021 (\$000)	2020 (\$000)	2021 (\$000)	2020 (\$000)	2021 (\$000)	2020 (\$000)	2021 (\$000)	2020 (\$000)	2021 (\$000)	2020 (\$000)	2021 (\$000)	2020 (\$000)	2021 (\$000)	2020 (\$000)	2021 (\$000)	2020 (\$000)
<i>Assets</i>																		
Current assets	56,318	47,062	17	875	15	-	91	89	1	2	1,429	1,553	17,973	19,367	2,068	2,352	77,912	71,300
Non-current assets	968,581	922,953	1,159	2,873	59	-	3,529	3,949	39	7	489	430	1,777,262	1,759,419	222,406	225,469	2,973,524	2,915,100
Total assets	1,024,899	970,015	1,176	3,748	74	-	3,620	4,038	40	9	1,918	1,983	1,795,235	1,778,786	224,474	227,821	3,051,436	2,986,400
<i>Liabilities</i>																		
Current liabilities	96,798	96,648	3,378	4,492	490	-	620	591	1,103	1,068	8,840	8,775	150,083	136,374	35,347	30,297	296,659	278,245
Non-current liabilities	194,096	201,821	581	688	91	-	114	111	213	237	1,667	1,938	199,245	199,891	25,397	25,110	420,404	429,796
Total liabilities	290,894	298,469	3,959	5,180	581	-	734	702	1,316	1,305	10,507	10,713	348,328	336,265	60,744	55,407	717,063	708,041
NET ASSETS/(LIABILITIES)	734,005	671,546	(2,783)	(1,432)	(507)	-	2,886	3,336	(1,276)	(1,296)	(8,589)	(8,730)	1,446,907	1,442,521	163,730	172,414	2,334,373	2,278,359

The Schedule of Assets and Liabilities by Service should be read in conjunction with the accompanying notes.
No assets and liabilities are attributed to the Legal Aid Assistance and National Redress Scheme services.
(a) See note 9.10.a "Equity"

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
Employee benefits expenses	3.1.1
Employee related provisions	3.1.2
Supplies and services	3.2
Accommodation expenses	3.3
Grants and subsidies	3.4
Prisoner gratuities	3.5
Cost of sales	4.3
(Gain)/Loss on revaluation	3.6
Other expenditure	3.7

3.1.1 Employee benefits expenses

	2021 (\$000)	2020 (\$000)
Employee benefits	797,058	749,821
Termination benefits	448	421
Superannuation - defined contribution plans	70,575	65,405
Total employee benefits expenses	868,081	815,647
Add: AASB 16 Non-monetary benefits	15,385	16,116
Less: Employee Contributions (per the statement of comprehensive income)	2,468	2,641
Net employee benefits	880,998	829,122

Employee Benefits: include wages and salaries, accrued and paid leave entitlements and paid sick leave, and non-monetary benefits (such as medical care, housing, cars and free or subsidised goods or services) for employees.

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 Gold State Super (GSS) (concurrent contributions), the West State Super (WSS), the Government Employees Superannuation Board (GESB), or other superannuation funds.

AASB 16 Non-monetary benefits: Employee benefits in the form of non-monetary benefits, such as the provision of motor vehicles or housing, are measured at the cost incurred by the Department.

Employee Contributions: Contributions made to the Department by employees towards employee benefits that have been provided by the Department. This includes both AASB 16 and non-AASB 16 employee contributions.

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.

	2021 (\$000)	2020 (\$000)
Current		
<u>Employee benefits provisions</u>		
Annual leave ^(a)	69,074	57,819
Long service leave ^(b)	102,652	91,545
	171,726	149,364
<u>Other provisions</u>		
Employment on-costs ^(c)	7,921	6,896
Total current employee related provisions	179,647	156,260
Non-current		
<u>Employee benefits provisions</u>		
Long service leave ^(b)	36,910	32,721
	36,910	32,721
<u>Other provisions</u>		
Employment on-costs ^(c)	1,674	1,488
Total non-current employee related provisions	38,584	34,209
Total employee related provisions	218,231	190,469

(a) Annual leave liabilities:

Classified as current, as there is no unconditional right to defer settlement for at least 12 months after the end of the reporting period. Assessments indicate that actual settlement of the liabilities is expected to occur as follows:

	2021 (\$000)	2020 (\$000)
Within 12 months of the end of the reporting period	48,254	41,444
More than 12 months after the end of the reporting period	20,820	16,375
	69,074	57,819

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:

Unconditional long service leave provisions are classified as **current** liabilities as the Department does not have an unconditional right to defer settlement of the liability for at least 12 months after the end of 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 completed the requisite years of service.

NOTES TO THE FINANCIAL STATEMENTS

3.1.2 Employee related provisions (continued)

Assessments indicate that actual settlement of the liabilities is expected to occur as follows:

	2021	2020
	(\$000)	(\$000)
Within 12 months of the end of the reporting period	41,674	36,388
More than 12 months after the end of the reporting period	97,888	87,878
	<u>139,562</u>	<u>124,266</u>

The provision for long service leave is 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.

(c) Employment 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 note 3.7 'Other expenditure', (apart from the unwinding of the discount (finance cost)) and are not included as part of the Department's 'employee benefits expense'. The related liability is included in 'Employment on-costs provision'.

	2021	2020
<u>Employment on-costs provision</u>	(\$000)	(\$000)
Carrying amount at start of period	8,384	7,681
Additional provisions recognised	1,211	703
Carrying amount at end of period	<u>9,595</u>	<u>8,384</u>

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.

NOTES TO THE FINANCIAL STATEMENTS

3.2 Supplies and Services

	2021	2020
	(\$000)	(\$000)
Supplies and services		
Communication	5,807	7,539
Electricity, gas and water	18,203	19,312
Municipal rates and charges	3,890	4,513
Goods and services purchased	50,042	49,461
Livestock purchases	6,535	5,308
Plant, equipment and vehicle operating expenses	372	280
Computer services and licences	39,026	37,980
Private prison service & maintenance	84,442	96,335
Court security and custodial service	57,616	64,994
Service purchased from Not-For-Profits	37,125	34,400
Other services and contracts	87,963	76,430
Total supplies and services expenses	<u>391,021</u>	<u>396,552</u>

Supplies and services expenses 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

	2021	2020
	(\$000)	(\$000)
Rental ^(a)	57,315	57,301
Total Accommodation expenses	<u>57,315</u>	<u>57,301</u>

^(a) Rental expenses include:

Short-term leases with a lease term of 12 months or less;

- i) Low-value leases with an underlying value of \$5,000 or less; and
- ii) Variable lease payments recognised in the period in which the event or condition that triggers those payments occurs.

3.4 Grants and subsidies

	2021	2020
	(\$000)	(\$000)
Recurrent		
Legal Assistance ^(a)	115,679	53,596
Criminal Injuries Compensation Payments ^(b)	68,521	43,814
National Redress Scheme ^(c)	40,890	8,354
Accused Costs Payments ^(d)	4,775	4,636
Ex-Gratia Payments ^(e)	20	-
Act of Grace Payments ^(a)	26	1,217
Other grants and subsidies	5,136	3,904
Total grants and subsidies	<u>235,047</u>	<u>115,521</u>

NOTES TO THE FINANCIAL STATEMENTS

3.4 Grants and subsidies (continued)

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.

- (a) Legal assistance payments made to the Legal Aid Commission of Western Australia and various Community Legal Centres for the provision of legal advice, duty lawyer services and community legal education to gain access to fair solutions for legal problems at the earliest opportunity. See note 9.6 ‘Affiliated bodies’.
- (b) 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.
- (c) The National Redress Scheme is in response to the Royal Commission into Institutional Responses to Child Sexual Abuse. See note 4.1(c) ‘Income from State Government’.
- (d) Accused Costs Payments represent payments of costs ordered under the *Official Prosecutions (Accused’s Costs) Act 1973*.
- (e) The Department from time to time processes act of grace payments under section 80 of the *Financial Management Act 2006* on behalf of Government. The Treasurer must be satisfied that it is appropriate to make an act of grace payment to a person because of special circumstances even though the payment would not otherwise be authorised by law or required to meet a legal liability. Act of grace payments made totalled \$25,500. In contrast, with act of grace payments that are authorised by section 80 of the Act, ex gratia payments are authorised under non-statutory executive power (i.e. without specific legislative authority) with the prior approval of the Governor in Executive Council and Cabinet (if necessary). Ex-gratia payments made totalled \$20,000.

3.5 Prisoner gratuities

	2021	2020
	(\$000)	(\$000)
Payment to prisoners	12,841	12,276
Total payment to prisoners	12,841	12,276

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.

NOTES TO THE FINANCIAL STATEMENTS

3.6 Loss/(Gain) on revaluation

	2021	2020
	(\$000)	(\$000)
Loss on revaluation:		
Buildings	268	-
Total loss on revaluation	268	-

	2021	2020
	(\$000)	(\$000)
Gain on revaluation:		
Buildings	-	101,213
Land	439	731
Total gain on revaluation	439	101,944

Please see note 5.1(b) ‘Property, plant and equipment’ for current year gain on revaluation.

3.7 Other expenditure

	2021	2020
	(\$000)	(\$000)
Insurance	47,701	33,276
Building repairs and maintenance	34,233	28,712
Travel and accommodation	7,668	7,537
Staff accommodation	6,792	7,191
Plant, equipment and vehicle repairs and maintenance	4,037	3,897
Freight and couriers	2,725	2,906
Vehicle hire, fuel, registration and management fees	3,866	2,640
Staff clothing and uniforms	1,530	1,920
Jurors’ expense	1,566	1,442
Printing	1,429	1,336
Staff training	1,467	1,178
Miscellaneous staff costs	1,005	723
Employment on-costs	1,211	703
Expected credit losses expense	50	154
Other expenses	4,497	2,420
Loss on disposal of non-current assets	54	183
Total other expenses	119,831	96,218

Building and equipment 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.

Expected credit losses

Is an allowance of trade receivables, measured at the lifetime expected credit losses at each reporting date. The Department has established a provision matrix that is based on its historical credit loss experience, adjusted for forward-looking factors specific to the debtors and the economic environment. Please refer to note 6.1.1 ‘Movement in the allowance for impairment of trade receivables’.

Employment on-costs

Include 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(c) ‘Employee related provisions’. Superannuation contributions accrued as part of the provision for leave are employee benefits and are not included in employment on-costs.

3.7 Other expenditure (continued)

Other expenses

Generally, represent the day-to-day running costs incurred in normal operations.

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.

	2021	2020
	(\$000)	(\$000)
<u>Net proceeds from disposal of non-current assets</u>		
Plant, equipment and motor vehicles	(46)	(13)
<u>Carrying amount of non-current assets disposed</u>		
Plant, equipment and motor vehicles	100	196
Losses on disposal of non-current assets	54	183

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
Income from State Government	4.1
User charges and fees	4.2
Sale of goods	4.3
Commonwealth grants	4.4
Other Income	4.5

4.1 Income from State Government

	2021	2020
	(\$000)	(\$000)
Appropriation received during the period:		
Service appropriation ^(a)	1,504,522	1,391,071
Total appropriation received	1,504,522	1,391,071

Income received from other public sector entities during the period ^(b)		
National Redress Scheme ^(c)	42,336	9,901
Legal services - State Solicitor's Office	5,645	5,543
Recoup of costs - Building Disputes Tribunal ^(d)	1,644	1,902
Residential tenancies reimbursements ^(e)	1,539	1,869
Other income received from other public sector entities	1,319	3,247
Total income received	52,483	22,462

Services received free of charge from other public sector entities during the period ^(f) :		
Western Australian Police - Court security and custodial services	7,414	-
Department of Finance - Accommodation	2,841	2,368
North Metropolitan Health Services - Dental treatment to prisoners	1,410	1,552
Western Australian Land Information Authority (Landgate) - Valuation	313	335
Department of Education - Road safety and drug prevention education	3	1
Total services received	11,981	4,256

Royalties for Regions Fund:		
Regional infrastructure and headworks account ^(g)	9,687	9,416
Total Royalties for Regions Fund	9,687	9,416

Total Income from the State Government	1,578,673	1,427,205
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NOTES TO THE FINANCIAL STATEMENTS

4.1 Income from State Government (continued)

- (a) **Service Appropriations** are recognised as income at the fair value of consideration received in the period in which the Department gains control of the appropriated funds. The Department gains control of the appropriated funds at the time those funds are deposited in the bank account or credited to the holding account held at the Department of Treasury.
- (b) **Income received from other public sector entities during the period** are recognised as income when the Department has satisfied its performance obligations under the funding agreement. If there is no performance obligation, income will be recognised when the Department receives the funds. Accordingly, this reporting change has affected certain line item comparatives in the Statement of Comprehensive Income and Cash Flow Statement.
- (c) **The National Redress Scheme** is in response to the Royal Commission into Institutional Responses to Child Sexual Abuse. The Western Australian Government's participation in the National Redress Scheme will recognise and provide support to Western Australians who have experienced child sexual abuse in institutions. Please refer to note 3.4 'Grants and subsidies'.
- (d) **Recoup of costs - Building Disputes Tribunal** revenue is in relation to the funding received for the provision of the tribunal services for complaints referred under section 11 of the *Building Services (Complaint Resolution and Administration) Act 2011*. The building disputes are referrals to the State Administrative Tribunal from the Building Commission. Invoices are issued quarterly to the Department of Mines, Industry Regulation and Safety.
- (e) **Residential tenancies reimbursements** revenue is recognised at the time payment is received. The Rental Accommodation Account - Schedule 1 Division 1 Clause 3 (3) (b) (i) of the *Residential Tenancies Act 1987 (WA) (the Act)* provides for the reimbursement of costs and expenses incurred in the operation and administration of the Magistrates Court of Western Australia attributable to carrying out the Act.
- (f) **Services received free of charge** or for nominal cost are recognised as income (and expenses) equivalent to the fair value of those services that can be reliably determined, and which would have been purchased if not donated.
- (g) **The Regional Infrastructure and Headworks Account** 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 income when the Department receives the funds.

4.2 User charges and fees

	2021	2020
	(\$000)	(\$000)
Court fees ^(a)	76,316	78,280
Public Trustee fees ^(b)	22,076	21,604
Births, deaths and marriages fees	7,333	7,291
Miscellaneous fees and charges	157	203
	<u>105,882</u>	<u>107,378</u>

Revenue is recognised at the transaction price when the Department transfers control of the services to customers.

Revenue is recognised for the major activities as follows:

- (a) Revenue is recognised at a point-in-time. The majority of the Department's court fees comprise of; fines enforcement fees \$45,057,451 (2020: \$44,540,453) and the rest civil and criminal fees. The performance obligations for these fees and charges are satisfied when the application is submitted to court or when the fine is paid.
- (b) The Public Trustee offers substantial trust services. The revenue is recognised at a point in time for Public Trustee fees when the revenue has been earned and can be reliably measured. The Department typically satisfies its performance obligations in relation to trust services when the services have been provided and debited to the clients account at the end of each month.

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 Sale of goods

	2021	2020
	(\$000)	(\$000)
Sales of goods(a)	16,780	14,976
Cost of Sales:		
Opening Inventory	(1,350)	(1,181)
Purchases	<u>(16,174)</u>	<u>(14,670)</u>
	(17,524)	(15,851)
Closing Inventory	1,438	1,350
Cost of Goods Sold	<u>(16,086)</u>	<u>(14,501)</u>
Gross profit	<u>694</u>	<u>475</u>
Closing Inventory comprises:		
Current Inventories		
Finished goods		
Held for trading	1,438	1,350
Held for consumption	<u>4,334</u>	<u>3,395</u>
Total current inventories	<u>5,772</u>	<u>4,745</u>
Total Inventories	<u>5,772</u>	<u>4,745</u>

Sales of goods

Revenue is recognised at the transaction price when the Department transfers control of the goods to customers.

- (a) Sales of goods to prisoners Include consumables such as food, beverages, office supplies, personal products, footwear, cigarettes, and tobacco.

Inventories

Inventories held for trading 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 trading) 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.

NOTES TO THE FINANCIAL STATEMENTS

4.4 Commonwealth grants

	2021	2020
	(\$000)	(\$000)
National Legal Assistance Partnership ^(a)	54,453	3,155
Commonwealth grant for Family Court	17,101	14,502
Commonwealth grant for Family Court (non-cash contribution)	4,747	4,695
Commonwealth grant for Christmas and Cocos Island cost	508	337
	<u>76,809</u>	<u>22,689</u>

Recurrent grants are recognised as income when the grants are receivable.

(a) The National Legal Assistance Partnership (NLAP) is a new national partnership agreement between the Australian Government and all states and territories for Commonwealth funded legal assistance. The NLAP was developed in accordance with the principles of the National Strategic Framework for Legal Assistance, which is the overarching policy framework for all Commonwealth and state and territory legal assistance funding. Please see note 3.4 ‘Grant and subsidies’.

Christmas and Cocos Island Acquittal (cash basis)

	2021	2020
	(\$000)	(\$000)
Opening Balance at start of period	86	118
Receipts		
Commonwealth reimbursements	624	252
Total receipts	<u>624</u>	<u>252</u>
Payments		
Operating costs	426	284
Total payments	<u>426</u>	<u>284</u>
Closing balance at end of period	<u>284</u>	<u>86</u>

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.

NOTES TO THE FINANCIAL STATEMENTS

4.5 Other revenue

	2021	2020
	(\$000)	(\$000)
Public Trustee - common fund surplus ^(a)	3,729	3,559
Recoup of prisoner telephone expenditure	2,507	2,747
Sale of goods and services	2,317	2,432
Staff Rental GROH Recoups	2,139	2,370
Criminal injuries payment recoveries ^(b)	5,349	1,667
Australian Capital Territory Law Courts (ACT) Law Courts & Tribunal Integrated Case Management System (ICMS) Project ^(c)	640	1,088
Recoup legal costs	454	963
Net asset transferred from Melaleuca handover	-	650
Recoup law library costs	600	600
Recoup of salaries	40	193
Other miscellaneous revenue	1,880	887
Total Other revenue	<u>19,655</u>	<u>17,156</u>

(a) **Public Trustee – common fund surplus** is revenue pursuant to section 6B (2) (b) of the *Public Trustee Act 1941* and regulation 6(b) of the *Public Trustee Regulations 1942*. Section 10.3 of the Current Agreement sets out the Common Fund surplus amount to be credited to the Consolidated Account. The Current Agreement is a written agreement between the Attorney General and the Public Trustee for a 12-month period. The amount is to be reduced by the excess of the overall revenue over the net operating expenses in line with the Public Trustee’s self-funding commitment.

(b) **Criminal injuries payment recoveries** that are not classified as a debt to the state are recognised at the time payment is received. Criminal injuries recovered from the issue of Compensation Reimbursement Orders (CRO) made under section 49 of the *Criminal Injuries Compensation Act 1985* are classified as debts owed to the state and are accounted for in accordance with AASB15. Refer to note 6.1 ‘Other Receivables’.

(c) **ACT Law Courts & Tribunal ICMS Project** revenue relates to ongoing remote support and maintenance of the ICMS to the ACT.

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
Property, plant and equipment	5.1
Right-of-use (ROU) assets	5.2
Intangibles	5.3

NOTES TO THE FINANCIAL STATEMENTS

5.1 Property, plant and equipment

Year ended 30 June 2021	Land	Buildings	Leasehold improvements	Plant, equipment and vehicles	Work in Progress	Total
	(\$000)	(\$000)	(\$000)	(\$000)	(\$000)	(\$000)
1 July 2020						
Gross carrying amount	165,706	1,674,704	60,877	99,726	51,432	2,052,445
Accumulated depreciation	-	-	(41,905)	(54,909)	-	(96,814)
Carrying amount at start of period	165,706	1,674,704	18,972	44,817	51,432	1,955,631
Additions	-	3,423	69	3,521	52,876	59,889
Transfers	-	53,421	1,547	6,076	(61,044)	-
Other disposals ^(a)	(26)	(898)	-	(393)	-	(1,317)
Revaluation increment/(decrement) ^(b)	439	(8,063)	-	-	-	(7,624)
Depreciation	-	(37,122)	(4,589)	(8,789)	-	(50,500)
Carrying amount at 30 June 2021	166,119	1,685,465	15,999	45,232	43,264	1,956,079
Gross carrying amount	166,119	1,685,465	58,172	107,082	43,264	2,060,102
Accumulated depreciation	-	-	(42,173)	(61,849)	-	(104,021)

(a) The Department of Planning, Lands and Heritage (DPLH) is the only agency with the power to sell Crown land. The land (\$26,000) and Buildings (\$898,000) were transferred to DPLH for sale and the Department accounts for the transfer as a distribution to owner

(b) The land revaluation resulted in a \$439,400 increment during 2020-21 which was recognised in the profit or loss to the extent that it reverses a previous revaluation decrement. The Buildings revaluation resulted in a \$8,062,539 decrement during 2020-21 of which \$7,794,596 loss was recognised in Reserves to the extent it reversed a previous revaluation increment. The remaining \$267,943 loss was recorded as Loss on revaluation. Refer to note 8.3 'Fair value measurements'.

Year ended 30 June 2020	Land	Buildings	Leasehold improvements	Plant, equipment and vehicles	Work in Progress	Total
	(\$000)	(\$000)	(\$000)	(\$000)	(\$000)	(\$000)
1 July 2019						
Gross carrying amount	164,976	1,504,128	60,279	99,631	58,416	1,887,430
Accumulated depreciation	-	-	(36,738)	(54,820)	-	(91,558)
Carrying amount at start of period	164,976	1,504,128	23,541	44,811	58,416	1,795,872
Net adjustment on initial application of AASB 1059	-	-	-	-	-	-
Restated carrying amount	164,976	1,504,128	23,541	44,811	58,416	1,795,872
Additions	-	443	681	3,683	93,718	98,525
Transfers	-	93,860	1,315	5,527	(100,702)	-
Other disposals	-	-	(56)	(655)	-	(711)
Revaluation increment ^(a)	730	109,007	-	-	-	109,737
Depreciation	-	(32,734)	(6,509)	(8,549)	-	(47,792)
Carrying amount at 30 June 2020	165,706	1,674,704	18,972	44,817	51,432	1,955,631
Gross carrying amount	165,706	1,674,704	60,877	99,726	51,432	2,052,445
Accumulated depreciation	-	-	(41,905)	(54,909)	-	(96,814)

(a) Total revaluation increment during the 2019-20 was \$109,737,939 of which \$101,943,343 was recognised in profit or loss to the extent that it reverses a previous revaluation decrement of the same asset class previously recognised in profit or loss. The remaining \$7,794,596 was recognised in the revaluation reserves.

NOTES TO THE FINANCIAL STATEMENTS

5.1 Property, plant and equipment (continued)

Initial recognition

Items of property, plant and equipment, 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.

Subsequent measurement

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

- land;
- 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 Landgate 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 2020 by Landgate. The valuations were performed during the year ended 30 June 2021 and recognised at 30 June 2021. In undertaking the revaluation, fair value was determined by reference to market values for land: \$166,199,150 (2020: \$165,706,050) and buildings: \$1,685,465,335 (2020: \$1,674,704,651). 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.

5.1 Property, plant and equipment (continued)

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.

5.1.1 Depreciation and impairment

	Notes	2021 (\$000)	2020 (\$000)
Charge for the period			
<u>Depreciation</u>			
Buildings	5.1	37,122	32,734
Plant equipment and motor vehicles	5.1	8,789	8,549
Leasehold improvements	5.1	4,589	6,509
Total depreciation for the period		50,500	47,792

As at 30 June 2021 there were no indications of impairment to property, plant and equipment.

All surplus assets at 30 June 2021 have either been classified as assets held for sale or have been written-off.

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	50 years or remaining lease term, whichever is lower
Leasehold improvements	10 years or remaining lease term, whichever is lower
Leased motor vehicles	10 years or remaining lease term, whichever is lower
Motor vehicles	4 to 7 years
Office equipment	5 to 10 years
Plant and equipment	2 to 15 years
Water treatment plants	20 to 30 years

The estimated useful lives, residual values and depreciation method are reviewed at the end of each annual reporting period, and adjustments are made where appropriate.

Land which is considered to have an indefinite life is not depreciated. Depreciation is not recognised in respect of this asset because its service potential has not, in any material sense, been consumed during the reporting period.

5.1 Property, plant and equipment (continued)

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 ROU assets

Year ended 30 June 2021	Buildings (\$000)	Employee housing (\$000)	Plant and equipment (\$000)	Vehicles (\$000)	Total (\$000)
At 1 July 2020					
Gross carrying amount	411,828	17,559	5,905	13,999	449,291
Accumulated depreciation	(11,080)	(7,517)	(996)	(5,829)	(25,422)
Carrying amount at start of period	400,748	10,042	4,909	8,170	423,869
Additions	749	15,394	990	5,057	22,190
Disposals	-	(3,755)	(167)	(102)	(4,024)
Depreciation	(10,016)	(10,717)	(1,443)	(4,186)	(26,362)
Carrying amount at 30 June 2021	391,481	10,964	4,289	8,939	415,673
Gross carrying amount	409,592	20,012	6,694	15,780	452,078
Accumulated depreciation	(18,111)	(9,048)	(2,405)	(6,841)	(36,405)
Year ended 30 June 2020	Buildings (\$000)	Employee housing (\$000)	Plant and equipment (\$000)	Vehicles (\$000)	Total (\$000)
At 1 July 2019					
Gross carrying amount	-	-	-	-	-
Accumulated depreciation	-	-	-	-	-
Carrying amount at start of period	-	-	-	-	-
Additions	411,828	22,443	5,905	12,927	453,103
Disposals	-	(1,347)	-	(88)	(1,435)
Depreciation	(11,080)	(11,054)	(996)	(4,669)	(27,799)
Carrying amount at 30 June 2020	400,748	10,042	4,909	8,170	423,869
Gross carrying amount	411,828	17,559	5,905	13,999	449,291
Accumulated depreciation	(11,080)	(7,517)	(996)	(5,829)	(25,422)

Initial recognition

ROU assets are measured at cost including the following:

- the amount of the initial measurement of lease liability;
- any lease payments made at or before the commencement date less any lease incentives received;
- any initial direct costs; and
- restoration costs, including dismantling and removing the underlying asset.

This includes all leased assets other than investment property ROU assets, which are measured in accordance with AASB 140 'Investment Property'.

The Department has elected not to recognise ROU assets and lease liabilities for short-term leases (with a lease term of 12 months or less) and low value leases (with an underlying value of \$5,000 or less). Lease payments associated with these leases are expensed over a straight-line basis over the lease term.

Subsequent Measurement

The cost model is applied for subsequent measurement of right-of-use assets, requiring the asset to be carried at cost less any accumulated depreciation and accumulated impairment losses and adjusted for any re-measurement of lease liability.

NOTES TO THE FINANCIAL STATEMENTS

5.2 ROU assets (continued)

Depreciation and impairment of ROU assets

ROU assets are depreciated on a straight-line basis over the shorter of the lease term and the estimated useful lives of the underlying assets.

If ownership of the leased asset transfers to the Department at the end of the lease term or the cost reflects the exercise of a purchase option, depreciation is calculated using the estimated useful life of the asset.

ROU assets are tested for impairment when an indication of impairment is identified. The policy in connection with testing for impairment is outlined in note 5.1.1 'Depreciation and impairment'.

The following amounts relating to leases have been recognised in the Statement of Comprehensive Income:

	2021 (\$000)	2020 (\$000)
Depreciation expense of ROU assets	26,362	27,799
Lease interest expense	35,043	37,184
Short-term leases	33	11
Low-value leases	1,034	251
Total amount recognised in the statement of comprehensive income	62,472	65,245

The total cash outflow for leases in 2021 was \$64,787,628 (2020: \$65,291,761).

The Department's leasing activities and how these are accounted for:

The Department has leases for plant and equipment, vehicles, office and residential accommodations.

The Department has also entered into a Memorandum of Understanding Agreements (MOU) with the Department of Finance for the leasing of office accommodation. These are not recognised under AASB 16 because of substitution rights held by the Department of Finance and are accounted for as an expense as incurred.

The Department recognises leases as ROU assets and associated lease liabilities in the Statement of Financial Position. The corresponding lease liabilities in relation to these ROU assets have been disclosed in note 7.1 'Lease Liabilities'.

NOTES TO THE FINANCIAL STATEMENTS

5.3 Intangible assets

Year ended 30 June 2021		Computer software (\$000)	Software under development (\$000)	Total (\$000)
1 July 2020				
Gross carrying amount		82,375	124	82,499
Accumulated amortisation		(74,701)	-	(74,701)
Carrying amount at start of period		7,674	124	7,798
Additions		92	2,071	2,163
Transfers		632	(632)	-
Expensed software under development		-	-	-
Amortisation expense		(2,291)	-	(2,291)
Carrying amount at 30 June 2021		6,107	1,563	7,670
Year ended 30 June 2020				
		Intangible assets (\$000)	Software under development (\$000)	Total (\$000)
1 July 2019				
Gross carrying amount		82,343	3,627	85,970
Accumulated amortisation		(76,553)	-	(76,553)
Carrying amount at start of period		5,790	3,627	9,417
Additions		-	1,143	1,143
Transfers		4,538	(4,538)	-
Disposals - Cost		4,506	-	4,506
Disposals - Accumulated amortisation		(4,506)	-	(4,506)
Expensed software under development		-	(108)	(108)
Amortisation expense		(2,654)	-	(2,654)
Carrying amount at 30 June 2020		7,674	124	7,798

Initial recognition

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:

- The technical feasibility of completing the intangible asset so that it will be available for use or sale;
- An intention to complete the intangible asset and use or sell it;
- The ability to use or sell the intangible asset;
- The intangible asset will generate probable future economic benefit;
- The availability of adequate technical, financial and other resources to complete the development and to use or sell the intangible asset; and
- The ability to measure reliably the expenditure attributable to the intangible asset during its development.

Acquisitions of intangible assets costing \$5,000 or more and internally generated intangible assets costing \$5,000 or more that comply with the recognition criteria as per AASB 138.57 (as noted above) are capitalised. Cost incurred in the research phase of a project are immediately expensed.

Costs incurred below these thresholds are immediately expensed directly to the Statement of Comprehensive Income.

NOTES TO THE FINANCIAL STATEMENTS

5.3 Intangible assets (continued)

Costs incurred below these thresholds are immediately expensed directly to the Statement of Comprehensive Income.

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.

5.3.1 Amortisation and impairment

	2021 (\$000)	2020 (\$000)
Charge for the period		
Computer software	2,291	2,654
Total amortisation for the period	2,291	2,654

As at 30 June 2021 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. At the end of the reporting period there were no intangible assets not yet available for use.

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 Department 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
<i>(a) Software that is not integral to the operation of any related hardware.</i>	

Impairment of intangible assets

Intangible assets with indefinite useful lives 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 'Depreciation and impairment'.

NOTES TO THE FINANCIAL STATEMENTS

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
Receivables	6.1
Amounts receivable for services	6.2
Other assets	6.3
Inventories	4.3
Biological assets	6.4
Payables	6.5

6.1 Receivables

	2021 (\$000)	2020 (\$000)
<u>Current</u>		
Trade receivables	1,976	4,289
Allowance for impairment of trade receivables	(55)	(30)
GST receivable	9,652	11,581
Other receivables	4,036	2,670
Accrued revenue	2,179	532
Total current	17,788	19,042

Trade receivables are recognised at original invoice amount less allowances for uncollectible amounts (i.e. impairment).

The carrying amount of net trade receivables is equivalent to fair value as it is due for settlement within 30 days.

6.1.1 Movement in the allowance for impairment of trade receivables

	2021 (\$000)	2020 (\$000)
Reconciliation of changes in the allowance for impairment of trade receivables:		
Opening balance	30	29
Expected credit losses expense	50	154
Amounts written off during the period	(25)	(158)
Impairment losses reversed during the period	-	5
Balance at end of period	55	30

The maximum exposure to credit risk at the end of the reporting period for trade receivables is the carrying amount of the asset inclusive of any allowance for impairment as shown in the table at note 8.1(c) ‘Financial risk management’.

The Department does not hold any collateral as security or other credit enhancements for trade receivables.

NOTES TO THE FINANCIAL STATEMENTS

6.2 Amounts receivable for services

	2021 (\$000)	2020 (\$000)
Current	11,625	11,625
Non-current	580,602	517,602
Balance at end of period	592,227	529,227

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.

Amounts receivable for services are considered not impaired (i.e. there is no expected credit loss of the holding accounts).

6.3 Other assets

	2021 (\$000)	2020 (\$000)
Prepayments	7,115	3,376
Total other assets	7,115	3,376

Prepayments represent payments for software licenses, support and maintenance and subscriptions in advance, or that part of expenditure made in one accounting period covering a term extending beyond that period.

6.4 Biological assets

	2021 (\$000)	2020 (\$000)
Biological assets	3,143	2,414
Total current	3,143	2,414

Reconciliation of the fair value of biological assets at the beginning and end of the reporting period is set out below.

	2021 (\$000)	2020 (\$000)
Carrying amount at start of period	2,414	2,047
Change in valuation of livestock, orchards and plantations	729	367
Carrying amount at end of period	3,143	2,414

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.

Orchards and 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 recognised 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.

6.4 Biological assets (continued)

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

	2021	2020
	(\$000)	(\$000)
Current		
Trade payables	19,296	24,255
Gratuities	1,625	1,613
Accrued salaries	15,050	9,992
Accrued expenses	54,396	60,429
Balance at end of period	90,367	96,289

Trade 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 20 days.

Gratuities should be read in conjunction with note 3.5 ‘Prisoner Gratuities’.

Accrued salaries represent the amount due to staff but unpaid at the end of the reporting period. Accrued salaries are settled within a fortnight after the reporting period. The Department considers the carrying amount of accrued salaries to be equivalent to its fair value.

7. Financing

This section sets out the material balances and disclosures associated with the financing and cash flows of the Department:

	Notes
Lease liabilities	7.1
Assets pledged as security	7.2
Finance costs	7.3
Cash and cash equivalents	7.4
Reconciliation of cash	7.4.1
Reconciliation of operating activities	7.4.2
Capital commitments	7.5

7.1 Leases liabilities

	2021	2020
	(\$000)	(\$000)
Current	26,645	25,696
Non-current	381,820	395,587
Total lease liabilities	408,465	421,283

7.1 Leases liabilities (continued)

The Department measures a lease liability, at the commencement date, at the present value of the lease payments that are not paid at that date. The lease payments are discounted using the interest rate implicit in the lease. If that rate cannot be readily determined, the Department uses the incremental borrowing rate provided by Western Australia Treasury Corporation.

Lease payments included by the Department as part of the present value calculation of lease liability include:

- fixed payments (including in-substance fixed payments), less any lease incentives receivable;
- variable lease payments that depend on an index or a rate initially measured using the index or rate as at the commencement date;
- amounts expected to be payable by the lessee under residual value guarantees;
- the exercise price of purchase options (where these are reasonably certain to be exercised);
- payments for penalties for terminating a lease, where the lease term reflects the Department exercising an option to terminate the lease.

The interest on the lease liability is recognised in profit or loss over the lease term so as to produce a constant periodic rate of interest on the remaining balance of the liability for each period. Lease liabilities do not include any future changes in variable lease payments (that depend on an index or rate) until they take effect, in which case the lease liability is reassessed and adjusted against the right-of-use asset.

Periods covered by extension or termination options are only included in the lease term by the Department if the lease is reasonably certain to be extended (or not terminated). Variable lease payments, not included in the measurement of lease liability, that are dependent on sales are recognised by the Department in profit or loss in the period in which the condition that triggers those payments occurs.

This section should be read in conjunction with note 5.2 ROU assets’.

Subsequent Measurement

Lease liabilities are measured by increasing the carrying amount to reflect interest on the lease liabilities; reducing the carrying amount to reflect the lease payments made; and remeasuring the carrying amount at amortised cost, subject to adjustments to reflect any reassessment or lease modifications.

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 leased assets have a contingent rental obligation; however these are not material when compared to the total lease payments made.

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 agreement, ownership of the facility will transfer to the Department at the conclusion of the lease term.

Eastern Goldfields Regional Prison Facility

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 lease liability over time. The other components of the QSP are expensed as they are incurred.

The Department has accounted for these arrangements as leases as the economic substance of the arrangements are one of a lease. The leased asset/liabilities have been recognised at the present value of the lease payments.

NOTES TO THE FINANCIAL STATEMENTS

7.2 Assets pledged as security

	2021 (\$000)	2020 (\$000)
The carrying amounts of non-current assets pledged as security are:		
ROU assets	391,481	399,470
	<u>391,481</u>	<u>399,470</u>

The Department has secured the ROU assets against the related lease liabilities. In the event of default, the rights to the leased assets will revert to the lessor. See note 5.2 'ROU Assets'.

7.3 Finance costs

	2021 (\$000)	2020 (\$000)
Lease interest expense	35,043	37,184
Finance costs expensed	<u>35,043</u>	<u>37,184</u>

'Finance costs' includes the interest component of the lease liability repayments.

NOTES TO THE FINANCIAL STATEMENTS

7.4 Cash and cash equivalents

7.4.1 Reconciliation of cash

	2021 (\$000)	2020 (\$000)
Cash and cash equivalents	29,545	25,362
Restricted cash and cash equivalents	16,424	14,936
Balance at the end of period	<u>45,969</u>	<u>40,298</u>
Restricted cash and cash equivalents		
Current		
Unclaimed Monies ^(a)	2,696	2,931
Royalties for Regions Fund ^(b)	228	1,805
Current restricted Cash and cash equivalents	<u>2,924</u>	<u>4,736</u>
Non-current		
Accrued salaries suspense account ^(c)	13,500	10,200
Non-current Restricted cash and cash equivalents	<u>13,500</u>	<u>10,200</u>

(a) Represents stale and unpresented cheques; rejected EFT payments and monies held in suspense as the owners/recipients cannot be located.

(b) Refer note 4.1(g) 'Income from State Government'.

(c) 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 equivalents (and restricted cash and cash equivalents) 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.

The accrued salaries suspense account consists of amounts paid annually, from the Department's appropriation for salaries expense, into a Treasury suspense account to meet the additional cash outflow for employee salary payments in reporting periods with 27 pay days instead of the normal 26. No interest is received on this account.

NOTES TO THE FINANCIAL STATEMENTS

7.4.2 Reconciliation of net cost of services to net cash flows used in operating activities

	Notes	2021 (\$000)	2020 (\$000)
Net cost of services		(1,595,121)	(1,359,302)
Non-cash Items			
Depreciation and amortisation expense	5.1.1, 5.2, 5.3.1	79,153	78,245
Services received free of charge	4.1, 4.4	16,728	8,951
Loss on disposal of property, plant and equipment	3.7	54	182
Loss on revaluation of land and building	3.6	268	-
Gain on revaluation of land and building	3.6	(439)	(101,944)
Canteen Sales	4.3	(16,780)	(14,976)
Telephone Recoups		(2,507)	(2,747)
Prisoner Gratuities	4.3	16,780	14,976
Adjustment for other non-cash items		(6,043)	(1,948)
(Increase)/decrease in assets			
Receivables(a)		1,254	19
Other assets		(3,739)	(258)
Inventories		(1,027)	(756)
Increase/(decrease) in liabilities			
Payables(a)		(5,922)	(12,213)
Current provisions		27,762	16,018
Other current liabilities		-	3
Change in GST in receivables/payables(b)		(62,416)	(62,321)
Net GST receipts/(payments)(c)		62,416	62,321
Net cash used in operating activities		(1,489,579)	(1,375,750)

- (a) 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 reverses out the GST in receivables and payables.
- (c) This is the net GST paid/received.

7.5 Capital Commitments

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

	2021 (\$000)	2020 (\$000)
Within 1 year	48,879	14,959
Later than 1 year and not later than 5 years	19,957	130
	68,836	15,089

The totals presented for capital commitments are all inclusive of GST.

NOTES TO THE FINANCIAL STATEMENTS

8. Risks and contingencies

This note 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

8.1 Financial risk management

Financial instruments held by the Department are cash and cash equivalents, restricted cash and cash equivalents, 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 associated with the Department’s financial assets is minimal because the main receivable is the amounts receivable for services (holding account). For receivables other than Government, the Department trades only with recognised, creditworthy third parties. The Department 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 Department’s exposure to bad debts is minimal. Debt will be written-off against the allowance account when it is improbable or uneconomical to recover the debt. 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 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.

8.1 Financial risk management (continued)

(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:

	2021	2020
	(\$000)	(\$000)
Financial assets		
Cash and cash equivalents	29,545	25,362
Restricted cash and cash equivalents	16,424	14,936
Financial assets at amortised cost ^(a)	600,363	536,688
Total financial assets	646,332	576,986
Financial liabilities		
Financial liabilities at amortised cost ^(b)	498,832	517,572
Total financial liabilities	498,832	517,572

- (a) The amount of financial assets at amortised cost excludes GST recoverable from the ATO (statutory receivable).
- (b) The amount of financial liabilities at amortised cost excludes GST payable to the ATO (statutory payable).

(c) Credit risk exposure

The following table details the credit risk exposure on the Department’s trade receivables using a provision matrix.

	Days past due					
	Total (\$000)	Current (\$000)	<30 Days (\$000)	31-60 days (\$000)	61-90 days (\$000)	>91 days (\$000)
30 June 2021						
Expected credit loss rate		0.54%	3.51%	32.14%	27.27%	15.70%
Estimated total gross carrying amount at default	1,436	1,117	57	28	11	223
Expected credit losses	(55)	(6)	(2)	(9)	(3)	(35)
30 June 2020						
Expected credit loss rate		0.30%	1.99%	7.60%	7.23%	3.07%
Estimated total gross carrying amount at default	1,870	1,214	183	105	75	293
Expected credit losses	(30)	(4)	(4)	(8)	(5)	(9)

The amount at default excludes government trade receivables.

NOTES TO THE FINANCIAL STATEMENTS

NOTES TO THE FINANCIAL STATEMENTS

8.1 Financial risk management (continued)

(d) Liquidity risk and interest rate exposure

The following table details the Department’s interest rate exposure and the contractual maturity analysis of financial assets and financial liabilities. The maturity analysis section includes interest and principal cash flows. The interest rate` exposure section analyses only the carrying amounts of each item.

Interest rate exposure and maturity analysis of financial assets and financial liabilities

	Weighted average effective interest rate	Interest rate exposure			Maturity dates				
		Fixed interest rate	Variable interest rate	Non- interest bearing	Nominal amount	Up to 1 month	1-3 months to 1 year	1-5 years	More than 5 years
		(\$000)	(\$000)	(\$000)	(\$000)	(\$000)	(\$000)	(\$000)	(\$000)
2021									
Financial Assets									
Cash and cash equivalents		-	-	29,545	29,545	29,545	-	-	-
Restricted cash and cash equivalents		-	-	16,424	16,424	2,924	-	-	13,500
Receivables ^(a)		-	-	8,136	8,136	8,136	-	-	-
Amounts receivable for services		-	-	592,227	592,227	1,341	1,788	8,496	534,102
		646,332	-	646,332	646,332	41,946	1,788	8,496	547,602
Financial Liabilities									
Payables		-	-	90,367	90,367	90,367	-	-	-
Lease liabilities ^(b)	8.41%	408,465	-	-	749,896	9,689	7,009	43,665	486,764
		498,832	408,465	90,367	840,263	100,056	7,009	43,665	486,764

(a) The amount of receivables assets at amortised costs excludes GST recoverable from the ATO (statutory receivable).

(b) The amount of lease liabilities includes \$383,943,087 from leased buildings and \$9,118,461 from leased vehicles.

8.1 Financial risk management (continued)

Interest rate exposure and maturity analysis of financial assets and financial liabilities									
	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)	More than 3 months to 1 year (\$000)
2020									
Financial Assets									
Cash and cash equivalents		25,362	-	-	25,362	25,362	25,362	-	-
Restricted cash and cash equivalents		14,936	-	-	14,936	14,936	4,736	-	-
Receivables ^(a)		7,461	-	-	7,461	7,461	7,461	-	-
Amounts receivable for services		529,227	-	-	529,227	529,227	1,341	1,788	46,500
		576,986	-	-	576,986	576,986	38,900	1,788	46,500
Financial Liabilities									
Payables		96,289	-	-	96,289	96,289	96,289	-	-
Lease liabilities ^(b)	8.32%	421,283	421,283	-	-	773,174	3,326	6,403	203,339
		517,572	421,283	-	96,289	869,463	99,615	6,403	203,339

(a) The amount of receivables/Financial assets at amortised costs excludes GST recoverable from the ATO (statutory receivable).

(b) The amount of lease liabilities includes \$396,692,696 from leased buildings and \$8,261,343 from leased vehicles.

NOTES TO THE FINANCIAL STATEMENTS

8.1 Financial risk management (continued)

(e) Interest rate sensitivity analysis

The Department’s financial assets are not subject to exposure to interest rate changes.

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 the best estimate.

Contingent assets and liabilities are presented inclusive of GST receivable or payable respectively.

8.2.1 Contingent assets

The following contingent assets are excluded from the assets included in the financial statements:

	2021 (\$000)	2020 (\$000)
Claims against the general public and offenders by the Department of Justice and Attorney General	1,680	100
	1,680	100

8.2.2 Contingent liabilities

The following contingent liabilities are excluded from the liabilities included in the financial statements:

	2021 (\$000)	2020 (\$000)
Litigation in progress		
Claims against the Department of Justice and Attorney General by the general public and offenders	13,893	200
Criminal injuries compensation court appeals ^(a)	2,100	375
	15,993	575

(a) Criminal injuries compensation

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. The Act allows an interested person to make an appeal to the District Court against an assessor’s decision:

- to make or to refuse to make a compensation award;
- as to the amount of a compensation award.

The District Court decision is final and is not appealable.

The Department is unable to accurately provide the value of applications on hand as each application is individually considered before a final value is determined. The number of applications on hand for the financial year ended 30 June 2021 is 4,949 (2020: 5,911). A more comprehensive annual report on the operations of the Office of Criminal Injuries Compensation is provided each year to the Attorney General for State Parliament by the Chief Assessor under section 62 of the Act.

Contaminated sites

Under the *Contaminated Sites Act 2003*, the Department is required to report known and suspected contaminated sites to the Department of Water and Environmental Regulation (DWER). In accordance with the *Contaminated Sites Act 2003*, 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 Department may have a liability in respect of investigation or remediation expenses.

Karnet Prison Farm

- The contaminated site is classified as remediation required. The Department of Biodiversity, Conservation and Attractions (DBCA) have undertaken preliminary inspections and are working with the Department to finalise the issue. The site has been cleaned and rehabilitated and approved by DBCA, who are working with the Department to have the land vested appropriately with the Department. The remediation of the old tip site was undertaken, a subsequent inspection and site assessment was undertaken by Environmental Site Services (ESS), arranged by the Department, identified visible fragments of bonded asbestos containing material (ACM). The ACM was subsequently removed from the surface, site access controls instigated and a site management plan was put in place. An annual inspection is incorporated for emergent ACM.
- Dam Tip Site – ACM has been identified and remediated. A site management plan (SMP) is being developed and the ESS is carrying out a site assessment. No visual ACM has been identified across the surface while asbestos in the form of a bonded ACM pipe was identified within the concrete burial area. Measured concentrations in soil are below the applicable human health risk criteria. Site access controls are in place while an SMP is being developed.

Riverbank Detention Centre

The site was identified as a potential contaminated site in 2003. There have been two investigations undertaken, one in 2006 and 2010. The 2010 tests undertaken by Property Fire Maintenance were tested by the ChemCentre. SGC Australia indicated no contamination was detected. The only known confirmed contamination is ACM within the vinyl adhesive inside a former visits area as a result of the old vinyl being removed.

Acacia Prison Wastewater

Reported as a possibly contaminated site. This has yet to be classified. The Department will assess the outcome of the classification.

Albany Regional Prison

Reported as a possibly contaminated site. This has yet to be classified. The Department will assess the likely outcome of the classification.

The National Redress Scheme

The National Redress Scheme (the Scheme) was created in response to the recommendations of the Royal Commission into Institutional Responses to Child Sexual Abuse. The Scheme commenced on 1 July 2018 with Western Australia joining the scheme on 1 January 2019, the scheme operates for 10 years.

The Scheme operates under the *Institutional Child Sexual Abuse Act 2018* (the Act). The Act was passed by the Parliament in June 2018 following consultation with state and territory governments, institutions, survivors, support groups, and advocates. Under the Act, the Secretary of the department (Commonwealth) is the Scheme operator.

The Department has a contingent liability in respect of claims by victims, payments are made to the Commonwealth to settle victims claims only when funding is received from the WA Department of Treasury. The funding is received upon confirmation and verification of the invoiced amounts from the Commonwealth. The Department is currently unable to reliably estimate the future value of claims under the National Redress Scheme.

Long service leave for casual employees

Under the *Long Service Leave Act 1958* (LSL Act) casual employees who have been employed for more than 10 years and meet continuous service requirements may be entitled to long service leave. The Department has assessed its obligation for currently employed casual employees who meet the criteria as immaterial for this reporting date. The Department cannot measure with sufficient reliability the amount of its obligation for those casual employees who are no longer employed by the Department. The Department is currently assessing the impact of the LSL Act for those casual employees.

8.3 Fair value measurements

Assets measured at fair value:	Level 1	Level 2	Level 3	Fair value at end of period
2021	(\$000)	(\$000)	(\$000)	(\$000)
Land (note 5.1)	-	9,193	156,926	166,119
Buildings (note 5.1)	-	1,168	1,684,297	1,685,465
	-	10,361	1,841,223	1,851,584

Assets measured at fair value:	Level 1	Level 2	Level 3	Fair value at end of period
2020	(\$000)	(\$000)	(\$000)	(\$000)
Land (note 5.1)	-	8,980	156,726	165,706
Buildings (note 5.1)	-	1,105	1,673,599	1,674,704
	-	10,085	1,830,325	1,840,410

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.

8.3 Fair value measurements (continued)

Fair value measurements using significant unobservable inputs (level 3)

	Land	Buildings
2021	(\$000)	(\$000)
Fair value at start of period	156,726	1,673,599
Additions	-	3,423
Disposals	(26)	(898)
Revaluation decrements recognised in Other Comprehensive Income	226	(8,127)
Transfers from work in progress	-	53,398
Depreciation expense	-	(37,098)
Fair Value at end of period	156,926	1,684,297
Total gains or losses for the period included in profit or loss	226	(943)

	Land	Buildings
2020	(\$000)	(\$000)
Fair value at start of period	155,976	1,503,066
Additions	-	333
Disposals	-	-
Revaluation decrements recognised in Other Comprehensive Income	750	109,051
Transfers from work in progress	-	93,860
Depreciation expense	-	(32,711)
Fair Value at end of period	156,726	1,673,599
Total gains or losses for the period included in profit or loss	750	101,867

Valuation processes

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.

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 (Valuation Services) 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 building 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 Landgate. 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.

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.

9. Other disclosures

This section includes additional material disclosures required by accounting standards or other pronouncements, for the understanding of these financial statements.

	Notes
Events occurring after the end of the reporting period	9.1
Initial/Future impact of Australian standards issued but 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.

9.2 Initial/Future impact of Australian Accounting Standards not yet operative

Initial application of Australian Accounting Standards

AASB 1059 Service Concession Arrangements: Grantors

This Standard addresses the accounting for a service concession arrangement (a type of public private partnership (PPP)) by a grantor that is a public sector agency by prescribing the accounting for the arrangement from the grantor’s perspective.

The Standard applies to service concession arrangements where an operator:

- Provides public services related to a service concession asset on behalf of a grantor; and
- The operator manages at least some of those public services under its discretion, rather than at the direction of the grantor.

The Department carried out a review of contracts to evaluate whether they were within the scope of the standard. The Department approached the evaluation by:

- identifying the concepts raised by the Standard;
- consider the guidance provided by the Standard; and
- build on that guidance with other direction and relevant examples.

The Department has assessed that the PPP’s for the delivery of Departments court and custodial services are outside the scope of the Standard as the services provided by the operator are ancillary and considered immaterial in context to the whole contractual arrangement. The Department has assessed the services as outsourced activities to assist the Department deliver its core services.

The Department has assessed the privately operated Acacia Adult Male prison to also be out of scope of the Standard. The evaluation determined the Acacia Prison Service Agreement prescribes the requirement for Acacia to comply with the Department’s Operational instruments and to ensure any local orders are consistent with established instruments, standards and agreements thus the operator is acting as an agent of the Department.

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.

NOTES TO THE FINANCIAL STATEMENTS

9.2 Initial/Future impact of Australian Accounting Standards not yet operative (continued)

		Operative for reporting periods beginning on/after
AASB 2020-1	<i>Amendments to Australian Accounting Standards – Classification of Liabilities as Current or Non-current</i>	1 Jan 2023
	This Standard amends AASB 101 to clarify requirements for the presentation of liabilities in the statement of financial position as current or non-current. There is no financial impact.	
AASB 2020-3	<i>Amendments to Australian Accounting Standards – Annual Improvements 2018-2020 and Other Amendments</i>	1 Jan 2022
	This Standard amends: (a) AASB 1 to simplify the application of AASB 1; (b) AASB 3 to update a reference to the Conceptual Framework for Financial Reporting; (c) AASB 9 to clarify the fees an entity includes when assessing whether the terms of a new or modified financial liability are substantially different from the terms of the original financial liability; (d) AASB 116 to require an entity to recognise the sales proceeds from selling items produced while preparing property, plant and equipment for its intended use and the related cost in profit or loss, instead of deducting the amounts received from the cost of the asset; (e) AASB 137 to specify the costs that an entity includes when assessing whether a contract will be loss-making; and (f) AASB 141 to remove the requirement to exclude cash flows from taxation when measuring fair value. There is no financial impact.	
AASB 2020-6	<i>Amendments to Australian Accounting Standards – Classification of Liabilities as Current or Non-current – Deferral of Effective Date</i>	1 Jan 2022
	This Standard amends AASB 101 to defer requirements for the presentation of liabilities in the statement of financial position as current or non-current that were added to AASB 101 in AASB 2020-1. There is no financial impact.	
AASB 2021-2	<i>Amendments to Australian Accounting Standards – Disclosure of Accounting Policies and Definition of Accounting Estimates</i>	1 Jan 2023
	This Standard amends: (a) AASB 7, to clarify that information about measurement bases for financial instruments is expected to be material to an entity's financial statements; (b) AASB 101, to require entities to disclose their material accounting policy information rather than their significant accounting policies; (c) AASB 108, to clarify how entities should distinguish changes in accounting policies and changes in accounting estimates; (d) AASB 134, to identify material accounting policy information as a component of a complete set of financial statements; and (e) AASB Practice Statement 2, to provide guidance on how to apply the concept of materiality to accounting policy disclosures. There is no financial impact.	

NOTES TO THE FINANCIAL STATEMENTS

9.3 Key management personnel

The Department has determined key management personnel to include cabinet ministers and senior officers of the Department. The Department does not incur expenditures to compensate Ministers and those disclosures may be found in the *Annual Report on State Finances*.

The total fees, salaries, superannuation, non-monetary benefits and other benefits for senior officers of the Department for the reporting period are presented within the following bands:

	2021	2020
Compensation band (\$)		
570,001 – 580,000	-	1
550,001 – 560,000	1	-
530,001 – 540,000	-	1
520,001 – 530,000	1	-
490,001 – 500,000	1	-
480,001 – 490,000	-	1
360,001 – 370,000	-	1
280,001 – 290,000	1	1
270,001 – 280,000	-	1
260,001 – 270,000	2	-
250,001 – 260,000	1	1
240,001 – 250,000	-	-
230,001 – 240,000	1	1
220,001 – 230,000	-	1
210,001 – 220,000	-	1
200,001 – 210,000	1	-
190,001 – 200,000	1	-
180,001 – 190,000	2	-
160,001 – 170,000	1	1
50,001 - 60,000	-	1
	2021	2020
	(\$000)	(\$000)
Shortterm employee benefits	3,569	3,230
Postemployment benefits	331	279
Other longterm benefits	(76)	154
Termination benefits	-	-
Total compensation of senior officers	3,824	3,663

Total compensation includes the superannuation expense incurred by the Department in respect of senior officers.

9.4 Related party transactions

The Department is a wholly owned and controlled entity of the State of Western Australia.

Related parties of the Department include:

- all cabinet ministers and their close family members, and their controlled or jointly controlled entities;
- all senior officers and their close family members, and their controlled or jointly controlled entities;
- other departments and statutory authorities, including related bodies, that are included in the whole of government consolidated financial statements (i.e. wholly-owned public sector entities);
- associates and joint ventures of a wholly-owned public sector entity; and
- the Government Employees Superannuation Board (GESB).

NOTES TO THE FINANCIAL STATEMENTS

9.4 Related party transactions (continued)

Significant transactions with government related entities

In conducting its activities, the Department is required to transact with the State and entities related to the State. These transactions are generally based on the standard terms and conditions that apply to all Departments. Such transactions include:

- income from State Government (note 4.1);
- equity contributions (note 9.10);
- superannuation payments to GESB (3.1.1);
- lease rentals payments to the Department of Finance (note 3.3) (Government Office Accommodation and State Fleet) and the Housing Authority (Government Regional Officer Housing) and related outstanding balances (note 6.5);
- insurance payments to the Insurance Commission of WA and Riskcover fund (note 3.7)
- Legal Assistance (note 3.4);
- income from Public Trustee (note 4.2 and 4.6);
- services provided free of charge to other agencies (note 9.10); and
- remuneration for services provided by the Auditor General (note 9.9).

Material transactions with related parties

Outside of normal citizen type transactions with the Department, there were no other related party transactions that involved key management personnel and/or their close family members and/or their controlled (or jointly controlled) entities.

9.5 Related bodies

A related body is a body that receives more than half of its funding and resources from a Department and is subject to operational control by that Department. The Department has no related bodies during the financial year.

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 Department. The following bodies 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 an affiliated body under the *Financial Management Act 2006*:

	2021	2020
	(\$000)	(\$000)
The Legal Aid Commission of Western Australia (note 3.4)	96,507	53,596
Aboriginal Legal Service	15,408	-
The Legal Costs Committee	136	118
The Law Reform Commission of Western Australia	167	172

NOTES TO THE FINANCIAL STATEMENTS

9.7 Special purpose accounts

During the reporting period the Department maintained the following special purpose accounts:

Account name		2020-2021			
		Opening		Closing	
		Balance	Receipts	Payments	Balance
		(\$000)	(\$000)	(\$000)	(\$000)
1	Courts Trust Account	10,344	73,186	(34,619)	48,911
2	Sheriff's and District Court Bailiff's Trust Account	165	1,613	(1,645)	133
3	Prisoners Private Cash Trust Account	395	10,711	(10,650)	456
4	Juveniles' Private Cash Trust Account	1	11	(12)	0

Account name		2019-2020			
		Opening		Closing	
		Balance	Receipts	Payments	Balance
		(\$000)	(\$000)	(\$000)	(\$000)
1	Courts Trust Account	22,037	34,417	(46,110)	10,344
2	Sheriff's and District Court Bailiff's Trust Account	147	589	(571)	165
3	Prisoners Private Cash Trust Account	270	37,563	(37,438)	395
4	Juveniles' Private Cash Trust Account	2	43	(44)	1

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 monies paid into the Supreme, District, Family, Children's and Magistrates Courts in civil and criminal actions, as ordered by those Courts; to hold monies 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*.

NOTES TO THE FINANCIAL STATEMENTS

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:

	2021	2020
	(\$000)	(\$000)
Auditing the accounts, financial statements, controls and key performance indicators.	460	402

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:

	2021	2020
	(\$000)	(\$000)
Provision of State Solicitor services:		
Department of Communities	4,745	3,933
Western Australia Police Force	2,839	2,518
Department of Planning, Lands and Heritage	2,648	2,183
Department of Mines, Industry Regulation and Safety	2,384	2,516
Main Roads	2,383	1,801
Department of Premier and Cabinet	2,261	2,200
Department of Jobs, Tourism, Science and Innovation	2,182	1,172
Department of Health	2,074	2,045
Department of Water and Environmental Regulation	1,937	1,795
Native Title Unite	1,856	1,449
Public Transport Authority	1,192	639
Department of Education	1,169	1,471
State Revenue	1,077	1,001
Department of Primary Industries and Regional Development	931	1,540
Department of Transport	869	813
Department of Biodiversity, Conservation and Attractions	785	919
Department of Local Government, Sport and Cultural Industries	644	518
Department of Finance	496	384
Department of Treasury	278	1,009
Insurance Commission of Western Australia	237	240
WA Country Health Service	209	145
Western Australian Land Information Authority	176	166
Other	2,762	2,826
Provision of Corporate Services:		
Office of the Director of Public Prosecutions	671	627
Law Reform Commission	167	172
Parliamentary Inspector of the Corruption and Crime Commission	110	128
Commissioner for Children and Young People	106	89
Professional Standards Council	89	54
Corruption and Crime Commission	161	-
Legal Costs Committee	71	53
	37,509	34,406

NOTES TO THE FINANCIAL STATEMENTS

9.10 Equity

<u>Contributed equity</u>	2021	2020
	(\$000)	(\$000)
Balance at start of period	2,340,760	2,207,550
<i>Contributions by owners</i>		
Capital appropriation	68,510	49,491
Equity contribution	12,335	72,261
<i>Other contributions by owners</i>		
Royalties for Regions Fund – Regional Infrastructure and Headworks Account	-	11,458
Other contributions by owners ^(a)	382	-
Total contributions by owners	81,227	133,210
Distributions to owners	(970)	-
Total distributions to owners	(970)	-
Balance at end of period	2,421,017	2,340,760
<u>Asset revaluation surplus</u>		
Balance at start of period	7,795	-
<i>Net revaluation increments/(decrements)</i>		
Buildings	(7,795)	7,795
Balance at end of period	-	7,795
<u>Accumulated deficit</u>		
Balance at start of period	(70,196)	(138,099)
Result for the period	(16,448)	67,903
Balance at end of period	(86,644)	(70,196)
Total Equity at end of period	2,334,373	2,278,359

^(a) Effective 1 December 2020 the Equal Opportunity Commission (EOC) became a division of the Department as a result of a Machinery of Government change.

NOTES TO THE FINANCIAL STATEMENTS

9.11 Supplementary financial information

(a) Write-offs

During the financial year, assets, revenue and outstanding debts owed to the state were written off under the authority of:

	2021	2020
	(\$000)	(\$000)
The Accountable Authority	25	203
	<u>25</u>	<u>203</u>
Criminal Injuries Compensation		
The Accountable Authority	435	186
	<u>435</u>	<u>186</u>
Administered (Fines Enforcement Registry)		
The Accountable Authority	21,372	15,267
	<u>21,372</u>	<u>15,267</u>

(b) Losses through theft, defaults and other causes

	2021	2020
	(\$000)	(\$000)
There was no loss of public money and other property through theft or default	-	-
	<u>-</u>	<u>-</u>

(c) Gifts of public property

No gifts of public property were provided by the Department.

NOTES TO THE FINANCIAL STATEMENTS

9.12 Explanatory statement (Controlled operations)

All variances between annual estimates (original budget) and actual results for 2021, and between the actual results for 2021 and 2020 are shown below. Narratives are provided for key major variances which are greater than 10% and 1% of prior period actual total cost of services for the Statements of comprehensive income and Statement of cash flows, and are greater than 10% and 1% of prior period actual total assets for the Statement of financial position.

Statement of Comprehensive Income Variances

	Variance	Estimate	Actual 2021	Actual 2020	Variance	Variance
	Note	2021	(2021)	(2020)	between	between
		(\$000)	(\$000)	(\$000)	estimate	actual
					and actual	results for
					(\$000)	2021 and
						2020
						(\$000)
Expenses						
Employee benefits expenses		837,930	868,081	815,647	30,151	52,434
Supplies and services		391,673	391,021	396,552	(652)	(5,531)
Depreciation and amortisation expense		74,154	79,153	78,245	4,999	908
Finance costs		35,806	35,043	37,184	(763)	(2,141)
Accommodation expenses		56,950	57,315	57,301	365	14
Grants and subsidies	1 A	166,725	235,047	115,521	68,322	119,526
Prisoner gratuities		13,367	12,841	12,276	(526)	565
Cost of sales		16,178	16,086	14,501	(92)	1,585
Loss on revaluation		-	268	-	268	268
Other expenses	2 B	98,991	119,831	96,218	20,840	23,613
Total cost of services		<u>1,691,774</u>	<u>1,814,686</u>	<u>1,623,445</u>	<u>122,912</u>	<u>191,241</u>
Revenue and Income						
Revenue						
User charges and fees	3	128,008	105,882	107,378	(22,126)	(1,496)
Sales		16,815	16,780	14,976	(35)	1,804
Commonwealth grants	C	74,072	76,809	22,689	2,737	54,120
Other revenue		14,222	19,655	17,156	5,433	2,499
Total Revenue		<u>233,117</u>	<u>219,126</u>	<u>162,199</u>	<u>(13,991)</u>	<u>56,927</u>
Gains						
Gain on revaluation			439	101,944	439	(101,505)
Total Gains		-	439	101,944	439	(101,505)
Total income other than income from State Government		<u>233,117</u>	<u>219,565</u>	<u>264,143</u>	<u>(13,552)</u>	<u>(44,578)</u>
NET COST OF SERVICES		<u>1,458,657</u>	<u>1,595,121</u>	<u>1,359,302</u>	<u>136,464</u>	<u>235,819</u>
Income from State Government						
Service appropriation		1,409,113	1,504,522	1,391,071	95,409	113,451
Income from other public sector entities	6 D	35,705	52,483	22,462	16,778	30,021
Services received free of charge		3,825	11,981	4,256	8,156	7,725
Royalties for Regions Fund		9,785	9,687	9,416	(98)	271
Total income from State Government		<u>1,458,428</u>	<u>1,578,673</u>	<u>1,427,205</u>	<u>120,245</u>	<u>151,468</u>
SURPLUS/(DEFICIT) FOR THE PERIOD		<u>(229)</u>	<u>(16,448)</u>	<u>67,903</u>	<u>(16,219)</u>	<u>(84,351)</u>
Total other comprehensive income		-	(7,795)	7,795	(7,795)	(15,590)
TOTAL COMPREHENSIVE INCOME/(LOSS) FOR THE PERIOD		<u>(229)</u>	<u>(24,243)</u>	<u>75,698</u>	<u>(24,014)</u>	<u>(99,941)</u>

NOTES TO THE FINANCIAL STATEMENTS

9.12 Explanatory statement (Controlled operations) (continued)

Statement of Financial Position Variances

	Variance	Estimate	Actual 2021	Actual 2020	Variance	Variance
	Note	2021	Actual 2021	Actual 2020	between	between
		(\$000)	(\$000)	(\$000)	estimate	actual results
					and actual	for 2021 and
					(\$000)	2020
						(\$000)
ASSETS						
<u>Current Assets</u>						
Cash and cash equivalents		3,709	29,545	25,362	25,836	4,183
Restricted cash and cash equivalents		2,958	2,924	4,736	(34)	(1,812)
Inventories		4,745	5,772	4,745	1,027	1,027
Receivables		19,201	17,788	19,042	(1,413)	(1,254)
Amounts receivable for services		11,625	11,625	11,625	-	-
Other current assets		3,376	7,115	3,376	3,739	3,739
Biological assets		2,414	3,143	2,414	729	729
Total Current Assets		48,028	77,912	71,300	29,884	6,612
<u>Non-Current Assets</u>						
Restricted cash and cash equivalents		10,825	13,500	10,200	2,675	3,300
Amounts receivable for services		580,131	580,602	517,602	471	63,000
Property, plant and equipment		1,974,501	1,956,079	1,955,631	(18,422)	448
Right-of-use assets		434,731	415,673	423,869	(19,058)	(8,196)
Intangible assets		7,398	7,670	7,798	272	(128)
Total Non-Current Assets		3,007,586	2,973,524	2,915,100	(34,062)	58,424
TOTAL ASSETS		3,055,614	3,051,436	2,986,400	(4,178)	65,036
LIABILITIES						
<u>Current Liabilities</u>						
Payables		90,929	90,367	96,289	(562)	(5,922)
Lease liabilities		26,861	26,645	25,696	(216)	949
Employee related provisions		164,041	179,647	156,260	15,606	23,387
Total Current Liabilities		281,831	296,659	278,245	14,828	18,414
<u>Non-Current Liabilities</u>						
Lease liabilities		392,344	381,820	395,587	(10,524)	(13,767)
Employee related provisions		34,209	38,584	34,209	4,375	4,375
Total Non-Current Liabilities		426,553	420,404	429,796	(6,149)	(9,392)
TOTAL LIABILITIES		708,384	717,063	708,041	8,679	9,022
NET ASSETS		2,347,230	2,334,373	2,278,359	(12,857)	56,014
EQUITY						
Contributed equity		2,409,858	2,421,017	2,340,760	11,159	80,257
Reserves		7,795	-	7,795	(7,795)	(7,795)
Accumulated deficit		(70,423)	(86,644)	(70,196)	(16,221)	(16,448)
TOTAL EQUITY		2,347,230	2,334,373	2,278,359	(12,857)	56,014

NOTES TO THE FINANCIAL STATEMENTS

9.12 Explanatory statement (Controlled operations) (continued)

Statement of Cash Flow Variances

	Variance	Estimate	Actual 2021	Actual 2020	Variance	Variance
	Note	2021	Actual 2021	Actual 2020	between	between
		(\$000)	(\$000)	(\$000)	estimate and	actual results
					actual	for 2021 and
					(\$000)	2020
						(\$000)
CASH FLOWS FROM STATE GOVERNMENT						
Service appropriation		1,334,960	1,429,897	1,318,924	94,937	110,973
Capital appropriation	E	68,385	68,510	49,491	125	19,019
Funds from other public sector entities	6 F	35,705	52,483	22,462	16,778	30,021
Equity contribution	G	713	12,336	72,261	11,623	(59,925)
Other contributions by owners		-	382	-	382	382
Holding account drawdown		11,625	11,625	11,625	-	-
Royalties for Regions Fund		9,785	9,687	20,874	(98)	(11,187)
Net cash provided by State Government		1,461,173	1,584,920	1,495,637	123,747	89,283
Utilised as follows:						
CASH FLOWS FROM OPERATING ACTIVITIES						
<u>Payments</u>						
Employees benefits		(837,930)	(834,910)	(793,181)	3,020	(41,729)
Grants and subsidies	4 H	(166,725)	(235,047)	(115,521)	(68,322)	(119,526)
Supplies and services		(391,673)	(412,977)	(424,624)	(21,304)	11,647
Accommodation		(56,950)	(52,568)	(52,606)	4,382	38
Finance costs		(35,806)	(35,043)	(37,184)	763	2,141
GST payments on purchases		(56,800)	(65,241)	(68,348)	(8,441)	3,107
GST payments to taxation authority		(4,500)	(4,744)	(4,790)	(244)	46
Other payments	I	(100,486)	(115,825)	(89,934)	(15,339)	(25,891)
<u>Receipts</u>						
Sales of goods and services		2,359	2,320	2,433	(39)	(113)
User charges and fees	5	125,649	105,866	107,415	(19,783)	(1,549)
Commonwealth grants	J	69,999	72,062	17,994	2,063	54,068
GST receipts on sales		4,500	4,901	4,557	401	344
GST receipts from taxation authority		56,800	67,160	67,111	10,360	49
Other receipts		14,018	14,467	10,928	449	3,539
Net cash used in operating activities		(1,377,545)	(1,489,579)	(1,375,750)	(112,034)	(113,829)
CASH FLOW FROM INVESTING ACTIVITIES						
<u>Payments</u>						
Purchase of non-current physical assets	7 K	(77,648)	(58,898)	(105,536)	18,750	46,638
<u>Receipts</u>						
Proceeds from sale of non-current physical assets		-	46	13	46	33
Net cash used in investing activities		(77,648)	(58,852)	(105,523)	18,796	46,671
CASH FLOW FROM FINANCING ACTIVITIES						
<u>Payments</u>						
Principal elements of lease payments		(28,786)	(30,984)	(33,270)	(2,198)	2,286
<u>Receipts</u>						
Proceeds from borrowings			166	6,124	166	(5,958)
Net cash used in financing activities		(28,786)	(30,818)	(27,146)	(2,032)	(3,672)
Net increase in cash and cash equivalents		(22,806)	5,671	(12,782)	28,477	18,453
Cash and cash equivalents at the beginning of the period		40,298	40,298	53,080	-	(12,782)
CASH AND CASH EQUIVALENTS AT THE END OF THE PERIOD		17,492	45,969	40,298	28,477	5,671

9.12 Explanatory statement (Controlled operations) (continued)

Major Variance Narratives

Variances between estimate and actual for 2021

- 1. Grants and subsidies were \$68.3 million (41%) higher than the estimate primarily due to demand led increases for Criminal Injuries Compensation (\$36.7 million), National Redress Scheme (NRS) for Survivors of Institutional Child Sexual Abuse, (\$15.9 million), and National Legal Assistance Partnership (NLAP) (\$18.9 million).
- 2. Other expenses were \$20.8 million (21%) higher than the estimate primarily due to higher building repair and maintenance costs (\$6.7 million) and a deed of settlement payment (\$2.2 million).
- 3. User charges and fees was \$22.1 million (17%) lower than the estimate mainly due to the impact of COVID-19 on the regulatory fees and charges, including other recoups.
- 4. See variance explanation in note 1.
- 5. User charges and fees were \$19.8 million (16%) lower than the estimate mainly due to lower than expected fees collected from Fines and Enforcement (Sheriff's Office) (\$7.1 million) and lower than expected Civil Court fees (\$9.0 million) offset with a decrease in demand for certified copies and commemorative Births, Deaths and Marriages certificates.
- 6. Funds from other public sector entities were \$16.8 million (47%) higher than the estimate mainly due to higher demand for grants under the NRS for Survivors of Institutional Child Sexual Abuse.
- 7. Payments for purchase of non-current assets were \$18.8 million (24%) lower than the estimate mainly due to lower than expected payments for the Casuarina Expansion Stage 2, Greenough Prison – Female Unit, Bunbury Double Story – Custodial Infrastructure Plan and Regional Prison Planning expenditure.

Variances between actual results for 2021 and 2020

- A. Grants and subsidies increased by \$119.5 million (103%) mainly due to demand led from increases for Legal Assistance (\$43.0 million), Criminal Injuries Compensation (\$24.7 million) and NRS for Survivors of Institutional Child Sexual Abuse (\$32.5 million).
- B. Other expenses increased by \$23.6 million (25%) primarily due to increases in insurance costs (risk cover) (\$14.3 million); and higher building repairs and maintenance costs (\$5.5 million), associated with ageing infrastructure.
- C. Commonwealth grants increased by \$54.1 million (239%) largely due to amounts received under the new Commonwealth NLAP.
- D. Income from other public sector entities increased by \$30.0 million (134%) mainly due to higher demand for grants under the NRS for Survivors of Institutional Child Sexual Abuse. The Special Purpose account set by the Treasurer is appropriated accordingly.
- E. Capital appropriations increased by \$19.0 million (38%) mostly due to the additional funding required for the Casuarina Prison Expansion – Stage 2 capital project.
- F. See variance explanation in note D.
- G. Equity contributions decreased by \$59.9 million (83%) owing to the completion of the Casuarina Prison Expansion – Stage 1 which received significant equity contributions in 2020. Since completion no further significant equity contributions have been received.
- H. See variance explanation in note A.
- I. Other payments increased by \$25.9 million (29%) mainly due to increases in insurance costs (risk cover); and higher building repairs and maintenance costs, associated with ageing infrastructure.
- J. Receipts from Commonwealth grants increased by \$54.1 million (300%) primarily due to amounts received through the NLAP which commenced in 2020.
- K. Payments for purchase of non-current assets decreased by \$46.6 million (44%) mainly due to completion of Casuarina Prison expansion project and the Bunbury Regional Prison expansion project in last financial year.

10. Administered disclosures

This section sets out all of the statutory disclosures regarding the financial performance of the Department.

	Notes
Disclosure of administered income and expenses by service	10.1
Explanatory statement for Administered Items	10.2
Administered assets and liabilities	10.3

10.1 Disclosure of administered income and expenses by service

	Court and Tribunal Services		Services to Government		General - Not Attributed		Total	
	2021	2020	2021	2020	2021	2020	2021	2020
	(\$000)	(\$000)	(\$000)	(\$000)	(\$000)	(\$000)	(\$000)	(\$000)
INCOME FROM ADMINISTERED ITEMS								
<u>Income</u>								
Judicial fines and penalties	33,258	30,714	-	-	-	-	33,258	30,714
Infringement penalties	10,021	11,367	-	-	-	-	10,021	11,367
Revenue for transfer - other Government agencies	-	-	16,928	18,054	-	-	16,928	18,054
Criminal property confiscations	-	-	15,226	15,423	-	-	15,226	15,423
Law Library Fund	-	-	-	-	600	600	600	600
Land acquisition	-	-	186,339	161,827	-	-	186,339	161,827
Other	81	91	-	-	292	1,268	373	1,359
Total administered Income	43,360	42,172	218,493	195,304	892	1,868	262,745	239,344
<u>Expenses</u>								
Payments to the Consolidated Account	43,488	42,046	-	-	-	-	43,488	42,046
Criminal property confiscations - grants	-	-	1,756	1,743	-	-	1,756	1,743
Criminal property confiscations - supplies and services	-	-	11,196	8,756	-	-	11,196	8,756
Law Library Fund payments	-	-	-	-	600	600	600	600
Payment to Road Trauma Trust Account	-	-	17,019	18,034	-	-	17,019	18,034
Land acquisition payments	-	-	182,361	157,632	-	-	182,361	157,632
Allowance for impairment of receivables - Fines Enforcement Registry	10,686	20,745	-	-	-	-	10,686	20,745
Other	91	83	-	-	930	620	1,021	703
Total administered expenses	54,265	62,874	212,332	186,165	1,530	1,220	268,127	250,259

NOTES TO THE FINANCIAL STATEMENTS

10.2 Explanatory statement for administered items

All variances between estimates (original budget) and actual results for 2021, and between the actual results for 2021 and 2020 are shown below. Narratives are provided for key major variances, which are generally greater than 10% and 1% of Total Administered Income.

	Variance note	Estimate 2021 (\$000)	Actual 2021 (\$000)	Actual 2020 (\$000)	Variance between estimate and actual (\$000)	Variance between actual results for 2021 and 2020 (\$000)
INCOME FROM ADMINISTERED ITEMS						
<u>Income</u>						
Judicial fines and penalties		35,903	33,258	30,714	(2,645)	2,544
Infringement penalties		9,902	10,021	11,367	119	(1,346)
Copyright income received on behalf of the State		7	-	-	(7)	-
Revenue for transfer - other Government agencies		16,606	16,928	18,054	322	(1,126)
Criminal property confiscations	1	11,000	15,226	15,423	4,226	(197)
Law Library Fund		600	600	600	-	-
Land acquisition	2 A	-	186,339	161,827	186,339	24,512
Other		299	373	1,359	74	(986)
Total administered Income		74,317	262,745	239,344	188,428	23,401
<u>Expenses</u>						
Payments to the Consolidated Account		45,812	43,488	42,046	(2,324)	1,442
Criminal property confiscations - grants		3,700	1,756	1,743	(1,944)	13
Criminal property confiscations - supplies and services	3	7,300	11,196	8,756	3,896	2,440
Law Library Fund payments		600	600	600	-	-
Payment to Road Trauma Trust Account		16,606	17,019	18,034	413	(1,015)
Land acquisition payments	4 B	-	182,361	157,632	182,361	24,729
Allowance for impairment of receivables - Fines Enforcement Registry	5 C	-	10,686	20,745	10,686	(10,059)
Other		299	1,021	703	722	318
Total administered expenses		74,317	268,127	250,259	193,810	17,868

NOTES TO THE FINANCIAL STATEMENTS

10.2 Explanatory statement for administered items (continued)

Major Variance Narratives (Administered Items)

Variances between estimate and actual for 2021

- 1) Criminal property confiscations were \$4.2 million (38%) higher than estimates due to an increase of criminal monies confiscated by the WA Police and the Office of the Director of Public Prosecutions during the period.
- 2) Land acquisition was \$186.3 million higher than estimates due to no budget being set for the Land acquisition account which is used to hold monies on behalf of Government departments and authorities pending finalisation of property acquisitions and disposals.
- 3) See variance explanation in note 1.
- 4) See variance explanation in note 2.
- 5) Allowance for impairment of receivables – Fines Enforcement Registry (FER) is \$10.7 million higher than estimates because no budget is set for Allowance for impairment of receivables – FER which is used to provide a provision for uncollectable fines on behalf other government agencies.

Variances between actual results for 2021 and 2020

- A) Land acquisition was \$24.7 million (16%) higher than last year largely due to an increase in held monies on behalf of Government agencies pending finalisation of property acquisitions and disposals.
- B) See variance explanation in note A.
- C) Allowance for impairment of receivables – FER is \$10.1 million (48%) lower than previous year due to the impacts of COVID-19. Wage subsidies and increased spending by the Australian government facilitated an increase in repayment of fines.

NOTES TO THE FINANCIAL STATEMENTS

10.3 Administered assets and liabilities

	2021 (\$000)	2020 (\$000)
Assets		
Cash and cash equivalents		
Departmental receipts in suspense	126	1,074
Restricted cash and cash equivalents		
Suitors fund	501	511
Law Library	2	2
Land Acquisitions	12,208	8,230
Confiscation Proceeds Account	30,889	28,616
Receivables		
Fines Enforcement Registry	200,302	202,327
Less: Allowance for impairment of receivables	(80,854)	(72,194)
Total administered current assets	163,174	168,566
Total administered assets	163,174	168,566
Liabilities		
Amounts due to the Treasurer (Appeals Cost Board)	2,500	2,500
Total administered current liabilities	2,500	2,500
Total administered liabilities	2,500	2,500

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 1964* to meet the liability for costs of certain litigation and for incidental and other purposes pursuant to the Act.

	2021 (\$000)	2020 (\$000)
Balance at start of the period	511	501
Receipts	40	29
Payments	(50)	(19)
Balance at the end of the period	501	511

Expenditure advance approved by the State Treasurer to provide a temporary advance for funding of the 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.

NOTES TO THE FINANCIAL STATEMENTS

10.3 Administered assets and liabilities (continued)

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 2021; and
- Magistrates Courts criminal fines which are outstanding in each Court and have not been referred to the FER as at 30 June 2021.

Key Performance Indicators

Certification of Key Performance Indicators for the Year Ended 30 June 2021

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 2021.



Dr Adam Tomison
Director General
Department of Justice
10 September 2021

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, the 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 4. National Redress Scheme for Institutional Child Sexual Abuse
	3. Western Australian birth, death, marriage and change of name certificates are accurate and accessible	5. Births, Deaths and Marriages
	4. Government receives quality and timely legal, legislative drafting and publication services	6. Services to Government
	5. The people of Western Australia are provided with information and advice about equal opportunity and human rights issues and have accessible avenues of redress under the relevant legislation	7. Provision of information and advice regarding equal opportunity and human rights 8. Avenue of redress for unlawful discrimination where there has been adverse treatment
	6. Equitable access to legal services and information*	9. Legal Aid Assistance*
	7. A safe, secure and decent corrective services which contributes to community safety and reduces offenders’ involvement in the justice system	10. Adult Corrective Services 11. Youth Justice Services

*This outcome and service is delivered by legal assistance agencies that support the delivery of legal services to Western Australians. Grant funding is provided through the Department of Justice to the Legal Aid Commission of Western Australia, Aboriginal Legal Service of Western Australia Limited and Community Legal Centres. These agencies prepare separate annual reports, including reporting against Key Performance Indicators.

Changes to the Department’s Outcome Based Management structure

The Department’s Outcome Based Management (OBM) framework for 2020/21 was amended to include the Equal Opportunity Commission’s (EOC) desired outcome, two services and five key performance indicators. Following a Machinery of Government change, the EOC transitioned from a stand-alone agency to be part of the Department of Justice during the 2020/21 period. The EOC provides information and advice regarding equal opportunity and human rights and an avenue of redress for unlawful discrimination where there has been adverse treatment.

Additionally, two key effectiveness indicators of the Registry of Births, Deaths and Marriages were abolished and replaced with two new key effectiveness indicators to expand the scope of certificate and registration types measured. The agency level desired outcome for this service was updated to account for these changes.

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 total cost of the service.

The following performance indicators should be read in conjunction with the accompanying notes to the key performance indicators. Explanations are provided where the 2020/21 Actual results varied significantly from the 2020/21 Target and 2019/20 Actual results (±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? This indicator measures 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 indicator is calculated by taking the median time from the specified initial date to first listed trial date. Information for this indicator is derived from the Integrated Courts Management System (ICMS).	2020/21 Actual	53
	2020/21 Target	28
	2019/20 Actual	45
	2018/19 Actual	39
	2017/18 Actual	32
		weeks
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 indicator 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).	2020/21 Actual	25
	2020/21 Target	19
	2019/20 Actual	24
	2018/19 Actual	24
	2017/18 Actual	19
		weeks
What does this indicator show? The 2020/21 actual result is 89% higher than target and increased by 18% from the 2019/20 actual result of 45 weeks due to the Supreme Court primarily hearing homicide and related offences since January 2019, which are complex in nature and require lengthy trials.		
What does this indicator show? The 2020/21 actual result is 32% higher than target due to a larger proportion of possession of property actions finalised administratively and by discontinuance. Further impacting the result was the moratorium on mortgage enforcement proceedings during the COVID-19 pandemic.		

District Court – Criminal – Time to trial

What does this indicator measure?

This indicator measures 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 indicator is calculated by taking the median time from the specified initial date to the first listed trial date. Information for this indicator is derived from the Integrated Courts Management System (ICMS).

What does this indicator show?

The 2020/21 actual result is 69% higher than target and increased by 20% from the 2019/20 actual result of 45 weeks. This is primarily due to an increase in criminal workload and the continuing impact of the suspension of jury trials from 16 March 2020 until 20 July 2020 due to COVID-19 restrictions. Further affecting the result was the increased complexity of cases, including multi-accused trials.

State Administrative Tribunal – Time to finalise

What does this indicator measure?

This indicator measures the median time to finalise a matter from the date of lodgment to when a judgement is made.

How is this indicator calculated?

This indicator is calculated by taking the median time to finalise a matter from date of lodgment to first date of finalisation (excludes *Commercial Tenancy (Retail Shops) Agreements Act 1985* s13(7), 13(7b) and 14A(3) benchmark category and *Guardianship and Administration Act 1990* matters 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.

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 indicator 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 2020/21 actual result is 78% higher than target primarily due to the long-term growth in the complexity and volume of final order parenting applications lodged, and the growth in the finalisation of these applications by court order or direction. Further impacting the court’s capacity to hear non-trial matters was the allocation of trial workload to magistrates to help address the delay to trial.

Magistrates Court – Criminal and Civil – Time to trial

What does this indicator measure?

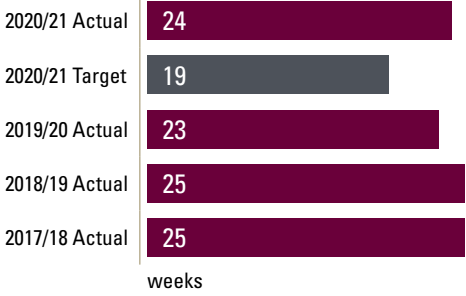
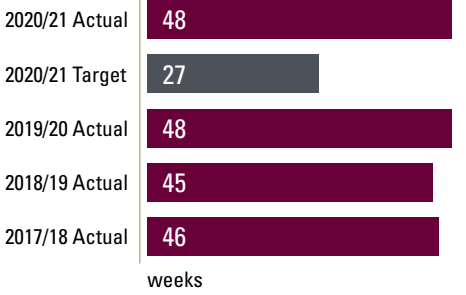
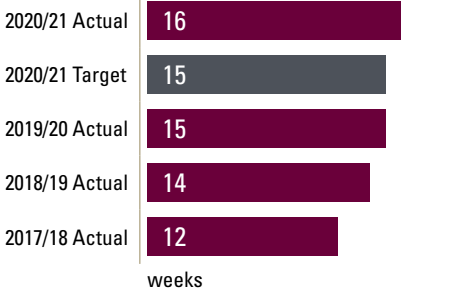
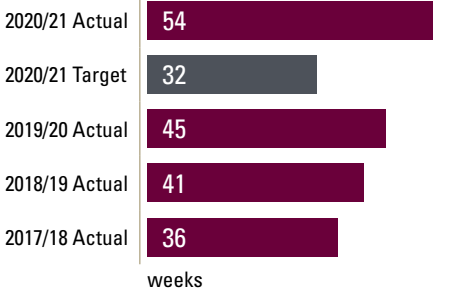
This indicator measures the median time taken from a specified initial date (i.e. lodgment for civil matters, first actual hearing date for criminal matters) to the first listed trial date. The proportion of matters needing a trial, and the time required for the court and associated services to satisfy complex pre-trial issues, increases with the seriousness and complexity of the matter.

How is this indicator calculated?

This indicator is calculated by taking the median time from a specified initial date to the first listed trial date. Information for this indicator is derived from the Integrated Courts Management System (ICMS).

What does this indicator show?

The 2020/21 actual result is 26% higher than target due to the sustained high proportion of matters proceeding to trial and an increase in the number of multi day trials heard reflecting the greater complexity of matters before the court. Further impacting the result was COVID-19 lockdown where trials have been delayed as well as counsel and witnesses being unable to travel from interstate due to border closures.



Coroner’s Court – Time to trial

What does this indicator measure?

This indicator measures the median time taken from the date of notification of death (lodgment) 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 indicator is calculated by taking the median time from the date of lodgment of 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 Integrated Courts Management System (ICMS).

What does this indicator show?

There is no significant variance between the 2020/21 actual result and target. The 2020/21 actual result is 63% higher than the 2019/20 actual result of 86 weeks primarily due to discontinuation of an additional judicial resource that had been allocated in 2019/20 to assist the Court in the finalisation of Long Term Missing Person cases. Additionally, during 2020/21, the Coroner’s Court dealt with inquests that were more complex and required longer term police investigation.

Fines Enforcement Registry - Percentage of fines satisfied within 12 months:

What do these indicators 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.

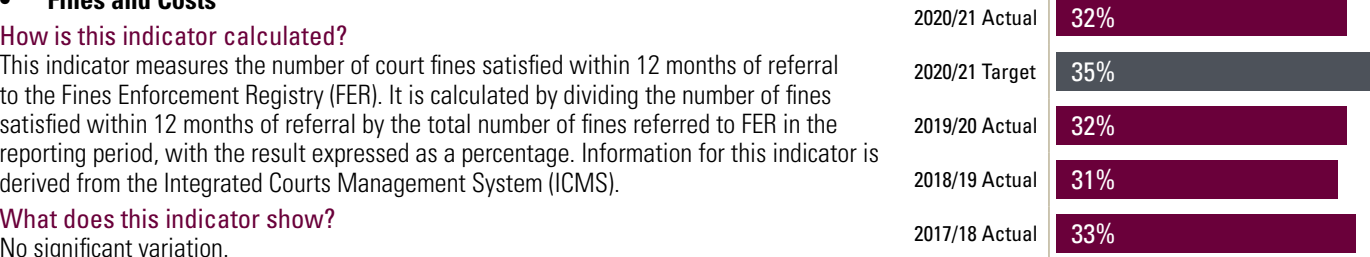
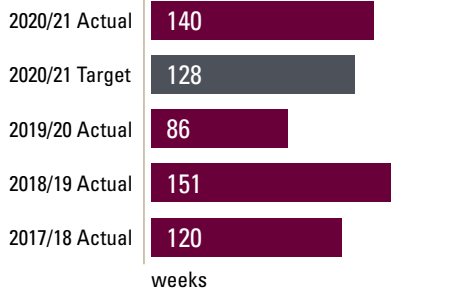
• Fines and Costs

How is this indicator calculated?

This indicator measures the number of court fines satisfied within 12 months of referral to the Fines Enforcement Registry (FER). It is calculated by dividing the number of fines satisfied within 12 months of referral by the total number of fines referred to FER in the reporting period, with the result expressed as a percentage. Information for this indicator is derived from the Integrated Courts Management System (ICMS).

What does this indicator show?

No significant variation.



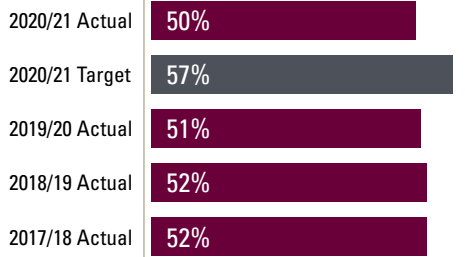
• Infringements

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 calculated by dividing the number of infringements satisfied within 12 months of referral by the total number of infringements referred to FER in the reporting period, with the result expressed as a percentage. Information for this indicator is derived from the Integrated Courts Management System (ICMS).

What does this indicator show?

The 2020/21 actual result is 12% lower than target primarily due to the increasing average debt load per case, resulting in the reduction of the clients’ financial ability to finalise infringements within 12 months. The declining trend in infringement registrations and the increasing percentage of infringements being included in formal payment arrangements has further impacted the result.



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.

Key Efficiency Indicators

What do these indicators 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 these cost per case indicators calculated? The average cost per case indicators are calculated by dividing the total cost of processing cases by the total number of finalisations. Total costs used to calculate the efficiency measure are extracted from the Department's jurisdiction based cost management system, Planning and Budgeting Cloud Services (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 What does this indicator show? The 2020/21 actual result is 26% lower than target due to an increase in finalisations and a reduction in costs following a review into the apportionments under the Outcome Based Management framework to reflect the implementation of the <i>Court Jurisdiction Legislation Amendment Act 2018</i> .	2020/21 Actual	\$194,179
	2020/21 Target	\$263,354
	2019/20 Actual	\$184,259
	2018/19 Actual	\$58,050
	2017/18 Actual	\$40,347

Supreme Court – Civil – Cost per case What does this indicator show? The 2020/21 actual result is 21% lower than target primarily due to a reduction in costs following a review into the apportionments under the Outcome Based Management framework. The 2020/21 actual result is 18% higher than the 2019/20 actual result of \$12,613 due to a significant reduction in Possession of Property lodgments resulting from the moratorium on mortgage enforcement proceedings during the COVID-19 pandemic.	2020/21 Actual	\$14,859
	2020/21 Target	\$18,893
	2019/20 Actual	\$12,613
	2018/19 Actual	\$12,333
	2017/18 Actual	\$11,068

Court of Appeal – Cost per case What does this indicator show? The 2020/21 actual result is 10% higher than target due to a decrease in civil and criminal appeal finalisations.	2020/21 Actual	\$23,470
	2020/21 Target	\$21,316
	2019/20 Actual	\$22,656
	2018/19 Actual	\$24,401
	2017/18 Actual	\$21,856

District Court – Criminal – Cost per case What does this indicator show? The 2020/21 actual result is 26% higher than target and increased by 27% from the 2019/20 actual result of \$18,171. The increase is due to a change in cost allocations between the Criminal and Civil Divisions of the District Court following a review into the apportionments under the Outcome Based Management framework.	2020/21 Actual	\$23,014
	2020/21 Target	\$18,270
	2019/20 Actual	\$18,171
	2018/19 Actual	\$17,226
	2017/18 Actual	\$16,627

District Court – Civil – Cost per case What does this indicator show? The 2020/21 actual result is 37% lower than target and decreased by 39% from the 2019/20 actual result of \$4,257. The decrease is due to a change in cost allocations between the Criminal and Civil Divisions of the District Court following a review into the apportionments under the Outcome Based Management framework.	2020/21 Actual	\$2,584
	2020/21 Target	\$4,131
	2019/20 Actual	\$4,257
	2018/19 Actual	\$4,142
	2017/18 Actual	\$4,250

State Administrative Tribunal – Cost per case What does this indicator show? There is no significant variance between the 2020/21 actual result and target. The 2020/21 actual result is 12% lower than the 2019/20 actual result of \$4,257 primarily due to a 10% increase in finalisations.	2020/21 Actual	\$3,747
	2020/21 Target	\$3,995
	2019/20 Actual	\$4,257
	2018/19 Actual	\$4,104
	2017/18 Actual	\$3,766

Family Court – Cost per case What does this indicator show? No significant variation.	2020/21 Actual	\$1,951
	2020/21 Target	\$1,999
	2019/20 Actual	\$2,013
	2018/19 Actual	\$2,078
	2017/18 Actual	\$2,057

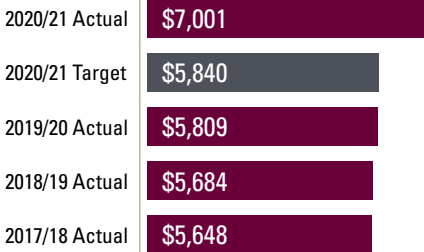
Magistrates Court – Criminal – Cost per case What does this indicator show? The 2020/21 actual result is 29% higher than target and increased by 18% from the 2019/20 actual result of \$808. The increase is primarily due to less finalisations resulting from a reduction in criminal lodgments, in part as a result of COVID-19 restrictions. The result was further impacted by the inclusion of WA Police Force court security costs as a Resources Received Free of Charge.	2020/21 Actual	\$950
	2020/21 Target	\$735
	2019/20 Actual	\$808
	2018/19 Actual	\$736
	2017/18 Actual	\$673

Magistrates Court – Civil – Cost per case What does this indicator show? The 2020/21 actual result is 34% higher than target and increased by 28% from the 2019/20 actual result of \$660. The increase is due to a significant reduction in Residential Tenancy lodgments as a result of the <i>Residential Tenancies (COVID-19 Response) Act 2020</i> , requiring mandatory conciliation for residential tenancy disputes.	2020/21 Actual	\$846
	2020/21 Target	\$632
	2019/20 Actual	\$660
	2018/19 Actual	\$691
	2017/18 Actual	\$598

Coroner’s Court – Cost per case

What does this indicator show?

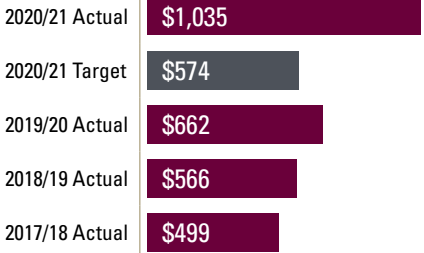
The 2020/21 actual result is 20% higher than target primarily due to higher costs in forensic pathology services and an increase in body removals. The 2020/21 actual result is 21% higher than the 2019/20 actual result of \$5,809 due to a higher number of finalisations from the availability of additional resources during the COVID-19 lockdown in 2019/20.



Children’s Court – Criminal – Cost per case

What does this indicator show?

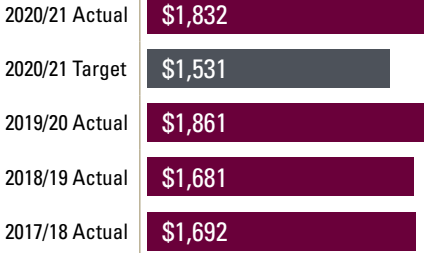
The 2020/21 actual result is 80% higher than target and increased by 56% from the 2019/20 actual result of \$662. The increase is primarily due to increased Accused Costs and the inclusion of WA Police Force court security costs as Resources Received Free of Charge. Further impacting the result was a reduction in finalisations as criminal lodgments declined in theft, burglary, illicit drug, public order offences and property offences, in part as a result of COVID-19 restrictions.



Children’s Court – Civil – Cost per case

What does this indicator show?

The 2020/21 actual result is 20% higher than target due to higher costs as a result of the Protection and Care Pilot Court.



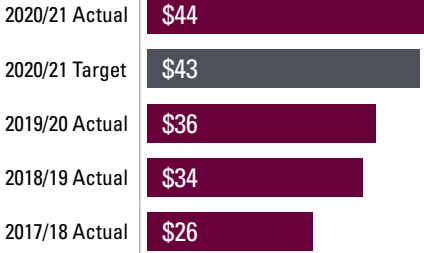
Fines Enforcement Registry – Cost per enforcement

How is the cost per enforcement indicator calculated?

The indicator is calculated by dividing the total cost of processing fines and infringements by the total number of lodgments, where a lodgment represents an individual enforcement registered with the Fines Enforcement Registry for enforcement.

What does this indicator show?

There is no significant variance between the 2020/21 actual result and target. The 2020/21 actual result is 22% higher than the 2019/20 actual result of \$36 primarily due to a reduction in lodgments by WA Police Force and other prosecuting authorities.



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. Through the Office of the Commissioner for Victims of Crime and the Redress Coordination Unit, the Department is responsible for leading Western Australia’s participation in the National Redress Scheme for survivors of institutional child sexual abuse, on behalf of all WA Government agencies. 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?

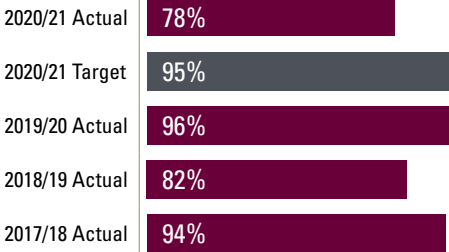
This indicator measures the timeliness of the Public Advocate in allocating a guardian to a represented person in order to make decisions on their behalf and protect them from neglect, abuse or exploitation. The Public Advocate is appointed as guardian of last resort only when considered necessary and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

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 calculated by dividing the total number of new appointments of guardians of last resort made by the State Administrative Tribunal (SAT) at the hearing and allocated 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. Information for this indicator is extracted from the Public Advocate Case Management (PACMAN) system.

What does this indicator show?

The 2020/21 actual result is 18% lower than target and decreased by 19% from the 2019/20 actual result of 96%. This is due to the ongoing increase in demand for appointment of the Public Advocate as Guardian of Last Resort and operational pressures.



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 Public Trustee operates in a commercial environment offering services that can be provided by numerous professional service providers.

The Public Trustee administers deceased 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.

How is this indicator calculated?

The indicator is calculated by dividing the total number of new deceased estate files by the total number of adult deaths registered in Western Australia, with the result expressed as a percentage.

Data for this indicator is sourced from the Public Trustee’s Management Accounting and Trust Environment (MATE) system.

What does this indicator show?

There is no significant variation between the 2020/21 actual result and target. The 2020/21 actual result is 10% lower than the 2019/20 actual result of 4.8% due to a decreased number of deceased files administered by the Public Trustee during the 2020/21 financial year.

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.

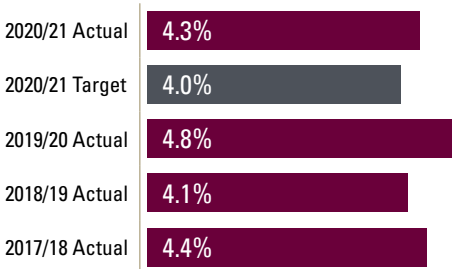
The indicator represents the proportion of services provided free of charge or at a reduced cost under the Public Trustee’s community service.

How is this indicator calculated?

This indicator measures the proportion of clients provided with services by the Public Trustee under an 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 number of trust clients administered, with the result reported as a percentage.

What does this indicator show?

No significant variation.



Percentage of requests for information under the National Redress Scheme responded to within eight weeks

What does this indicator measure?

This indicator measures the extent to which Requests for Information (RFIs) received from the National Redress Scheme for Institutional Child Sexual Abuse (the Scheme) are responded to by the Redress Coordination Unit (RCU) within the eight week timeframe set by the Scheme Operator.

An application to the Scheme can result in multiple RFIs from the Scheme. The RCU allocates each RFI to the appropriate Western Australian Government Department for response. Once a response has been provided, the RCU lodges the information with the Scheme.

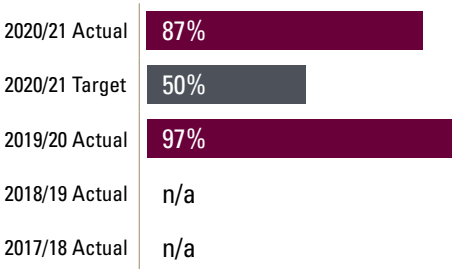
How is this indicator calculated?

The indicator is calculated by dividing the total number of RFIs responded to within eight weeks by the total number of RFIs responded to in the reporting period, with the result expressed as a percentage.

The eight week timeframe begins when the Scheme notifies the RCU of an RFI, and ends when the RCU lodges a response back to the Scheme.

What does this indicator show?

The 2020/21 actual result is 74% higher than target. A target of 50% was conservatively set based on the estimate of a large number of applications being received early in the operation of the Scheme. Numbers have not been as high as anticipated and agencies, through the coordination of the Redress Coordination Unit, have generally been able to respond within the prescribed timeframes. The 2020/21 actual result is 10% lower than the 2019/20 actual result of 97% due to applications not being received equally across the year and some months receiving significantly more applications than expected.



Service 2: Advocacy, Guardianship and Administration services

This service is delivered by the Office of 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 Office of the Public Advocate.

The following efficiency indicator measures the average cost of delivering the service.

Key Efficiency Indicator

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 total number of advocacy, guardianship and administration services provided. The information for this indicator is extracted from Department's activity based cost management system, Planning and Budgeting Cloud Services (PBCS), and the Public Advocate Case Management (PACMAN) system.	

What does this indicator show?
The 2020/21 actual result is 13% higher than target due to an increase of staff and associated costs during the year in response to the continuing demand for the services of the Office of the Public Advocate.

2020/21 Actual	\$1,573
2020/21 Target	\$1,387
2019/20 Actual	\$1,560
2018/19 Actual	\$1,445
2017/18 Actual	\$1,789

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 average 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 total number of deceased estates administered during the year. The total number of deceased estates administered is sourced from the Public Trustee's Management Accounting & Trust Environment (MATE) system and the total cost of administration services is extracted from the Department's activity based cost management system, Planning and Budgeting Cloud Services (PBCS).	2020/21 Actual	\$2,116
	2020/21 Target	\$2,369
	2019/20 Actual	\$2,372
	2018/19 Actual	\$2,478
	2017/18 Actual	\$2,815
What does this indicator show? The 2020/21 actual result is 11% lower than target and the 2019/20 actual result of \$2,372 due to a reduction of overall cost as a result of the review and reallocation of costs between divisions of the Public Trustee.	2020/21 Actual	\$2,080
	2020/21 Target	\$1,971
	2019/20 Actual	\$1,995
	2018/19 Actual	\$1,822
	2017/18 Actual	\$1,808
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 total number of trusts under management during the year. The number of trusts under management is sourced from the Public Trustee's Management Accounting & Trust Environment (MATE) system and the total cost of providing trust management services is extracted from the Department's activity based cost management system, PBCS.	2020/21 Actual	\$674
	2020/21 Target	\$676
	2019/20 Actual	\$829
	2018/19 Actual	\$662
	2017/18 Actual	\$653
What does this indicator show? No significant variation. 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 total number of wills prepared during the year. The total number of wills prepared is sourced from the Public Trustee's Management Accounting & Trust Environment (MATE) system and the total cost of preparing wills is extracted from the Department's activity based cost management system, PBCS.	2020/21 Actual	\$674
	2020/21 Target	\$676
	2019/20 Actual	\$829
	2018/19 Actual	\$662
	2017/18 Actual	\$653
What does this indicator show? There is no significant variation between the 2020/21 actual result and target. The 2020/21 actual result is 19% lower than the 2019/20 actual result of \$829. This variance is mainly due to a reduction of costs associated with reallocation of legal staff from the wills services to other legal areas within the Public Trustee as a result of changes to will preparation practice due to COVID-19, as well as a response to increased workload in other legal areas.	2020/21 Actual	\$674
	2020/21 Target	\$676
	2019/20 Actual	\$829
	2018/19 Actual	\$662
	2017/18 Actual	\$653

Service 4: National Redress Scheme for Institutional Child Sexual Abuse

This service is delivered by the Office of the Commissioner for Victims of Crime.

The National Redress Scheme for Institutional Child Sexual Abuse (the Scheme) provides redress to survivors of institutional child sexual abuse. The Scheme:

- acknowledges that many children were sexually abused in Australian institutions;
- holds institutions accountable for this abuse; and
- helps people who have experienced institutional child sexual abuse gain access to counselling and psychological services, a direct personal response, and a monetary payment.

This service relates to the administration of Western Australia’s participation in the Scheme through the Redress Coordination Unit. The Redress Unit is responsible for the coordination of Requests for Information between the Commonwealth Redress Scheme Operator and the responsible state government agencies and local governments, the facilitation of direct personal responses for all state and local government agencies and Western Australia’s Scheme payments to the Commonwealth.

The following efficiency indicator measures the average cost of delivering the service.

Key Efficiency Indicator

Average cost per claim
What does this indicator measure?
This indicator measures the average cost per claim made under the National Redress Scheme, including the cost of administering the scheme for the Western Australian Government and payments made under the scheme.
How is this indicator calculated?
This indicator is calculated by dividing the total cost of the National Redress Scheme for Institutional Child Sexual Abuse service, which includes the cost of administering the Scheme and WA’s Scheme payments, by the total number of finalised claims. The Scheme provides quarterly invoices to the Redress Unit, which requests reimbursement for payments made to applicants, as well as an administrative and legal payment towards the running of the Scheme. The number of finalised claims is sourced from this invoice. An application is considered finalised when an applicant has accepted an offer of redress and receives their redress payment directly from the Scheme. The Scheme appoints Independent Decision Makers to assess applications and determine the amount to be provided in redress for both counselling and a redress payment. Assessments are based on severity of abuse. The Redress Unit does not have control over the number of claims paid, the amounts determined or the applicant history.

What does this indicator show?
The 2020/21 actual result is 39% lower than target and 18% lower than the 2019/20 actual result of \$67,795 as the average payment for finalised claims, as determined by the Scheme’s appointed Independent Decision Makers, was lower than expected.

2020/21 Actual	\$55,790
2020/21 Target	\$91,493
2019/20 Actual	\$67,795
2018/19 Actual	n/a
2017/18 Actual	n/a

Outcome 3: Western Australian birth, death, marriage and change of name 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, marriage and change of name to all Western Australians.

Key Effectiveness Indicators

Percentage of certified certificates 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, marriage or change of name is a major determinant of accessibility. This indicator measures the extent to which requests for certified certificates are satisfied in a timely manner. This directly measures the extent to which the agency level outcome has been achieved.
How is this indicator calculated?
This indicator is calculated by dividing the total number of certified birth, death, marriage and change of name certificates issued within two working days by the total number of certified certificates in the reporting period, with the result expressed as a percentage. Information for this indicator is sourced from the Western Australian Registration System (WARS). 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 and ‘certified certificate’ refers to a service request item (SRI). An SRI is a request to print and issue a certified certificate for a birth, death, marriage or change of name registration, however an SRI may include a request for more than one printed copy of a certified certificate. This indicator is calculated based on the number of SRIs, regardless of the number of printed copies issued.

What does this indicator show?
No significant variation.
Note: This key effectiveness indicator is new for 2020/21. Prior year results are unavailable.

2020/21 Actual	87%
2020/21 Target	90%
2019/20 Actual	n/a
2018/19 Actual	n/a
2017/18 Actual	n/a

Extent to which registration 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. 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.

How is this indicator calculated?

The indicator is calculated by dividing the total number of birth, death, marriage, change of name and adoption registrations accurately recorded by the total number of birth, death, marriage, change of name and adoption registrations recorded during the reporting period, with the result expressed as a percentage. Information for this indicator is sourced from the Western Australian Registration System (WARS).

What does this indicator show?

No significant variation.

Note: This key effectiveness indicator is new for 2020/21. Prior year results are unavailable.

2020/21 Actual	96%
2020/21 Target	97%
2019/20 Actual	n/a
2018/19 Actual	n/a
2017/18 Actual	n/a

Service 5: 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 preserve records of Western Australian births, deaths, marriages and changes of name, in accordance with the *Births, Deaths and Marriages Registration Act 1998*, 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 average cost of delivering the service.

Key Efficiency Indicator

Average cost of registration services

What does this indicator measure?

This indicator measures the average 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, marriage and change of name records since it was established in 1841. These are either in paper registers, on microfilm or computer. This indicator is calculated by dividing the total cost of registration services by the total number of new registration services added to records held in storage. The total cost of registration services is extracted from the Department’s activity based cost management system, PBCS. The data for registration services is sourced from the Western Australian Registration System (WARS).

What does this indicator show?

The 2020/21 actual result is 23% lower than target due to a reduction in building rental lease costs and delays in projects associated with the Western Australian Registration System (WARS).

2020/21 Actual	\$1.64
2020/21 Target	\$2.12
2019/20 Actual	\$1.78
2018/19 Actual	\$1.72
2017/18 Actual	\$1.95

Outcome 4: Government receives quality and timely legal, legislative drafting and publication 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 drafting and publishing legislation.

Key Effectiveness Indicators

Extent to which government agencies 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 are 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.

The indicator is calculated by dividing the total number of client responses expressing overall satisfaction with legal services provided by the State Solicitor’s Office by the total number of client responses, with the result expressed as a percentage.

What does this indicator show?

No significant variation.

Extent to which legislation is 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?

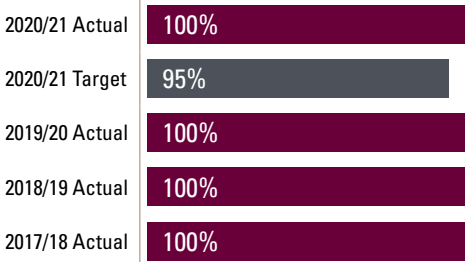
The indicator is calculated by dividing the total number of Cabinet authorities of various priorities, for which legislation was completed by the relevant cut-off dates in a Parliamentary year, by the total number of Cabinet authorities to which the legislative program relates, with the result expressed as a percentage. This indicator is reported on a calendar year basis to directly align performance to the Parliamentary year. 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.

What does this indicator show?

No significant variation.

Note: Reported results for the 2020/21 period are based on performance during the 2020 Parliamentary year.



Extent to which legislation is published in a timely manner

What does this indicator measure?

This indicator measures the extent to which legislation is published in a timely manner. The Parliamentary Counsel’s Office is responsible for the publication and maintenance of the WA legislation website, which enables the law of WA to be accessed freely by Government, judiciary, the legal profession and the general public in a timely manner.

How is this indicator calculated?

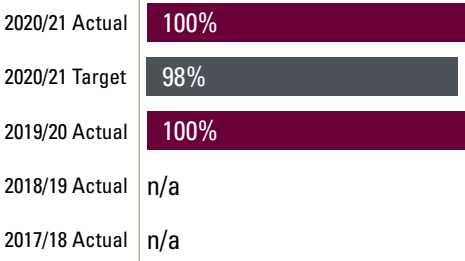
The indicator is calculated by dividing the total number of new and amended legislation titles published on the Western Australian legislation website within two working days by the total number of legislation titles published during the reporting period, with the result expressed as a percentage.

Publication in a timely manner includes:

- Acts as passed – published within two working days of Royal Assent;
- Subsidiary legislation as made – published within two working days of publication in the *Gazette* (relevant only where publication requirements for subsidiary legislation are not met by publication on the WA legislation website); and
- Consolidation of amendments into existing legislation – published within two working days of the amendments commencing.

What does this indicator show?

No significant variation.



Service 6: Services to Government

This service is delivered by the State Solicitor’s Office.

The State Solicitor’s Office provides a broad-based legal service to Government and its agencies.

The following efficiency indicator measures the average cost of delivering the service.

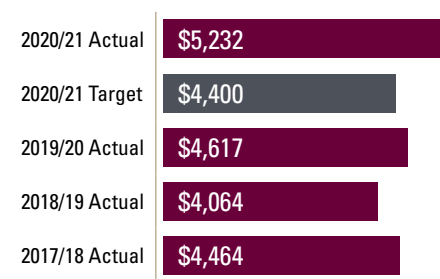
Key Efficiency Indicator

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 is calculated by dividing the total cost of providing legal services by the total number of matters dealt with during the financial year. A legal matter 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 number of matters is sourced from the Time and Matter Costing (TAMC) system and the total cost of service is extracted from the Department’s activity based cost management system, Planning and Budgeting Cloud Services (PBCS).



What does this indicator show?
The 2020/21 actual result is 19% higher than target and increased by 13% from the 2019/20 actual result of \$4,617. This is mainly due to an increase in employee benefits expenses and a reduction of the number of legal matters as a result of changes in the recording process. As a consequence of the need to rapidly respond to and manage the multitude of legal matters concerning COVID-19, a decision was made to treat all requests for legal assistance as a single legal matter rather than multiple legal matters for recording purposes.

Outcome 5: The people of Western Australia are provided with information and advice about equal opportunity and human rights issues and have accessible avenues of redress under the relevant legislation

The Equal Opportunity Commission (EOC) transitioned from a stand-alone agency to be a part of the Department of Justice (DoJ) during 2020/21. The EOC provides Western Australians with information and advice about equal opportunity and human rights issues and provides accessible avenues of redress under relevant Western Australian legislation. This supports the Government’s strategic goal of strong communities: safe communities and supported families.

The following effectiveness indicators show the extent to which these outcomes have been achieved. The indicators measure the extent of community awareness of equal opportunity enabling legislation and timeliness for investigation of allegations of unlawful discrimination.

Key Effectiveness Indicators

Community awareness of the *Equal Opportunity Act 1984* and belief it is of benefit

What does this indicator measure?
This indicator measures the extent to which the Western Australian community is aware of equality of opportunity and recognises and accepts the *Equal Opportunity Act 1984* (the Act).

How is this indicator calculated?
The indicator is calculated by combining the results of two survey questions relating to community awareness of the Act and belief in the benefit of having such legislation (i.e. Have you heard of the WA Equal Opportunity Act?; Do you think it is of any benefit to have a law that deals with discrimination?). The indicator result is an average of the two results, with the result expressed as a percentage.

The community awareness survey is carried out on a triennial basis. Results from the 2017/18 survey are reported for three annual periods. Results for the 2020/21 period are based on a survey conducted in February 2021.

2020/21 Actual	75%
2020/21 Target	82%
2019/20 Actual	82%
2018/19 Actual	82%
2017/18 Actual	82%

What does this indicator show?
No significant variation.

Note: Actual results for financial years up to 2019/20 were reported in the EOC Annual Report. The actual result for the 2020/21 financial year is based on KPI data for the full 2020/21 period, including the July to November 2020 period, prior to transition, and December 2020 to June 2021 following transition of the EOC to be a part of DoJ.

Percentage of complaints finalised within 6 months	2020/21 Actual	66%
What does this indicator measure? This indicator measures the percentage of complaints finalised within six months.	2020/21 Target	80%
How is this indicator calculated? The indicator is calculated by dividing the number of complaints finalised within six months by the total number of complaints finalised in the reporting period, with the result expressed as a percentage.	2019/20 Actual	76%
What does this indicator show? The 2020/21 actual result is 18% lower than target and decreased by 13% from the 2019/20 actual result of 76%. This is due to higher workload arising from a significant increase in the number of new complaints received, compounded by the complexity of the matters dealt with and delays due to the COVID-19 lockdowns.	2018/19 Actual	79%
<i>Note: Actual results for financial years up to 2019/20 were reported in the EOC Annual Report. The actual result for the 2020/21 financial year is based on KPI data for the full 2020/21 period, including the July to November 2020 period, prior to transition, and December 2020 to June 2021 following transition of the EOC to be a part of DoJ.</i>	2017/18 Actual	85%

Percentage of complaints finalised within 12 months

What does this indicator measure?

This indicator measures the percentage of complaints finalised within twelve months.

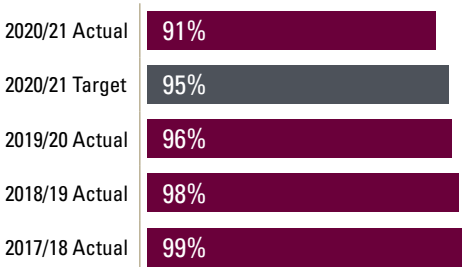
How is this indicator calculated?

The indicator is calculated by dividing the number of complaints finalised within twelve months by the total number of complaints finalised in the reporting period, with the result expressed as a percentage.

What does this indicator show?

No significant variation.

Note: Actual results for financial years up to 2019/20 were reported in the EOC Annual Report. The actual result for the 2020/21 financial year is based on KPI data for the full 2020/21 period, including the July to November 2020 period, prior to transition, and December 2020 to June 2021 following transition of the EOC to be a part of DoJ.



Service 7: Provision of information and advice regarding equal opportunity and human rights

This service is delivered by the Equal Opportunity Commission. It provides information and advice regarding equal opportunity and human rights through:

- dissemination of relevant and appropriate information on the *Equal Opportunity Act 1984*, other relevant laws and human rights issues generally;
- provision of accurate advice on equal opportunity matters; and
- identification of discriminatory policies and practices.

The following efficiency indicator measures the average cost of delivering the service.

Key Efficiency Indicator

Average hourly cost of development and delivery of training courses

What does this indicator measure?

This indicator measures the average hourly cost of preparation and delivery of fee-for-service training.

The EOC provides mixed profile and customised fee-for-service training to public sector organisations, community organisations, local government and the private sector.

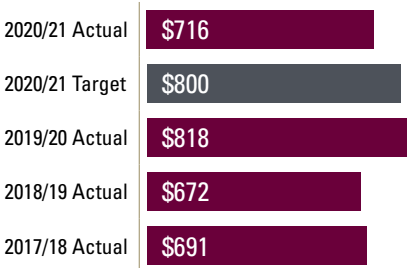
How is this indicator calculated?

The indicator is calculated by dividing the total cost of providing fee-for-service training by the number of hours of preparation and delivery of fee-for-service training carried out during the reporting period.

What does this indicator show?

The 2020/21 actual result is 11% lower than target and decreased by 12% from the 2019/20 actual result of \$818. This is due to a reduction in training expenses as a result of lower rent and other overheads.

Note: Actual results for financial years up to 2019/20 were reported in the EOC Annual Report. The actual result for the 2020/21 financial year is based on KPI data for the full 2020/21 period, including the July to November 2020 period, prior to transition, and December 2020 to June 2021 following transition of the EOC to be a part of DoJ.



Service 8: Avenue of redress for unlawful discrimination where there has been adverse treatment

This service is delivered by the Equal Opportunity Commission. It provides an avenue of redress for unlawful discrimination where there has been adverse treatment by investigating and attempting to conciliate complaints that fall within the jurisdiction of the *Equal Opportunity Act 1984* and other legislation administered by the Commissioner and providing assistance to complainants referred to the State Administrative Tribunal.

The following efficiency indicator measures the average cost of delivering the service.

Key Efficiency Indicator

Average cost per complaint handled

What does this indicator measure?

This indicator measures the costs involved in investigating and endeavouring to conciliate allegations of unlawful discrimination lodged by members of the community.

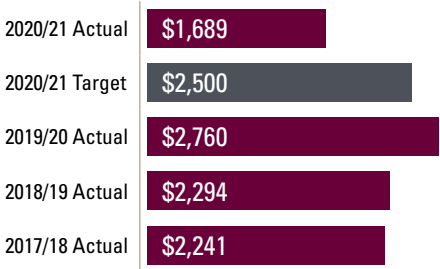
How is this indicator calculated?

The indicator is calculated by dividing the total cost of handling complaints by the total number of complaints handled in the reporting period.

What does this indicator show?

The 2020/21 actual result is 32% lower than target and decreased by 39% from the 2019/20 actual result of \$2,760. This is due to a higher overall number of complaints handled, as significantly more complaints were received than expected, and a higher number of complaints were carried over from the previous financial year. In addition, there was a reduction in complaint handling expenses due to lower rent and other overheads.

Note: Actual results for financial years up to 2019/20 were reported in the EOC Annual Report. The actual result for the 2020/21 financial year is based on KPI data for the full 2020/21 period, including the July to November 2020 period, prior to transition, and December 2020 to June 2021 following transition of the EOC to be a part of DoJ.



Outcome 7: 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 Effectiveness Indicators

ADULT

Number of escapes – Adult (by security rating)

What does this indicator measure?

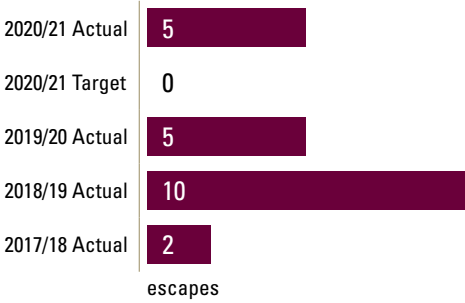
This indicator measures the number of escapes by prisoners in the custody of the Department by the prisoner’s personal security rating.

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.

A breakdown of the number of escapes by security rating for each year is provided in the accompanying table.



What does this indicator show?

The 2020/21 actual result is higher than target by 5 escapes. This result is based on two maximum security escapes, including one from the Perth District Court during August 2020 and one from Karratha airport while transiting to Perth from Roebourne Regional Prison in November 2020, and three minimum security escapes from Warburton Work Camp in February 2021. This compares with five escapes across all security ratings during 2019/20. 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.

	2017/18 Actual	2018/19 Actual	2019/20 Actual	2020/21 Target	2020/21 Actual
Maximum	0	0	1	0	2
Medium	1	10	1	0	0
Minimum	1	0	3	0	3
Total	2	10	5	0	5

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, by the number of sentenced offenders released from custody, where the offenders completed at least one offender treatment program prior to release. 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 clinical intervention programs only and does not include programs relating to education and vocational training or life skills.

What does this indicator show?

The 2020/21 actual result is 11% higher than the 2019/20 actual result of 37.14%. The 2020/21 result of 41.28% is based on 400 returns to corrective services within two years of release from custody of 969 exits, where the person had completed at least one offender program prior to release. This compares with 446 returns to corrective services within two years of release from custody, where the person had completed at least one offender program prior to release, of 1,201 exits for the 2019/20 period.

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.

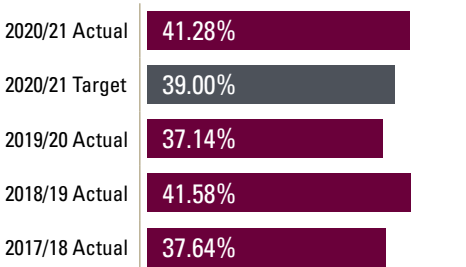
Providing a secure, safe and decent custodial environment includes managing prisoners in a way that minimises the risks they pose to the community while enabling them to achieve an acceptable quality of life. Time spent out of cells provides a greater opportunity for prisoners to participate in activities such as work, education, well-being, recreation, treatment programs, visits, and interacting with other prisoners and staff.

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 average out of cell hours result 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. The number of 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?

The 2020/21 actual result is lower than target by 12%. The lower result is due to enhancements in the recording of regular unlock and lockup times at adult prison facilities.



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 overnight hospitalisation in a medical facility or ongoing medical treatment, as well as all sexual assaults.

What does this indicator show?

The 2020/21 actual result is higher than target by 169% as a result of 86 serious assault incidents against prisoners and staff, comprising 14 serious assaults where the victim was a staff member and 72 serious assaults where the victim was a prisoner. This compares with a serious assault rate of 1.31 per 100 prisoners for the 2019/20 period, based on 15 serious assaults where the victim was a staff member and 76 serious assaults where the victim was a prisoner.

Successful completion of community corrections orders – Adult

What does this indicator measure?

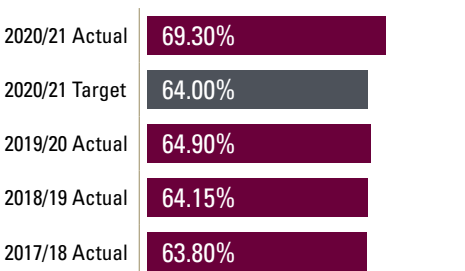
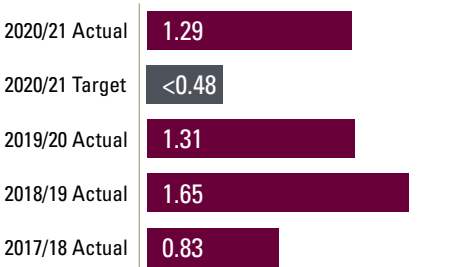
This indicator measures the percentage of community orders completed during the period that were not terminated for a breach of order for failure to meet the order requirements or because further offences were committed. This is an indicator of the Department’s objective of ensuring court sanctions are completed.

How is this indicator calculated?

This indicator is calculated by dividing the number of orders successfully completed by the total number of orders validly terminated, completed, or expired, with the result 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.



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.

What does this indicator show?

There were no escapes from youth detention in 2020/21, or the preceding three years.

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 2020/21 actual result is lower than target by 11% and decreased by 17% from the 2019/20 actual result of 53.41%. This reflects a decrease in the number of young people returning to detention relative to the number of young people exiting detention. The 2020/21 result is based on 74 returns to detention within two years of release from a period of sentenced detention, of 167 exits during the July 2018 to June 2019 period (i.e. two years prior). This compares with 94 returns to detention within two years of release of 176 exits for the 2019/20 period.

2020/21 Actual	0
2020/21 Target	0
2019/20 Actual	0
2018/19 Actual	0
2017/18 Actual	0
escapes	

2020/21 Actual	44.31%
2020/21 Target	50.00%
2019/20 Actual	53.41%
2018/19 Actual	52.87%
2017/18 Actual	58.73%

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 total number of orders validly terminated, with the result expressed as a percentage. Terminated orders exclude those terminated due to the death of an offender.

What does this indicator show?

No significant variation.

2020/21 Actual	63.02%
2020/21 Target	68.00%
2019/20 Actual	58.61%
2018/19 Actual	56.36%
2017/18 Actual	57.14%

Service 10: 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 11.

The following efficiency indicators measure the average cost of delivering the service.

Key Efficiency Indicators

Cost per day of keeping an offender in custody – Adult	2020/21 Actual	\$354
What does this indicator measure?	2020/21 Target	\$312
This indicator measures the average cost per day of keeping an adult prisoner in custody.	2019/20 Actual	\$323
How is this indicator calculated?	2018/19 Actual	\$296
This indicator is calculated by dividing the total cost of managing adult prisoners in custody by the average daily number of adult prisoners and the number of days in the period.	2017/18 Actual	\$299
What does this indicator show?		
The 2020/21 actual result is higher than target by 13% and increased by 10% from the 2019/20 actual result of \$323. This variance is due to a reduced average daily number of offenders managed in custody, compared to the budgeted number of adult offenders managed, combined with a marginally higher than budgeted total cost of service during the July 2020 to June 2021 period.		
Cost per day of managing an offender through community supervision – Adult	2020/21 Actual	\$36
What does this indicator measure?	2020/21 Target	\$36
This indicator measures the average cost per day of managing adult offenders through supervision of community orders.	2019/20 Actual	\$35
How is this indicator calculated?	2018/19 Actual	\$30
This indicator is calculated by dividing the total 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.	2017/18 Actual	\$34
What does this indicator show?		
There was no significant variation between the 2020/21 actual result and target.		

Service 11: 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, and
- 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; and
- 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; and
- 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 average 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 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? No significant variation.	2020/21 Actual	\$1,387
	2020/21 Target	\$1,366
	2019/20 Actual	\$1,339
	2018/19 Actual	\$1,019
	2017/18 Actual	\$935

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 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 2020/21 actual result is higher than target by 30% and increased by 43% from the 2019/20 actual result of \$93. This variance is due to a significant decrease in the average daily number of young people managed through community supervision, compared to the budgeted number of young people. This was combined with a higher than budgeted total cost of service during the July 2020 to June 2021 period.	2020/21 Actual	\$133
	2020/21 Target	\$102
	2019/20 Actual	\$93
	2018/19 Actual	\$83
	2017/18 Actual	\$91

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 with the Fines Enforcement Registry for enforcement by various prosecuting authorities. A review of fees is conducted annually to ensure a balance between the criteria of access to justice, incentives to settle matters and user-pays contributions.

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.

Public Trustee

The Public Trustee collects fees for a variety of services. The fees are based on a user-pays system while recognising the Public Trustee has operating subsidy obligations around a client’s ability to pay.

State Solicitor’s Office

The State Solicitor’s Office charges client agencies, including other State Government departments, for legal services that are non-core in nature. These fees are based on hourly rate charges and are set to reflect no more than cost recovery. There has been no increase in fees this financial year.

Financial interests

At the date of reporting, other than normal contracts of employment, 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 State. During 2020/21, four Act of Grace Payments totalling \$25,500 and one ex-gratia payment totalling \$20,000 were made.

Unauthorised use of purchase cards

Purchase cards are an effective way to buy goods and services. Only staff members who need to use a purchase card as part of their work are issued with them. Staff are only allowed to use the cards for Departmentally approved business purposes. The Department recouped a total of \$2,899.61 during 2020/21 after 93 employees used their purchase cards for private purposes. All of this money has been repaid except for an amount of \$96.09 which is currently under debt recovery procedures. 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:

2020/21	Amount
Settled within five working days	\$2,899.61
Settled after five working days	\$0.00
Outstanding	\$96.09
Aggregate amount of personal use expenditure	\$2,995.70



Bindi Bindi Mental Health Unit

Workers putting the finishing touches on the \$2.4 million Bindi Bindi Mental Health Unit at Bandyup Women's Prison. The 29-bed unit, named after the Noongar word for butterfly, will officially open in July 2021. Bindi Bindi is the State's first prison unit dedicated to mental health and is available to women prisoners across the custodial estate.

The meaning of Bindi Bindi

The name of the Bandyup Mental Health Unit – Bindi Bindi – is the Noongar word for butterfly.

The Bindi Bindi weaves a cultural storyline through the operations of the Unit and the services provided.

It represents many life concepts and presents the opportunity of hope, renewal, endurance, courage, change, transformation and resurrection.

The Bindi Bindi symbolises the journey and transformation of women to optimal health and happiness in living healthy and purposeful lives while in custody and in the community.

Artwork by an artist at Bandyup Women's Prison.



Major capital works

Capital expenditure was \$66.057 million, primarily spent on new infrastructure associated with the custodial infrastructure program.

Capital projects in progress

\$53.26 million was spent on capital works in progress as part of the following infrastructure projects:

- Casuarina Capital Works;
 - Stage 2 expansion to deliver a further 344 beds
 - Alcohol and other drug treatment unit for men
- Supreme Court Upgrade works
- Greenough Regional Prison Unit 4 works
- Bandyup Women's Prison Sub-Acute Bindi Bindi Mental Health Unit upgrade
- Casuarina Security Obsolescence project
- New Broome Regional Prison planning
- Acacia Prison Infrastructure replacements.

Capital projects completed

Capital projects were completed with an annual expenditure of \$14.128 million, including:

- Casuarina Capital Works Stage 1 expansion delivering 512 new beds
- Ligature minimisation program
- Bunbury Regional Prison gatehouse upgrade
- Bunbury Regional Prison fire ring main upgrade
- Broome Regional Prison kitchen replacement
- Acacia infrastructure upgrades
- Hakea Prison roof replacement program.

Customer feedback

The Department is committed to providing quality service to Government, agencies, and the community, and welcomes feedback on its performance. The Department is committed to openness and transparency and ensures all complaints are addressed in a timely and appropriate way.

Feedback management systems

The Department continues to operate two customer feedback mechanisms; a legacy of separate feedback systems of the former Departments of the Attorney General and Corrective Services. People can provide feedback, make complaints, give compliments or provide suggestions through the appropriate feedback system in various formats; in person, online, by mail or phone.

Outcomes 2020/21

The Customer Feedback Management System received and managed 636 matters comprising of:

- 475 complaints
- 119 compliments
- 41 suggestions
- One other (not categorised).

The Corrective Services ACCESS system received and managed 3,557 matters, comprising of:

- 2,988 Complaints
- 395 Contact only
- 108 Requests for information
- 42 Compliments
- 14 Suggestions
- 10 Staff grievances.

Employment and industrial relations

Breach of human resource management standards

There were 28 breach claims lodged with the Department; of these, three were upheld and one is still in progress.

There were 23 claims lodged against the employment standard, two against the performance standard and three against the grievance standard.

Summary of employee numbers by occupational group (award) and gender

Award Groups	2020/21					2019/20				
	Number			%		Number			%	
	F	M	Total	F	M	F	M	Total	F	M
Enrolled Nurses & Nursing Assistants	3.00	1.00	4.00	75.00	25.00	3.00	0.00	3.00	100.00	0.00
Government Services (Miscellaneous)	4.52	1.00	5.52	81.90	18.10	3.81	0.00	3.81	100.00	0.00
Government Officers (Award)	0.00	1.00	1.00	0.00	100.00	0.00	0.00	0.00	0.00	0.00
Jury Officers	5.95	0.08	6.03	98.62	1.38	0.61	0.19	0.80	76.25	23.75
Juvenile Custodial Officers	61.00	153.07	214.07	28.49	71.51	70.73	175.36	246.09	28.74	71.26
Medical Practitioners Agreement	7.24	15.66	22.90	31.62	68.38	5.70	13.87	19.57	29.13	70.87
Nurses Industrial	120.11	27.14	147.25	81.57	18.43	107.02	22.48	129.50	82.64	17.36
Prison Officers Agreement	713.01	2,114.29	2,827.29	25.22	74.78	692.22	2,115.37	2,807.59	24.66	75.34
Public Service Employees	2,536.58	1,137.15	3,673.73	69.05	30.95	2,455.45	1,081.79	3,537.24	69.42	30.58
Salaries and Allowances Tribunal	6.60	12.00	18.60	35.48	64.52	6.00	11.00	17.00	35.29	64.71
Youth Detention Centre Teachers	13.80	5.00	18.80	73.40	26.60	12.40	4.00	16.40	75.61	24.39
Total	3,471.81	3,467.40	6,939.21	50.03	49.97	3,356.94	3,424.06	6,781.00	49.51	50.49
Judicial Services										
Government Officers (Award)	102.49	46.30	148.79	68.88	31.12	100.10	42.70	142.80	70.10	29.90
Public Service Employees	21.00	6.00	27.00	77.78	22.22	19.80	7.40	27.20	72.79	27.21
State Administrative Tribunal	11.23	5.00	16.23	69.19	30.81	12.19	4.00	16.19	75.29	24.71
Judicial Services Total	134.72	57.30	192.02	70.16	29.84	132.09	54.10	186.19	70.94	29.06
Overall Total	3,606.53	3,524.70	7,131.23	50.57	49.43	3,490.03	3,479.13	6,969.16	50.08	49.92

The Department has 6,939.21 full time equivalent employees (FTE) comprising 7,511 paid individuals, excluding the judiciary and including trainees.

Note: This table provides the paid employee numbers by Award Groups as at the last pay of the 2020/21 financial year, which is the pay period ending 24 June 2021, and the previous financial year’s last pay, the pay period 25 June 2020.

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 instil the values of respect, integrity, unity and diversity, justice and collaboration in all staff members. The Code of Conduct was updated in 2020. It sets out standards of behaviour and helps inform employees about how to exercise judgment and accept personal responsibility in their professional roles.

Compliance with sector standards and ethical codes

The Department complies with the public sector standards in human resource management and the public service code of ethics. The Department’s code of conduct is the guiding source for all employees on the ethical principles, obligations and standards applying to staff.

Gifts and benefits

During 2020/21, offers of 232 gifts were registered and 186 (80 per cent) were accepted. Of the gifts accepted, 133 (72 per cent) had a value of \$50 or less. Of total accepted gifts, 30 (16 per cent) related to hospitality events (including briefings, seminars, and presentations); 69 (37 per cent) related to offers of food or alcohol (including meal vouchers); and 87 (47 per cent) related to other items. The other items were mostly donations of resources such as art supplies, given to prison facilities for the purposes of education and programs for those in the Department’s care.

Recordkeeping plan

The Department is required to have an approved Recordkeeping Plan in accordance with section 19 of the *State Records Act 2000*. The Department manages its records under Recordkeeping Plan (RKP) 2018002, approved by the State Records Commission in March 2018 and due for review in March 2023. The Department is updating and developing new policies, procedures, systems and tools to assist staff to meet their recordkeeping responsibilities and the requirements of the plan.

1. The efficiency and effectiveness of the organisation’s recordkeeping systems is evaluated not less than once every five years.

The following improvements were implemented:

- Amalgamation, including alignment of administrative records collections of the former Attorney General and Corrective Services Electronic Document and Records Management Systems (EDRMS) into a single dataset. This has increased operational efficiency and will allow greater information sharing, digital records management and systems integrations to occur.
- Security principles to guide changes to the EDRMS including, ease of use and open by design and closed by exception.
- Further development of best practice digitisation for the management of hard copy offender records, including a review of medical forms and initiatives enabling 24/7 access to prisoner management and community offender records.
- The Equal Opportunity Commission (EOC) transitioned to the Department, including records management support and the migration of more than 230,000 records.
- Implementation of a secure and auditable information sharing platform for the purpose of sharing sensitive information between certain Government of Western Australia agencies to facilitate the implementation of the *High Risk Serious Offenders Act 2020*.

2. The organisation conducts a recordkeeping training program.
- The recordkeeping training program for metropolitan and regional sites was expanded in 2020/21. A program to promote the EDRMS and improve recordkeeping practices was conducted. The introduction of online scheduling of training has streamlined the booking process, freed up resources and enabled the generation of ad hoc statistical reports.
- Training was delivered to staff with the purpose of providing records management education, system training and supporting projects. This training facilitated an increase in records captured within the departmental records management system.
- Three types of training were delivered:
- Recordkeeping and EDRMS training was delivered via 58 sessions to 317 staff.
 - Registering administrative folders using the Business Classification Scheme was delivered via 32 sessions to 129 staff.
 - Registering email records in the EDRMS was delivered via 51 sessions to 376 staff.

3. The efficiency and effectiveness of the recordkeeping training program is reviewed from time to time.

Records management training materials, user guides and advice have been published on the Department’s intranet. The online Recordkeeping Awareness Training course will be revised in 2021/22.

4. The organisation’s induction program addresses employee roles and responsibilities in regard to their compliance with the organisation’s recordkeeping plan.

Online corporate induction is mandatory for all staff and includes a records management module outlining roles and responsibilities.

Individual business areas deliver local recordkeeping training as part of their employee inductions. Recordkeeping requirements and the proper use of information are included in the Code of Conduct. Recordkeeping responsibilities are also included in the policies, procedures and operating manuals created and maintained by individual business areas.

The efficiency and effectiveness of the recordkeeping training program is evident from the number of records created in the EDRMS.

The quantity of documents has increased each year as the Department transitions to a digital records environment. This ensures information is more readily accessible for decision making and is reflective of the increased sophistication of the records framework within the system.

	2020/21	2019/20	2018/19	2017/18
Documents created in EDRMS	1,977,465	1,404,700	1,301,618	679,856
Folders created in EDRMS ¹	359,099	641,001	157,993	136,514
Boxes created in EDRMS	5,050	11,097	8,576	7,768
Series created in EDRMS ²	9,612	203,334	4,677	4,156

1 Implementation of the new Business Classification Scheme in 2019/20 required the creation and implementation of a new folder structure which significantly increased the number of folder records created in the EDRMS.

2 The Department uses series records to link together related specific types of folder records that share common metadata. Series records were previously created in small numbers but their use significantly expanded in 2019/20 to support the EDRMS amalgamation.

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 2020/21.

Advertising agencies	\$203,125
Initiative	\$179,400
Price consulting	\$16,500
Beilby Downing Teal Pty Ltd	\$7,225
Market research organisations	\$33,864
Catalyse Pty Ltd	\$33,864
Media advertising	\$168,150
Telstra	\$83,833
Optima Press	\$16,821
Facebook	\$14,508
State Law Publisher	\$11,304
Orange Design	\$10,330
Office of the Director of Public Prosecutions WA	\$6,542
Chandler Macleod Group Limited	\$5,221
West Australian Newspapers	\$4,810
Smart Way Marketing	\$4,541
Penguin Printing	\$4,473
Australia's Telephone Pages Pty Ltd	\$2,190
Business Directory of Australia	\$1,977
Australian Association of Graduate Employers	\$1,600
Polling	
	NIL
Direct mail organisation	
	NIL
Total	\$405,139

Freedom of information

Summary of FOI applications

Applications received	
Total	1,102
Applications processed	
Personal information requests	956
Non-personal information requests	53
Amendment of personal information	1
Applications transferred in full	55
Total	1,065
Outcomes	
Applications withdrawn	91
Internal reviews completed	11
External reviews completed	5
Applications being processed	136

The Office of the Public Advocate, the Public Trustee, the Equal Opportunity Commission, State Administrative Tribunal, Parliamentary Counsel’s Office, Acacia Prison, G4S and Broadspectrum (Australia) Pty Ltd are not listed as part of the Department in the Freedom of Information Regulations 1993 and report their statistics separately.

At the end of this period, three reviews remain outstanding with the Information Commissioner.

Disability Access and Inclusion Planning

The Department is committed to ensuring people of all abilities can access the Department's services, facilities and information.

The Department's Disability Access and Inclusion Plan (DAIP) 2018-23 complies with the *Disability Services Act 1993*. The DAIP provides a framework to guide professional and appropriate service provision to people with a disability, their carers and families; and to ensure any barriers to access and inclusion are addressed appropriately.

To support achievement of DAIP outcomes, the DAIP Committee was established to provide high level monitoring of, and to promote and support strategies identified in, the DAIP. This includes contributing to the identification and development of initiatives for implementation, which are monitored and reported on to the Corporate Executive Committee.

The DAIP Committee includes representation from business areas across the Department, and in 2020/21 welcomed the addition of a representative from the Offices of the Commissioner for Victims of Crime and the Equal Opportunity Commission. This expanding group is facilitating a cross pollination of knowledge and capability, and is currently:

- Supporting a Department wide review of disability related services, through the lens of the Disability Royal Commission's commentary.
- Providing a forum for monitoring progression of initiatives identified within the State Disability Strategy 2020-2030, released in December 2020.
- Facilitating input and review of relevant policies, as well as facilitating cross divisional discussions on related issues, sharing of information and capability.

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's DAIP Implementation Plan includes a commitment to increase alignment of policy and practice to the whole of government Substantive Equality Framework. Examples of how this is being applied include:

- Corrective Services review of all custodial operational policies and procedures (COPPs) includes a diversity impact assessment (DIA).
- The Public Trustee Office has an embedded practice of conducting DIAs for all new and revised policies and procedures, relating to the delivery of services.
- Leveraging of Equal Opportunity Commission capability and expertise in substantive equality.

With a view to modernising criminal justice legislation, reforms to the *Criminal Law (Mentally Impaired Accused) Act 1996* (CLMIA) are continuing in line with the Government's legislative agenda. In preparation for implementation of reforms once enacted, a central project team has been established to drive and coordinate activity across Government.

Corrective Services has initiated an additional annual reporting process for all contract service providers. The Adult Rehabilitation and Reintegration Service Agreements contains a reporting requirement relating to the DAIP, due annually on 31 May.

Business areas continue to assess and adapt service delivery during COVID-19, to ensure it remains accessible and inclusive for people with a disability. For example, to minimise the risk of exposure for vulnerable people with a decision-making disability, the Office of the Public Advocate restricted face to face contact in line with the public health advice and relevant lockdown orders, however services and contact were maintained through telephone, email and videoconference.

Outcome 2: People with a disability have the same opportunities as other people to access the buildings and facilities of the Department of Justice.

The Department remains committed to making sure our buildings and other facilities are both safe and accessible.

The annual Justice Strategic Asset Plan's guiding principles include ensuring 'accessibility of services for people of all abilities'. The Casuarina Prison expansion project includes accommodation for those requiring assisted care and people with a mental illness, as well as delivering more disability accessible cells.

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.

Members of the DAIP Committee have been participating in the review of whole of Government Digital Services Policy and standards and guidelines relating to accessibility and inclusivity. Consideration was given to the diverse needs of those who interact with the Department's services or need to access related information, including people with a disability.

The Registry of Births, Deaths and Marriages recently launched its new online certificate application portal which has been assessed as being compliant with current accessibility standards.

Outcome 4: People with a disability receive the same level and quality of service from the Department of Justice staff as other people receive.

The Department continues to advocate for the delivery of quality services to people with a disability and raise awareness of issues; by delivering and organising training as appropriate, encouraging representation within professional associations, and promoting associated events. For example:

- The Corporate Induction process raises awareness of the diverse needs of those in touch with the justice system and diversity in the workplace.
- The disability coordination team within Corrective Services organise information sessions and support front line staff in relation to the transition to NDIS and more generally regarding needs of people with various types and degrees of disability.
- To support delivery of a quality service which is consistent and aligned with best practice, the Office of the Public Advocate has revised their Position Statement on Restrictive Practices to reflect the NDIS Quality and Safeguarding Framework which commenced on 1 December 2020.

Outcome 5: People with a disability have the same opportunities as other people to make complaints to the Department of Justice.

Ensuring feedback and complaints processes and procedures are easily accessible for people of all abilities remains a priority for the Department.

This includes ensuring any feedback and complaints are adequately assessed, addressed, and guide effective and appropriate action to improve services.

A review and modernisation of our Online Customer Feedback Management System is continuing. This aims to provide improvements to accessibility, as well as to support subsequent processes including data capture and identification of lessons relating to response and service improvements.

The Equal Opportunity Commission continues to scrutinise information materials and processes to ensure access is as broad as possible, including providing multiple avenues to file complaints.

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 continue to consult relevant stakeholders, agencies and organisations to ensure people with disabilities are engaged and their views represented. The Equal Opportunity Commission (EOC) has a research project underway that examines what physical, social and policy barriers exist for users of mobility devices, particularly mobility scooters, across different environments (eg on university campuses). Several peak disability groups were approached directly for their input into the project. It is normal practice for EOC information materials and processes to be scrutinised for accessibility, including ensuring accessible locations for information sessions and other events, as well as providing options for people to inform of specific access requirements, if required.

Outcome 7: People with a disability have the same opportunities as other people to access employment with the Department of Justice.

The Department is progressing development of a Workforce Diversification Strategy to strengthen the Department's commitment to diversity and inclusion. This strategy, which aligns with the Public Sector Commission's People with Disability: Action Plan to Improve WA Public Sector Employment Outcomes 2020-2025, will include initiatives and actions to improve employment outcomes for people with a disability. Initiatives underway include:

- The State Solicitor's Office is exploring options for establishing a work experience program for people with intellectual disabilities, and Human Resources is exploring potential employment pathway programs for people with a disability.
- The Department is participating in the PSC facilitated Disability Recruitment workshops, and Human Resources is investigating the Disability Confident Recruiter Accreditation requirements, as per the State Disability Strategy.

The Department's DAIP Implementation Plan includes a commitment to increase alignment of employment policy and practice to the whole of government Substantive Equality Framework. Examples of how this is being applied include:

- A new HR Policy Governance framework is being embedded to provide an efficient, best practice approach to policy, procedure and delegations development. Various lenses are applied at the development stage to ensure that substantive equality principles and needs of people with a disability are considered.
- A new Anti-discrimination and Equal Opportunity Policy is being drafted which will directly align to the whole of government Substantive Equality Framework.

Government Policy Requirements

Substantive equality

The Department continued to work towards substantive equality in its services and outcomes to meet the needs of employees and stakeholders, as per the Government’s policy framework for substantive equality.

The Department’s commitment to the Government’s policy is reflected in its Code of Conduct and embedded into human resource policies, procedures and guidelines.

The Department’s public website is designed to the meet the Government of Western Australia’s standard established for web accessibility, including meeting the World Wide Web Consortium’s Web Content Accessibility Guidelines version 2.1 (WCAG 2.1) at Level A. This includes but not limited to:

- tab-based navigation and skip to links
- text resizing
- hyperlinks with description of information
- images with alternative text

The Department also produces print and online documents in line with disability access guidelines.

Reconciliation Action Plan

The Department’s Reconciliation Action Plan (RAP) 2018/19 to 2020/21 focuses on initiatives which improve outcomes for Aboriginal people, as well as advancing reconciliation in the Department and the community.

Key RAP actions and deliverables continue to be guided by the RAP Steering Committee.

COVID-19 presented challenges to RAP timeframes, however, the Department remains on track to achieve its 82 RAP deliverables by 31 December 2021.

The Department drafted a new RAP in 2020/21, which promotes a continued elevation of reconciliation.

The new RAP was submitted to Reconciliation Australia in June 2021, with a proposed commencement of 1 January 2022.

OSH and injury management

The Department maintains a commitment to the safety, health and welfare of employees, volunteers, contractors and visitors. A copy of our Occupational Safety and Health policy has been supplied to all workplaces to improve awareness of this commitment.

The Department launched the Work Health and Safety Strategy 2021-2025. The Strategy will be delivered in four stages, starting with Stage 1 in 2021, in which the Department will build on achievements in recent years to provide a safe and healthy workplace.

The Department is investing in an online incident reporting system aimed to improve access, efficiency, compliance and data quality.

Workers’ compensation

The Department remains committed to helping injured workers back into gainful employment. The Workers’ Compensation and Injury Management team works in partnership with business areas on claims management, injury prevention, early intervention and return to work plans.

The Department is tailoring the delivery of early intervention, incident response, injury management and strategic claims management for our uniquely different workplaces and investing in a case management system which will improve access, efficiency and outcomes.

The Department continued to improve practices to focus on reducing the frequency, severity and volume of all compensable injuries.

Measures	Results 2020/21	Results 2019/20	Results 2018/19	Targets ¹	Comments about targets
Number of fatalities	0	0	0	0	Target achieved
Lost time injury and disease incidence rate ²	7.2	7.7	8.6	0 or 10% reduction in incidence rate	Target achieved
Lost time injury and severity rate ³	46.9	47.1	38.4	0 or 10% reduction in severity rate	Target not achieved
Percentage and number of injured workers returned to work within 13 weeks	52%	57%	60%	No target	N/A
Percentage and number of injured workers returned to work within 26 weeks	67%	63%	75%	Greater than or equal to 80%	Target not achieved
Percentage of managers trained in occupational safety, health and injury management responsibilities, including refresher training within 3 years	60%	N/A	N/A	Greater than or equal to 80%	Target not achieved

Source: Insurance Commission of Western Australia and Department of Justice’s workforce.

The Department is in the early stages of implementing reforms in injury and cost reduction strategies. As such, the targets unlikely to be met until the impact of the strategies has matured.

Note: % for 2018/19 and 2019/20 have been amended to show results calculated in line with reporting parameters for 2020/21.

Aboriginal Justice Open Days

Aboriginal Justice Open Days are a culturally safe place for Aboriginal people to engage with government and non-government agencies.

A deliverable under the Department’s Reconciliation Action Plan, open days aim to improve Aboriginal engagement with the justice system.

Two open days held in Carnarvon at the Gwoonwardu Mia Gascoyne Aboriginal Heritage and Culture Centre had a significant impact for one family.

An Aboriginal mother attended with her two adult children. The children had not been registered at birth, so both were able to be registered with Registry of Births, Deaths and Marriages there.

All three adults then applied for their Birth Certificates, which made up part of their 100-point ID check. Each could subsequently apply for a Learner’s Permit with the Department of Transport. All three passed the theory test and left the open day having obtained their own Learner’s Permit and Birth Certificate.



FOCUS

1 As defined by Public Sector Commissioner’s Circular 2018-03 Code of Practice: Occupational Safety and Health in the Western Australian public sector.

2 Number of incidents resulting in lost time per 100 full-time equivalent staff.

3 Number of incidents resulting in lost time classified as severe per 100 incidents resulting in lost time.

Board remuneration

Law Reform Commission of Western Australia

Position title	Member name	Type of remuneration	Period of membership	Term of appointment / tenure	Base salary/ sitting fees	Gross/actual remuneration for financial year
Chair	Hon Carolyn (Lindy) JENKINS	Honorarium	10 months	Full time	N/A	\$5,000 ¹
SSO Member	Ms Kirsten CHIVERS	Not applicable	1 year	Part time	N/A	N/A
Academic Member	Dr Sarah MURRAY	Honorarium	1 year	Part time	N/A	\$43,860
Total						\$48,860

Appeal Costs Board

Position title	Member name	Type of remuneration*	Period of membership**	Term of appointment / tenure***	Base salary/ sitting fees	Gross/actual remuneration for financial year
Chair	Alan John SEFTON	n/a	1 year	3 years	\$0	n/a
Member	Clare Helen THOMPSON	per meeting	1 year	2 years	\$1,128 per day	\$2,954
Member	Lisa BOSTON	per meeting	1 year	2 years	\$1,128 per day	\$0
Secretary	Mark Anthony HILDITCH	n/a	1 year	Ongoing	\$0	\$0
Total					\$2,256	\$2,954

Legal Costs Committee¹

Position title	Member name	Type of remuneration*	Period of membership**	Term of appointment / tenure***	Base salary	Gross/actual remuneration for financial year
Chair	Clare THOMPSON	Annual	1 year	3 Year	\$16,808.25	\$16,808.25
Member	Brendon Warren ASHDOWN	Annual	1 year	3 Year	\$6,723.30	\$6,723.30
Member	Marcus COCKER	Annual	1 year	3 Year	\$6,723.30	\$6,723.30
Member	Matthew CURWOOD	Annual	1 year	3 Year	\$6,723.30	\$6,723.30
Member	Janice Dawn DUDLEY	Annual	1 year	3 Year	\$6,723.30	\$6,723.30
Member	Angela Ann GAFFNEY	Annual	1 year	3 Year	\$6,723.30	\$6,723.30
Total					\$50,424.75	\$50,424.75

1 The amounts paid to members have remained the same since 2002.

Prisoners Review Board

Position title	Member name	Type of remuneration*	Period of membership**	Term of appointment / tenure***	Base salary	Gross/actual remuneration for financial year ²
Chairperson - His Honour Mr Allan FENBURY		Salary	Entire reporting period	Part-time	\$253,817	\$253,817
Deputy Chairperson	A	Salary	Entire reporting period	Sessional	\$619	39,339
Deputy Chairperson	B	Sessional	Entire reporting period	Sessional	\$619	29,425
Deputy Chairperson	C	Sessional	Entire reporting period	Sessional	\$619	27,374
Deputy Chairperson	D	Sessional	Entire reporting period	Sessional	\$619	25,175
Deputy Chairperson	E	Sessional	Entire reporting period	Sessional	\$619	\$22,616
Deputy Chairperson	F	Sessional	Entire reporting period	Sessional	\$619	\$21,997
Deputy Chairperson	G	Sessional	Entire reporting period	Sessional	\$619	\$17,664
Deputy Chairperson	H	Sessional	Entire reporting period	Sessional	\$619	\$17,498
Deputy Chairperson	I	Sessional	Entire reporting period	Sessional	\$619	\$5,903
Deputy Chairperson	J	Sessional	Ended 03/07/2020	Sessional	\$619	\$619
Member	A	Sessional	Entire reporting period	Sessional	\$497	\$5,003
Member	B	Sessional	Entire reporting period	Sessional	\$497	\$8,349
Member	D	Sessional	Entire reporting period	Sessional	\$497	\$4,175
Member	E	Sessional	Entire reporting period	Sessional	\$497	\$10,636
Member	F	Sessional	Entire reporting period	Sessional	\$497	\$14,314
Member	G	Sessional	Entire reporting period	Sessional	\$497	\$8,580
Member	J	Sessional	Ended 03/07/2020	Sessional	\$497	\$994
Member	K	Sessional	Entire reporting period	Sessional	\$497	\$29,554
Member	L	Sessional	Entire reporting period	Sessional	\$497	\$24,552
Member	M	Sessional	Entire reporting period	Sessional	\$497	\$23,889
Member	N	Sessional	Entire reporting period	Sessional	\$497	\$23,757
Member	O	Sessional	Entire reporting period	Sessional	\$497	\$20,642
Member	P	Sessional	Entire reporting period	Sessional	\$497	\$19,880
Member	Q	Sessional	Entire reporting period	Sessional	\$497	\$19,522
Member	R	Sessional	Entire reporting period	Sessional	\$497	\$18,886
Member	S	Sessional	Entire reporting period	Sessional	\$497	\$12,992
Member	T	Sessional	Entire reporting period	Sessional	\$497	\$8,820
Member	U	Sessional	Commenced 1/12/2020	Sessional	\$497	\$7,826
5 Members from Corrective Services	N/A	Nil	Entire reporting period	N/A	\$0	\$0
9 Members from WA Police Force	N/A	Nil	Entire reporting period	N/A	\$0	\$0
4 PRB Staff Members	N/A	Nil	Entire reporting period	N/A	\$0	\$0
Total						\$723,798.00

Mentally Impaired Accused Review Board

Position title	Member name	Type of remuneration*	Period of membership**	Term of appointment / tenure***	Base salary	Gross/actual remuneration for financial year
Chairperson - His Honour Mr Allan FENBURY		Salary ³	Entire reporting period	Part-time	\$0	\$0
Deputy Chairperson	A	Sessional Payment	Entire reporting period	Sessional	\$619	\$2,476
Member	A	Sessional Payment	Entire reporting period	Sessional	\$497	\$9,443
Member	B	Sessional Payment	Entire reporting period	Sessional	\$497	\$11,431
Member	C	Sessional Payment	Entire reporting period	Sessional	\$497	\$10,437
Member	D	Sessional Payment	Entire reporting period	Sessional	\$497	\$497
Member Department of Communities	E	Nil	Entire reporting period	N/A	\$0	\$0
Member Department of Communities	F	Nil	Entire reporting period	N/A	\$0	\$0
Total						\$34,284

Supervised Release Review Board

Position title	Member name	Type of remuneration*	Period of membership**	Term of appointment / tenure***	Base salary	Gross/actual remuneration for financial year
Chairman - His Honour Mr Allan FENBURY		Salary	Entire reporting period	Part-time	\$89,865	\$89,865
Deputy Chairman	A	Sessional	Entire reporting period	Sessional	\$628	\$3,768
Member	A	Sessional	Entire reporting period	Sessional	\$504	\$15,758
Member	B	Sessional	Entire reporting period	Sessional	\$504	\$17,640
Member	C	Sessional	Entire reporting period	Sessional	\$504	\$18,648
Member Corrective Services	D	Nil	Entire reporting period	N/A	\$0	\$0
Member Corrective Services	E	Nil	Entire reporting period	N/A	\$0	\$0
Member WA Police	F	Nil	Entire reporting period	N/A	\$0	\$0
Member WA Police	G	Nil	Entire reporting period	N/A	\$0	\$0
Total						\$145,679

Gender Reassignment Board[#]

Position title	Member name	Type of remuneration*	Period of membership**	Term of appointment / tenure***	Fee for a full day	Fee for a part day
President	Magistrate Patrick HOGAN	Consolidated Account	2007 ⁵	30 December 2021	\$450	\$300
Member	Dr Lauren Jane MEGAW	Consolidated Account	20 August 2013	30 December 2021	\$300	\$200
Member ⁶	Ms Esther Beate WASCHK	Consolidated Account	06 August 2019	30 December 2021	0	0
Member	Dr Kymberley Grace WILSON	Consolidated Account	2002 ⁵	30 December 2021	\$300	\$200
Member	Mr Grantham Angus KITTO	Consolidated Account	10 February 2009	30 December 2021	\$300	\$200

1

One time reimbursement for home office expenses.

2.

Including payments at an hourly rate applied to the unscheduled meeting of the board where a quorum is required at short notice in relation to a single offender or accused person and where it cannot wait until the next sitting of the board.
Salaries and sessional payments only. Superannuation and on-costs are excluded.

3.

Including payments at an hourly rate applied to the unscheduled meeting of the board where a quorum is required at short notice in relation to a single offender or accused person and where it cannot wait until the next sitting of the board.
Salaries and sessional payments only. Superannuation and on-costs are excluded.

4

Including payments at an hourly rate applied to the unscheduled meeting of the board where a quorum is required at short notice in relation to a single offender or accused person and where it cannot wait until the next sitting of the board.
Salaries and sessional payments only. Superannuation and on-costs are excluded.

5

The Board was only administratively supported by the State Administrative Tribunal from 2009, with incomplete records provided. These members initial commencement dates are not known other than the year they commenced.

6

Public Sector worker – full time.

#

The board commenced on 12 April 2000. The Act states the president can be appointed for up to five years and members up to three years. President and members may be reappointed.

*

If applicable, includes sessional payment per meeting, half day or annual.

**

Refers to board members’ membership during the reporting period not their entire tenure on the board or committee. Period of membership correlates with the respective remuneration received.

Refers to term of appointment/tenure (if relevant) or appointment type, for example sessional/full time.

Note:

Names of some Board members have been withheld for security reasons.

Acts Administered by the Department of Justice

Attorney General

Acts Amendment (Equality of Status) Act 2003
Acts Amendment and Repeal (Courts and Legal Practice) Act 2003
Administration Act 1903
Age of Majority Act 1972
Anglican Church of Australia (Diocesan Trustees) Act 1888
Anglican Church of Australia (Diocese of North West Australia) Act 1961
Anglican Church of Australia (Swanleigh land and endowments) Act 1979
Anglican Church of Australia Act 1976
Anglican Church of Australia Constitution Act 1960
Anglican Church of Australia Lands Act 1914
Artificial Conception Act 1985
Australia Acts (Request) Act 1985
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 (Commonwealth Powers) Act 2019
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 (Imp)
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
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 (Consequential Provisions) Act 2000
Criminal Property Confiscation Act 2000
Cross-border Justice Act 2008
Crown Suits Act 1947
Debts Recovery Act 1830 (Imp)
Debts Recovery Act 1839 (Imp)
Defamation Act 2005

District Court of Western Australia Act 1969
Domestic Violence Orders (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 (Orders of Registrars) Act 1997
Family Court 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
High Risk Serious Offenders Act 2020 (except Part 3, sections 30-33 & 51, Part 4 Division 6, section 67 & Part 7, which are administered by the Minister for Corrective Services principally assisted by the Department of Justice)
Highways (Liability for Straying Animals) Act 1983
Historical Homosexual Convictions Expungement Act 2018
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 (Civil Proceedings) Act 2004
Magistrates Court Act 2004
Mercantile Law Amendment Act 1856 (Imp)
National Redress Scheme for Institutional Child Sexual Abuse (Commonwealth Powers) Act 2018
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
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 Department of Health)
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 Act 2003 (Part 2 Divisions 1, 3 & 4, Parts 3 & 4, Part 5 Division 4, Part 9, sections 114, 115, 115A, 119 & 122, Schedule 1 & 2 only; remainder of Act administered by the Minister for Corrective Services principally assisted by the Department of Justice)
Sentencing (Consequential Provisions) Act 1995
Sentencing Act 1995 (except Part 3 Divisions 3 & 5, Parts 3A, 9, 10, 11 & 12 & Part 18 Divisions 2, 3 & 4 which are administered by the Minister for Corrective Services principally assisted by the Department of Justice)
Sentencing Legislation Amendment and Repeal Act 2003
Solicitor-General Act 1969
Spent Convictions Act 1988
State Administrative Tribunal (Conferral of Jurisdiction) Amendment and Repeal Act 2004
State Administrative Tribunal Act 2004
Statute of Frauds (1677) (Imp)
Statutory Corporations (Liability of Directors) Act 1996
Suitors’ Fund Act 1964
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

Minister for Corrective Services

Custodial Services Act 1999
High Risk Serious Offenders Act 2020 (Part 3, sections 30-33 & 51, Part 4 Division 6, section 67 & Part 7 only; remainder of Act administered by the Attorney General principally assisted by the Department of Justice)
Prisoners (International Transfer) Act 2000
Prisoners (Interstate Transfer) Act 1983
Prisons Act 1981
Sentence Administration (Interstate Transfer of Community Based Sentences) Act 2009
Sentence Administration Act 2003 (Part 1, Part 2 Division 2, Part. 5 Divisions 1-3, Part 6, 7 & 8, Part 10 (except section 114 & 115A) only, remainder of Act administered by the Attorney General principally assisted by the Department of Justice)
Sentencing Act 1995 (Part 3 Divisions 3 & 5, Part 3A, 9, 10, 11 & 12 & Part 18 Divisions 2, 3 & 4 only; remainder of Act administered by the Attorney General principally assisted by the Department of Justice)
Young Offenders Act 1994



During the 16 Days of Action against gender-based violence, in November, the Office of the Commissioner for Victims of Crime organised a fundraiser to auction off custom-painted and donated skateboard decks.

This raised almost \$3,000, which was presented to Ruah Community Services which supports women who have experienced family violence.